

TO: PLANNING & REGULATORY COMMITTEE **DATE:** JUNE 2014
BY: PLANNING DEVELOPMENT CONTROL TEAM
MANAGER
DISTRICT(S) TANDRIDGE DISTRICT COUNCIL **ELECTORAL DIVISION(S):**
Oxted
Mr Skellett

PURPOSE: FOR DECISION **GRID REF:** 537409 152187

TITLE: MINERALS AND WASTE APPLICATION REF TA13/1653

SUMMARY REPORT

Land at Oxted Sandpit, Barrow Green Road, Oxted, Surrey RH8 9HE

Installation and retention of a bunded fuel storage, wheel wash, site reception offices, weighbridge and hardstanding and the upgrade to the site access; and temporary use of them in connection with the backfilling with inert waste material and restoration to agriculture on land at Oxted Sandpit.

This proposal must be considered in association with planning application Ref. TA11/1075 which seeks planning permission for the infilling of the former quarry void with inert waste as defined in Regulation 7 (4) of the Landfill (England and Wales) Regulations 2002, together with any engineering materials necessary to line and cap the site and soils for restoration without compliance with Condition 3 of planning permission ref: TA94/0980/A3 dated 11 June 2007 for a further eight years.

Sand extraction has taken place within the sandpit since the 1970's. The original planning permission (Ref. TA75/0815) included not only the sandpit area but also an access to the sandpit located off of Barrow Green Road. Subsequently, a number of variations have been made to the planning permissions associated with the mineral working. However, at some point the sandpit's vehicular access and the area between the sandpit and that access point ("the application site") were excluded from the sandpit's red line application area. This anomaly was identified by the County Planning Authority during determination of planning application Ref. TA11/1075.

Accordingly, there is no planning permission associated with the application site which would allow for its use in association with the infilling and restoration of the sandpit. However, this area has historically been used for ancillary infrastructure relating to the mineral working. Consequently, the rationalisation of the application site which measures some 0.66ha, is necessary in order to facilitate the infill and restoration of the sandpit should planning permission be granted in respect of planning application Ref. TA11/1075.

The proposal includes replacing existing offices, a weighbridge, wheel cleaning facilities and fuel storage. The use of the sandpit's vehicular access and the operational development proposed to be established within the application site would be of a temporary nature. The application site would be restored in the year following 31 May 2020 or earlier. Once infilling and restoration operations associated with the sandpit have been completed the ancillary features and their foundations would be removed from the application site. However, the existing gated access

and some associated hardstanding would remain to facilitate aftercare and management arrangements of the restored sandpit and to allow access to the Coney Hill Landfill site.

The consultation and notification responses received from statutory and non-statutory consultees and other interested parties have been largely concerned with planning application Ref. TA11/1075 as opposed to the development subject to this report and have therefore been discussed and addressed in the committee report associated with application Ref. TA11/1075. No public letters of representation have been received in respect of planning application Ref. TA13/1653.

Planning permission Ref: TA01/0980/A1 was granted in 2001 for an extension of time for completion of landfilling the sandpit until May 2011. Forming part of that permission was a condition which limited the number of Heavy Goods Vehicle (HGV) movements to and from the site to 55 trips (110 movements) per day. Consequently the principle of restoring the sandpit facilitated by 55 trips or 110 movements per day has been established as acceptable.

The applicant anticipates that the filling of the total void space of 490,000m³ would generate about 23 deliveries of material per day or 46 movements per day spread over a 10 hour day. This would equate to approximately 4.5 HGV movements per hour. This predicted traffic movement is an average and it is expected there would be peaks and troughs as material is sourced and delivered. The proposed number of two way vehicle movements would result in an increase of approximately 1.7% in the existing background traffic between the site access and Barrow Green Road's junction with the A25. The permitted daily flow of 110 HGV movements per day would result in an increase of 4.2% in the existing background traffic between the same. Consequently, the applicant is proposing to mitigate this increase in traffic along Barrow Green Road.

Accordingly, the highway mitigation measures proposed by the applicant which form part of the planning application subject to this report (Ref. TA13/1652) are:

- I. physical junction improvement at the sandpit's vehicular access point with Barrow Green Road so as to prevent traffic turning left out of and right in to the site from Barrow Green Road. This would be carried out by the construction of a new verge, the use of kerbing or similar to prevent HGVs overrunning and a carriageway widening
- II. the boundary fence to the applicant's ownership boundary along the northern part of Barrow Green Road to be moved back so that it aligns with the line of the visibility splay at the sandpit's vehicular access point thereby providing greater sight lines for HGV drivers leaving the sandpit
- III. widening of the Barrow Green Road carriageway to 7.3 metres where there are currently pinch points and where the width is measured to be less than this
- IV. clearing of any vegetation along Barrow Green Road

The County Highway Authority has reviewed the applicant's Transport Statement and Environmental Statement and considers that the applicant has adequately addressed the impact of HGVs associated with ancillary development proposed. Accordingly, the CHA raise no objection to the proposal or the proposed highway improvement works to Barrow Green Road subject to the imposition of conditions limiting the number of HGVs to 55 trips (110 movements) per day, that measures are in place to ensure no deleterious material fouls the public highway and that the proposed mitigation measures are the subject of a S278 legal agreement and constructed to the satisfaction of the CHA before the infilling operations commence.

The applicant is proposing to undertake extensive planting along the sandpit's western and southern boundaries and site access area. Planting along the western and southern boundaries would comprise native hawthorn and blackthorn at a rate of 2 plants ranging from 40 to 60cm in

height per square metre. Planting around the site access area would comprise native hazel, field maple, hawthorn and blackthorn. Similarly, this planting would be undertaken at a rate of 2 plants ranging from 40 to 60cm in height per square metre. All the species proposed to be planted by the applicant produce flowers and berries, nuts and seeds which are attractive to invertebrates and birds and are therefore used as shelter and for foraging. The proposed planting would be carried out in the first planting season prior to or immediately after commencement of infilling operations, and managed for 5 years thereafter. The management details provided by the applicant in this respect are considered satisfactory.

Further, the applicant is proposing to retain all existing trees and shrubs along the boundaries of the sandpit and in this respect has detailed acceptable measures for protection of these trees and shrubs during infilling and restoration works.

The bulk of the sandpit is proposed to be restored to agricultural grassland that can be maintained with through mowing or by grazing. In addition, the applicant proposes to restore and re-establish vegetation in the area of the former borrow pit due north of the sandpit's northern boundary adjacent to Duckpit Wood. This area would be regarded and prepared using soils from the sandpit prior to sowing with the same native grass mix proposed for the sandpit restoration.

The seed mix to be used for the proposed restoration would comprise native flowering grasses and herbs which would provide fodder for bees and habitat for invertebrates and reptiles. Additional habitat would be provided by planting the depression between the sandpit and Coney Hill Landfill with shallow, by a surface waster attenuation pond, and a native hedge.

The proposed attenuation pond is to be established within the sandpit site during the period of year 6 to year 7. Its margins would be seeded with an appropriate pond grass seed mix so as to stabilise its edges. The proposed native hedge would be established along the boundary of the sandpit and the Coney Hill Landfill and following completion of infilling operations. It would comprise field maple, hawthorn, holly, and blackthorn thereby providing shelter and a food source for birds and invertebrates.

The Surrey Bird Club and several interested parties have raised concern about the impact of the proposed infilling on the existing Sand Martin nesting holes located within the southern face of the sandpit. These concerns have been raised in association with planning application Ref. TA11/1075 and Officers have sought to address these concerns in detail throughout the associated committee report.

However, in summary, Officers have encouraged the applicant to retain this face as existing so as to minimise or negate the impact of infilling and restoration activities on the birds. However, the applicant has offered to retain a 2m section of the face in addition to providing further 2m high artificial nesting habitat. The detail of this artificial structure proposed could be secured by way of a planning condition before infilling operations commence.

Consequently, Officers are uncertain as to whether any artificial structure would act as an adequate substitution to the existing natural quarry face which appears to be popular with Sand Martins. Compounding this uncertainty is the fact that the applicant has provided no assessment as to whether the nesting holes to be preserved within the top 2m of the quarry face would remain viable nesting habitats following infilling operations.

Considering the ecological enhancements proposed by the applicant Officers do not consider that refusing to grant planning permission for the proposed ancillary development on the basis of the uncertainty relating to Sand Martins would be justifiable.

The sandpit would be filled to the previously original approved pre-settlement contours associated with planning permission Ref. TA94/0980/A2. As a result, Officers recognise there would be temporary (earthworks, plant, infrastructure, vehicle movements etc.) and permanent effects (the final landscape with changes to the landform and after use) landscape impacts

resulting from the proposed infilling and restoration works including the ancillary development proposed.

However, this impact would be transient given that the applicant is intending to complete all works within 8 years of the grant of any permission and mitigated by the existing and established vegetation surrounding the application site. Following restoration of the sandpit the application site would be assimilated into the surrounding landscape. This landscape assimilation together with the ecological enhancements offered by the applicant would enhance the local landscape and as a consequence local visual amenity. It would also provide for a beneficial and positive agricultural after use of the application site. Accordingly, the County's Landscape Architect has not raised objection to the proposal.

The application site is located within Flood Zone 1 and considering the County's Hydrogeologist's view that the only potential flooding issue identified relates to surface water run-off which would be controlled by a surface water management plan which the EA are satisfied with Officers do not consider that the proposal would result in flooding of the application site or displacement of surface water elsewhere such that it gives rise to flooding on adjacent land.

11
The County's Air Quality Consultant considers the measures set out in the applicant's Environmental Statement are consistent with the level of risk associated with the proposal. However as it has been determined that nuisance dust effects are potentially significant without the implementation of mitigation measures and therefore the AQC recommends that a dust action plan is formalised by way of a condition.

The facilitation of the infilling of the former mineral working by way of the proposed development would have an adverse impact on the openness of the Green Belt by virtue of the industrial scale and nature of the proposal. However, this impact would be temporary and transient following which a substantial improvement in the quality of the application site would be brought about by its assimilation into the local landscape, the ecological enhancements offered by the applicant, and the beneficial and positive agricultural after use proposed.

In addition, the proposed development would facilitate continued sustainable waste management infrastructure within the County beyond 2015 in accordance with the Surrey Waste Plan 2008. This would result in the continued sustainable management of waste arising from within the County's borders and residual waste arising from London.

The mitigation and compensatory measures offered by the applicant and the conditions to be imposed by Officers on any permission granted would temper any harm caused by the proposal as discussed throughout this report.

Paragraph B46 of the Surrey Waste Plan 2008 states that minerals can be worked only where they are found and extraction need not be inappropriate development, provided that high environmental standards are maintained and that the site is well restored. Landfill is most often the means to that restoration. Neither landfill nor land raising activities need conflict with the purposes of including land in the Green Belt. Both can play a positive role in the objectives of the Green Belt: the after use of a site may provide the opportunities for access to restored open countryside, or improve damaged land around a town.

The recommendation is to GRANT planning permission Ref. TA/13/1653 subject to conditions.

APPLICATION DETAILS

Applicant

Killoughery Waste Management Ltd.

Date application valid

6 November 2013

Period for Determination

30 May 2014

Amending Documents

Dust Risk Assessment and Dust Management Plan for Ancillary Works dated January 2014
 Restoration and Aftercare scheme dated February 2014
 Planting Scheme dated February 2014

SUMMARY OF PLANNING ISSUES

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

Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Highways, Traffic and Access	Yes 73 - 117
Ecology and Biodiversity	Yes 118 - 160
Visual and Landscape Impact	Yes 161 - 183
Flood Risk and Pollution	Yes 184 - 205
Air Quality	Yes 206 - 218
Metropolitan Green Belt	Yes 219 - 246

ILLUSTRATIVE MATERIAL**Site Plan**

- Phasing and Restored Profile Plan
- Site Context Plan
- Site Plan for Access Area
- Proposed Highway Mitigation and Improvement Measures

Aerial Photographs

- Aerial 1: Land at Oxted Sandpit, Barrow Green Road, Oxted, Surrey
- Aerial 2: Land at Oxted Sandpit, Barrow Green Road, Oxted, Surrey

Site Photographs

- Figure 1 – Western Boundary of the Sandpit
- Figure 2 – Northern Boundary of the Sandpit
- Figure 3 – Looking towards the South from the North West
- Figure 4 – Existing Access Area
- Figure 5 – Existing Access Area
- Figure 6 – Eastern Boundary of the Sandpit with Coney Hill Landfill beyond
- Figure 7 – Access Area in the Foreground with the Sandpit in the Background

SITE DESCRIPTION

1. The application site ("the sandpit") comprises the historical access and access area of the former mineral working which measures some 9ha and is located on the eastern edge of Oxted. It is situated within the Metropolitan Green Belt. The Surrey Hills Area of Outstanding Natural Beauty boundary is located approximately 580m to the north of the sandpit adjacent to the M25 motorway.
2. The eastern boundary of the sandpit abuts the restored Coney Hill Landfill site with the Palmers Wood Oilfield beyond (about 340m distant). The southern boundary of the sandpit abuts footpath 508 and bridleway 565 with a field and the A25 beyond. The western boundary of the sandpit is formed by Tandridge Hill Lane with residential properties to the west and fields beyond. Immediately north of the sandpit is Duckpit Wood which is designated Ancient Semi-Natural Woodland. This woodland extends eastwards to Priory Shaw. Beyond the woodland some 120m from the application site is a public water supply borehole. Tandridge Priory Riding Stables is located along Barrow Green Road approximately 320m north east of the application site.
3. Access to the sandpit is gained via an existing entrance which serves both the sandpit and also Coney Hill landfill. This entrance is gained from Barrow Green Road, a C class road. Barrow Green Road joins with the A25 some 300m to the south at a roundabout.
4. The nearest dwellings to the mineral working are some 40m from its boundary on the western side of Tandridge Hill Lane (1 and 2 Tandridge Hill Lane). East Lodge lies approximately 50m to the south west and Surrey Hill House approximately 50m to the north west. Further dwellings are located to the north of the sandpit beyond Duckpit Wood including Greenaches, The Firs and North Model Farm. Three dwellings are situated to the south east on the corner of Barrow Green Road and the A25 (Old School House, 1 and 2 Paygate Cottages) all of which have vehicular access onto Barrow Green Road. Dwellings further to the north along Barrow Green Road include Barrow Green Farm Cottages, Barrow Green Farm, Barrow Green Court, The Farmhouse, Garden Cottages, Brookmead, Coach House, the Grange and Ridgeway Manor Residential Home.

Planning History

5. In December 1976 planning permission Ref: TA75/0815 was granted for sand extraction from 8.97ha at Oxted Sandpit was granted as a western extension to the adjacent Coney Hill Landfill. This permission provided for the working of the sandpit for coarse grain silica sand with progressive infilling with inert waste and restoration over a 20-year period. The consent was subject to 27 conditions some of which required the submission of further details for approval.
6. Subsequently, in September 1977 details were approved by notice Ref. TA75815A pursuant to conditions 3, 5, 7, 11, 13, 20, 21 and 25 of permission Ref. TA75/0815. Whilst in October 1978 details of a landscaping scheme were approved by notice Ref. TA75/815B pursuant to condition 10 of the same.
7. In June 1980 planning permission Ref. TA75/0815 was granted for the working programme required by TA75/0815 to be varied so as to allow for a change in the direction of working and the creation of a new phase 1b.
8. In January 1989 planning permission Ref. TA87/1043 was refused for a 0.8ha north western extension to the sandpit.
9. The applicant has explained that because of problems with an unmarked drain which crossed the application site infilling did not commence as required by permission Ref: TA75/0815.

10. Accordingly, in June 1995 planning permission Ref. TA94/0980 was granted to vary conditions 26, 27(I), 27(II), 27(VI) and 27(XI) of permission Ref. TA75/815 so as to enable the site to be filled and restored over a period of 8 years commencing in June 1995. Condition 2 of this permission required that the deposit of waste should cease on or before 31 May 2003 and the site be restored within a period of twelve months following the cessation of filling. The nature of the fill materials was restricted by condition 7 to non-contaminated naturally occurring soils.
11. Planning permission Ref. TA94/0980, by virtue of condition 8, prohibited infilling of the application site until such time as the junction of the A25 and Barrow Green Road had been improved to the reasonable satisfaction of the County Highway Authority.
12. In October 1997 planning permission Ref. TA97/0256 was granted for the variation of condition 26 of permission Ref. TA75/0815 so as to permit working of sand for a further period not exceeding twelve months beyond 14 December 1996.
13. In January 2002 condition 2 of TA94/0980 was varied by notice Ref. TA01/0980A so as to extend the time period for completion of filling to 31 May 2011.
14. The highway improvement works required by condition 8 of planning permission TA94/0980 was discharged by the applicant in December 2002. At this juncture infilling of the application site had still not commenced.
15. In October 2005 condition 3 of TA94/0980 was varied by notice Ref. TA94/0980/A2 to allow for the revision of the approved restoration contours to create a 'V' shaped valley avoiding the need to fill on top of, and adjacent to, the Coney Hill western bund thereby reducing the volume of fill required to restore the sandpit.
16. In June 2007 condition 7 of TA94/0980/A2 was varied by notice Ref. TA94/0980/A3 so as to allow the infilling of the former quarry void with inert waste as defined in Regulation 7 (4) of the Landfill (England and Wales) Regulations 2002, together with any engineering materials necessary to line and cap the site and soils for restoration. At this juncture infilling of the application site had yet to commence.
17. Permission Ref. TA94/0980/A3, by virtue of condition 3, required that the deposit of waste cease on or before 31 May 2011 and the application site be restored within a further period of 12 months i.e. by 31 May 2012.
18. In addition to the time limits imposed by planning permission Ref. TA94/0980/A3 in respect of infilling and restoration, condition 28 of this permission required a detailed scheme of tree and shrub planting be submitted to the County Planning Authority for approval, whilst condition 30 of this permission required that an agricultural aftercare scheme be submitted to the County Planning Authority for approval.

THE PROPOSAL

19. This proposal must be considered in association with planning application Ref. TA11/1075 which seeks planning permission for the infilling of the former quarry void with inert waste as defined in Regulation 7 (4) of the Landfill (England and Wales) Regulations 2002, together with any engineering materials necessary to line and cap the site and soils for restoration without compliance with Condition 3 of planning permission ref: TA94/0980/A3 dated 6th June 2007 for a further eight years. This application is accompanied by an overarching Environmental Statement which also addresses planning application Ref. TA/13/1653 the subject of this report.
20. Further, the applicant's ecological surveys, Noise Assessment, Flood Risk Assessment, Landscape and Visual Impact Assessment, Transport Statement, Planting Scheme, and

Restoration and Aftercare Scheme submitted in support of planning application TA11/1075 take the ancillary development proposed by planning application Ref. TA13/1653 into account.

21. Sand extraction has taken place within the sandpit since the 1970's. The original planning permission (Ref. TA75/0815) included not only the sandpit area but also an access to the sandpit located off of Barrow Green Road. Subsequently, a number of variations have been made to the planning permissions associated with the mineral working. However, at some point the sandpit's vehicular access and the area between the sandpit and that access point ("the application site") were excluded from the sandpit's red line application area. This anomaly was identified by the County Planning Authority during determination of planning application Ref. TA11/1075.
22. Accordingly, there is no planning permission associated with the application site which would allow for its use in association with the infilling and restoration of the sandpit. However, this area has historically been used for ancillary infrastructure relating to the mineral working. Consequently, the rationalisation of the application site which measures some 0.66ha, is necessary in order to facilitate the infill and restoration of the sandpit should planning permission be granted in respect of planning application Ref. TA11/1075.
23. The proposal includes replacing existing offices, a weighbridge, wheel cleaning facilities and fuel storage. The use of the sandpit's vehicular access and the operational development proposed to be established within the application site would be of a temporary nature. The application site would be restored in the year following 31 May 2020 or earlier. Once infilling and restoration operations associated with the sandpit have been completed the ancillary features and their foundations would be removed from the application site. However, the exiting gated access and some associated hardstanding would remain to facilitate aftercare and management arrangements of the restored sandpit and to allow access to the Coney Hill Landfill site.
24. Notwithstanding the above, the applicant is also proposing to undertake highway improvements in association with the application site which would be subject to a S278 legal agreement as discussed in the Highways, Traffic and Access section of this committee report and the report associated with planning application Ref. TA11/1075.
25. Moreover, the proposal to regularise the use of the application site and undertake temporary operational development is subject to the applicant's Environmental Statement submitted in relation to planning application Ref. TA11/1075.

CONSULTATIONS AND PUBLICITY

26. Initial publicity, notification and consultation procedures were undertaken in respect of this application by the CPA in November 2013. In addition to three site notices erected at the application site a notice was publicised in the Bromley and Tandridge News on 13 November 2013, 12 notification letters were sent to neighbouring properties and other interested parties, and the views of 27 statutory and non-statutory consultees were requested in writing.
27. Statutory consultees, non-statutory consultees and other interested parties were again given the opportunity to comment on the proposal in February 2014 following submission of the applicant's Planting Scheme, Restoration and Aftercare Scheme, Dust Risk Assessment and Dust Management Plan to the County Planning Authority.
28. The consultation and notification responses received from statutory and non-statutory consultees and other interested parties have been largely concerned with planning application Ref. TA11/1075 and have therefore been discussed and addressed in the committee report associated with this application. However for the sake of completeness

any views expressed directly in relation to planning application Ref. TA13/1653 are summarised below.

13

29. No public letters of representation have been received in respect of planning application Ref. TA13/1653. However, a total of 14 public representations have been made in respect of the proposed extension of time application Ref. TA11/1075. These representations have been addressed throughout the committee report associated with that application.

11

Consultees (Statutory and Non-Statutory)		
30. Tandridge District Council	-	The Council has no comments to make in respect of the proposal. However the County Planning Authority is reminded that although the Council does not have any Environmental Health observations or objections to make in respect of the infilling and restoration proposals, the Council has concerns about the impact on local users of Barrow Green Road from HGVs using the site which could add further to the environmental and highway problems in Barrow Green Road and in Oxted generally. Access to the sandpit is around 350 metres north of the roundabout on the A25 and even with physical constraints at the entrance to ensure that vehicles to or from the sandpit have to use the southern section of Barrow Green Toad, there is the potential for conflict between HGVs, whether travelling to and from the sandpit, and cyclists and horse riders. Barrow Green Road is part of the Surrey Cycle Network, although there is no dedicated cycle path and cyclists have to share the carriageway. Horse riders from the riding and livery stable north of the sandpit also use the lane and have to pass the sandpit entrance to reach the bridleway to the south
31. Tandridge District Council Environmental Health	-	No observations to make
32. Gatwick Airport Safeguarding	-	No objection
33. Natural England	-	Satisfied that the proposed development being carried out in strict accordance with the details of the application would not damage or destroy the interest features of Woldingham and Oxted Downs SSSI and Godstone Ponds SSSI. Accordingly, they have advised that these two designations do not represent a constraint in determining this application. However NE considers that the development relates to the Surrey Hills Area of Outstanding Natural Beauty ("AONB") and they have therefore advised that the CPA seek the advice of the Surrey Hills AONB board. Further, NE has recommended that the CPA consider securing measures to enhance the biodiversity of the site in accordance with paragraph 118 of the National Planning Policy Framework
34. Surrey Hills AONB Board		Do not consider that any AONB concerns can

		reasonably be expressed about the proposal. The application site does not lie within the AONB or a candidate AONB area. The sandpit does not feature in views out of the AONB because of contours and intervening woodland. Any views of the development would be localised and would unlikely feature in significant wider public views.
		No objection subject to no infiltration of surface water drainage into the ground is permitted other than with the express consent of the County Planning Authority which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development should be carried out with the approved details
	35. The Environment Agency	- No comments to make
11	36. English Heritage	- No comments to make
	37. County Highway Authority	- No objection subject to conditions and legal agreements
	38. County Ecologist	- No objection subject to conditions
	39. County Landscape Architect	- Agree with the findings of the applicant's Landscape and Visual Impact Assessment in terms of both landscape and visual impact and would have no objection to the proposal in principal subject to conditions
	40. County Geological and Geotechnical Consultant	- No objection subject to conditions
	41. Surrey County Council Rights of Way	- No views received
	42. County Environmental Noise Consultant	- No objection subject to conditions
	43. County Archaeologist	- No comments to make
	44. Health and Safety Executive	Surface mineral workings are subject to the provisions of the Health and Safety at Work etc Act 1974 and the Quarries Regulations 1999. Enforcement is by the Quarry Inspectors of the Health and Safety Executive, who have knowledge and expertise regarding geotechnical considerations. Their primary aim is to prevent the risk of accidents to the workforce and others, including the public, who may be affected by uncontrolled falls of ground or other ground movements. Under the Quarries Regulations, it is the responsibility of the operator to ensure that excavations and tips are designed, constructed and operated and maintained so as to ensure that instability or movement which is likely to give rise to the health and safety of any person is avoided. The

		County Planning Authority should seek information from the applicant in respect of design and stability reports undertaken by a competent geotechnical specialist, as defined in the Quarries Regulations
45. Surrey Wildlife Trust	-	No views received
46. County Air Quality Consultant	-	No objection subject to condition
47. County Principal Enhancement Officer	-	No objection
48. Sutton and East Surrey Water	-	No views received
49. Biggin Hill Aerodrome	-	No views received
Parish/Town Council and Amenity Groups		
50. Limpsfield Parish Council	-	No objection subject to condition
51. Oxted Parish Council	-	No views received
52. Tandridge Parish Council	-	No views received
53. Campaign to Protect Rural England	-	No views received
54. British Horse Society	-	Object
55. Oxted and Limpsfield Residents Group	-	Object
56. Surrey Bird Club	-	Object

THE DEVELOPMENT PLAN

57. SCC as the CPA has a duty under S38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 ("the 1990 Act") to determine planning application TA13/1653 ("the application") in accordance with the Development Plan unless material considerations indicate otherwise.
58. Further, section 70(2) of the 1990 Act requires the CPA, in determining the application, to have regard to (a) the provisions of the Development Plan, so far as material to the application, (b) any local finance considerations, so far as material to the application, and (c) any other material considerations.
59. At present in relation to this application the Development Plan comprises the Surrey Waste Plan 2008 ("SWP"), the Tandridge District Core Strategy 2008 ("TDCS") and saved parts of the Tandridge District Local Plan 2001 ("TDLP"). Moreover, as the proposal concerns the restoration of a former mineral working the Surrey Minerals Plan Core Strategy Development Plan Document 2011 ("SMP") is material to determination of the application.
60. Notwithstanding the above, although the TDCS sets out the key local plan policies for the district, the District Council agreed in September 2012 to commence work on a review of

this document. Consequently the District Council is working on its Detailed Policies which will replace the Local Plan. A consultation on the District Council's draft preferred approach was carried out between 31 January and 15 March 2013 with its pre-submission consultation carried out from 27 June until 9 August 2013. An examination hearing in relation to the Detailed Policies took place over 7 and 8 January 2014. Following initial feedback from the Inspector the District Council is proposing to make eight "Main Modifications" to the proposed policies in order to address issues of "soundness" identified. Accordingly, where material, Officers have assessed the District Council's Detailed Policies ("emerging policies") in relation to the proposed extension of time.

61. A further material consideration in respect of the application is The National Planning Policy Framework ("the Framework") which was adopted in March 2012. This document provides guidance to the CPA in producing local plans and in making decisions on planning applications. It also advocates that these plans and decisions must reflect, and where appropriate promote, relevant European Union obligations and statutory requirements. The Framework is intended to make the planning system less complex and more accessible by summarising national guidance which replaces numerous planning policies statements and guidance notes, circulates and various letters to Chief Planning Officers.
62. The Framework states that policies in Local Plans should not be considered out of date simply because they were adopted prior to its publication. Due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies are to the policies in the Framework, the greater the weight that may be given).
63. Although the Framework does contain policies relating to mineral development it does not contain specific waste policies. Instead national waste management policies are contained within the Waste Management Plan for England 2013 ("WMP") and set out by Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011 ("PPS10"). PPS10 is currently being updated and has been subject to public consultation.
64. The WMP is a high level document which is non-site specific. It provides an analysis of the current waste management situation in England, and evaluates how it will support implementation of the objectives and provisions of Directive 2008/98/EC otherwise referred to as the Waste Framework Directive. The WMP supersedes the previous waste management plan for England – The Waste Strategy 2007.
65. The WMP explains how we deal with our waste is important for our society. It affects the availability of materials and energy needed for growth as well as our climate change and environmental objectives. It goes on to detail that the Government's commitment in this respect is focused on the sustainable use of materials and on improving services to householders and businesses, while delivering environmental benefits and supporting economic growth. It also advocates working towards moving beyond our current throwaway society to a "zero waste economy" in which material resources are reused, recycled or recovered wherever possible and only disposed of as the option of last resort. This means reducing the amount of waste we produce and ensuring that all material resources are fully valued – financially and environmentally – both during their productive life and at "end of life" as waste.
66. The WMP envisages that the resulting benefits of such sustainable waste management will be realised in a healthier natural environment and reduced impacts on climate change as well as in the competitiveness of our businesses through better resource efficiency and innovation – a truly sustainable economy.

67. PPS10 provides the planning framework to enable local authorities to put forward, through local waste management plans, strategies that identify sites and areas suitable for new or enhanced facilities to meet the waste management needs of their areas. The overall objective of PPS10 is to protect human health and the environment and to encourage more sustainable waste management by moving waste up the waste hierarchy by moving away from landfill towards more sustainable options for waste management.
68. PPS10 acknowledges that some waste proposals that come forward may not be identified within a Development Plan and as such advises that unallocated sites should be considered favourably when consistent with the policies of PPS10 including locational criteria set out in Annex E of PPS10 and the SWP. In the case of waste disposal proposals applicants will be required to demonstrate that the proposal would not undermine the waste planning strategy through prejudicing movement up the waste hierarchy.
69. Once the Updated national waste planning policy: Planning for sustainable waste management ("updated PPS10") document has been finalised, it will replace PPS10 as the national planning policy for sustainable waste management in England.
70. The updated PPS10 follows a similar structure to policies in the Framework, setting out policy which should be considered through local plan making and also when determining the planning application. Appendix A of the updated PPS10 sets out the waste hierarchy which underpins the delivery of sustainable waste development, with Appendix B setting out those factors against which the CPA should consider in assessing the suitability of sites or areas for waste development. Both appendices are largely a carryover from existing policy in PPS10.
71. However the Government's support for stringent protection against inappropriate development in the Green Belt has been reflected in the updated PPS10. The updated policy removes the former reference in PPS10 that the CPA should give significant weight towards locational needs and wider environmental and economic benefits when considering waste planning applications in the Green Belt. This means that, under national planning policy, these planning considerations should not be given more significant weight compared to others when the planning application is determined. However the proposal, which is located in the Green Belt, will still need to be considered by the CPA on its individual planning merits having regard to the Development Plan and other material considerations, with the weight to be given on particular planning considerations being for the decision maker, subject to the circumstances of each particular case.

PLANNING CONSIDERATIONS

72. Given the nature, scale and location of the proposed development, having regard to the responses of Statutory Consultees, and considering that this ancillary proposal is directly related to planning application Ref. TA11/1075 which is the subject of a separate but associated committee report, Officers consider that the following planning matters are material to whether the proposed ancillary development accords with the Development Plan: (a) highways, traffic and access, (b) ecology and biodiversity, (d) landscape and visual impact, (f) flood risk and pollution, (i) air quality, and (j) green belt considerations.

HIGHWAYS, TRAFFIC AND ACCESS

National Guidance

National Planning Policy Framework 2012

Development Plan Policies

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Other Material Considerations

Emerging policy DP5 – Highway Safety and Design

The Surrey Minerals Plan Core Strategy 2011Policy MC15 – Transport for Minerals

Policy Context

73. The Framework is clear that development should only be refused or prevented on transportation grounds where the residual cumulative impact of development is severe.
74. This guidance also advocates, at paragraph 32, that all development that would generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment and that decisions should take account of whether (a) opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, (b) safe and suitable access to the site can be achieved for all people, and (c) improvements can be undertaken within the transport network.
75. The SWP also requires information to be submitted in relation to transportation. Paragraph D12 states that consideration of traffic generation characteristics should incorporate an assessment of the level and type of traffic generated and the impact of that traffic, suitability of the access and the highway network in the vicinity of the site including access to and from the primary road network.
76. Accordingly, policy DC3 of the SWP requires that applicants demonstrate, by the provision of adequate supporting information, that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. The policy goes on to state that the supporting information should include, where appropriate, an assessment of traffic generation, access and suitability of the highway network, and mitigation measures to minimise or avoid material adverse impact and compensate for any loss.
77. The District Council's emerging policy DP5 states that development will be permitted subject to it (a) complying with the necessary Highway Authority's design guidance, (b) does not impede the free flow of traffic on the existing highway network or create hazards to that traffic or other road users, retains existing footpaths and cycle ways, and (c) provides safe and suitable access to the site.
78. The SMP recognises that one of the most significant impacts of mineral working in Surrey and one which causes the most public concern is that of transportation. Paragraph 7.1 of the SMP outlines that the nature of the minerals market in Surrey means that lorries are used for transportation in the overwhelming majority of cases, whilst paragraph 7.7 explains that the nature of the traffic generated by mineral working can require road improvements to be carried out in order to maintain the safety of the road network. It states that, "*...this can include junction improvements or road widening, and improvement to visibility around the access to a site so passing traffic can readily see slow moving lorries and vice versa. It is important that mineral development does not compromise highway safety...equally, the needs of pedestrians, cyclists and horse riders should be considered, especially where the highway forms a link in the rights of way network and potential impacts on vulnerable road users might occur*".
79. Paragraph 7.10 of the SWP states that the movement of mineral by should as far as possible be confined to the primary route network and the motorway. The SMP recognises that for many mineral sites this direct access may not be possible so attention should be given to the routing of vehicles between the proposed development and the primary road network.
80. Accordingly, policy MC15 of the SMP requires that applications for minerals development should include a transport assessment of potential impacts on highway safety, congestion and demand management. This policy also requires this assessment to

include how the movement of minerals within and outside the site will address the issues of emission control, energy efficiency and amenity. It states that mineral development involving transportation of minerals by road will only be permitted where it meets the following criteria:

- I. there is no practical alternative to the use of road based transportation that would have a lower impact on communities
- II. the highway network is of an appropriate standard for use by the traffic generated by the development or can be suitably improved
- III. arrangements for site access and the traffic generated by the development would not have any significant adverse impacts on highway safety, air quality, residential amenity, the environment or the effective operation of the highway network.

The Development

81. Planning permission Ref: TA01/0980/A1 was granted in 2001 for an extension of time for completion of landfilling the sandpit until May 2011. Forming part of that permission was a condition which limited the number of Heavy Goods Vehicle (HGV) movements to and from the site to 55 trips (110 movements) per day. Consequently the principle of restoring the sandpit facilitated by 55 trips or 110 movements per day has been established as acceptable.
82. However, given the effluxion of time since this permission was granted, and having regard to the number of highway, traffic and access related concerns raised by interested parties in respect of the proposal, Officers consider it necessary to assess the proposal in light of current circumstances.
83. A Regulation 5 Screening Opinion was adopted by the County Planning Authority in respect of the proposal in April 2010. This screening opinion concluded that an Environmental Impact Assessment was required for the proposal but that a detailed chapter relating to Traffic was not required. However, the screening opinion did advise that the applicant include a chapter in the ES providing justification as to the reasons for the issue of Traffic having been scoped out of the impact assessment. The applicant's ES includes a section on traffic.
84. The application site is approximately 350m to the north of the A25 on Barrow Green Road which has a speed limit of 40mph but has no footways along its length. Officers consider that the application site is well related to the strategic road network and that no other alternative means of access to the sandpit can be provided other than by the strategic road network facilitated by the application site.
85. Access to application site is gained via an existing site entrance which is gated and is shared with the adjoining Coney Hill Landfill. This entrance was constructed to serve the sandpit when operating as a quarry. There are three dwellings situated between the application site's access and Barrow Green Road's junction with the A25. Some 285m to the north east of the application site's access a number of buildings are located including Cottage Orchard, Tandridge Priory and Tandridge Priory Riding Centre. The access to the Palmers Wood Oilfield is approximately 185m north east of the application site along Barrow Green Road.
86. In addition to HGVs accessing the application site when it was being worked for mineral, Barrow Green Road has also been used in the past by HGVs accessing the former Bull Pit and Coney Hill Quarries when they were worked and restored. Further, HGVs and HGV tankers continue to access the oilfield adjacent to the application site and Oxted Chalkpit which is some 2.3km north east of the application site.

87. On 14 May 2011 the applicant installed automatic traffic counters on Barrow Green Road to measure road traffic over a period of a week. This traffic data shows the average weekday 12 hour two way flow on Barrow Green Road was 1,160 vehicles northbound and 1,428 vehicles southbound with a peak hour two way flow recorded as being 376 vehicles with 3.4% of this being northbound HGVs and 1.6% being southbound HGVs.
88. In addition, the applicant has conducted an assessment under the Institute of Environmental Assessment ("IEA") guidelines for environmental assessment of road traffic which assesses where increases in HGVs could lead to discernible environmental impacts of road traffic including noise, severance and pedestrian delay and intimidation. This assessment compared the impact of the permitted levels of HGV traffic to and from the site of 110 movements per day on Barrow Green Road to periods where existing flows are at their lowest. The assessment concluded that the impact of the development for days with low existing flows would exceed 30%, which is the IEA guideline limit, and therefore mitigation in terms of traffic impact should be provided.
89. The applicant anticipates that the filling of the total void space of 490,000m³ would generate about 23 deliveries of material per day or 46 movements per day spread over a 10 hour day. This would equate to approximately 4.5 HGV movements per hour. This predicted traffic movement is an average and it is expected there would be peaks and troughs as material is sourced and delivered. The proposed number of two way vehicle movements would result in an increase of approximately 1.7% in the existing background traffic between the site access and Barrow Green Road's junction with the A25. The permitted daily flow of 110 HGV movements per day would result in an increase of 4.2% in the existing background traffic between the same. These increases in traffic along Barrow Green Road are below the threshold for a discernible operational impact of 5%.
90. Accordingly, the applicant's Transport Statement concludes that the predicted development traffic flow increases would not result in a material change in operating conditions of Barrow Green Road that would necessitate highway capacity or safety improvements. However, given the exceedence of the IEA guideline limit the applicant is proposing to instigate measures which would mitigate the increase in traffic flow.
91. Highway related concerns were raised in respect of the sandpit by interested parties as part of the Surrey Minerals Plan Core Strategy and Primary Aggregates Development Plan Document hearing and by the Inspector in his report dated May 2011. The three main concerns highlighted in this respect were the width of Barrow Green Road between the A25 and the application site's existing access, the direction HGV traffic would enter the application site i.e. the routing of the HGVs, and the safety of non-vehicular traffic using Barrow Green Road.
92. Accordingly, the highway mitigation measures proposed by the applicant which form part of the planning application subject to this report (Ref. TA13/1652) are:
- V. physical junction improvement at the sandpit's vehicular access point with Barrow Green Road so as to prevent traffic turning left out of and right in to the site from Barrow Green Road. This would be carried out by the construction of a new verge, the use of kerbing or similar to prevent HGVs overrunning and a carriageway widening
 - VI. the boundary fence to the applicant's ownership boundary along the northern part of Barrow Green Road to be moved back so that it aligns with the line of the visibility splay at the sandpit's vehicular access point thereby providing greater sight lines for HGV drivers leaving the sandpit
 - VII. widening of the Barrow Green Road carriageway to 7.3 metres where there are currently pinch points and where the width is measured to be less than this

VIII. clearing of any vegetation along Barrow Green Road

93. These mitigation measures would be subject to a Section 278 legal agreement which would be agreed with the County Highway Authority.
94. The County Highway Authority ("CHA") has reviewed the applicant's Transport Statement and ES and considers that the applicant has adequately addressed the impact of HGVs associated with ancillary development proposed. Accordingly, the CHA raise no objection to the proposal or the proposed highway improvement works to Barrow Green Road subject to the imposition of conditions limiting the number of HGVs to 55 trips (110 movements) per day, that measures are in place to ensure no deleterious material fouls the public highway and that the proposed mitigation measures are the subject of a S278 legal agreement and constructed to the satisfaction of the CHA before the infilling operations commence.
95. A number of highway related concerns have been specifically raised by the Oxted and Limpsfield Residents Group ("OLRG") in respect of the proposal. Having considered these concerns the CHA has commented that the vast majority of the impacts on the local highway network referred to by OLRG are to the north of the sandpit along Barrow Green Road or Chalkpit Lane off which Oxted Chalkpit is located. The applicant has made a commitment, by way of the proposed mitigation measures, that vehicles will not be permitted to access the sandpit from the north or leave the sandpit in that direction. The strategic road network located to the south of the sandpit would be used to facilitate infilling and restoration operations.
96. The OLRG have also referred to the Surrey Minerals Plan Inspectors report where it was suggested that traffic associated with the proposed extension to the sandpit as well as the permitted infill operations and potential aggregate recycling facility could add further to the environmental and highway problems along Barrow Green Road, and that physical constraints to the entrance at the site would not stop vehicles coming from the north travelling past the sandpit and on to the roundabout to return up Barrow Green Road to the sandpit. Tandridge District Council has raised similar concerns and do not consider that these can be mitigated by condition or legal agreement.
97. The matter of the physical extension to the sandpit to the north west ("Preferred Area Q") was removed from the SMP. Further, the sandpit is not an identified area within the Secondary Aggregates Development Plan Document for recycling. No proposals for extension of the sandpit or undertaking recycling activities within the sandpit have been received by the CPA. Accordingly, additional traffic movements which may have been generated as a result of these speculative proposals are not considered material to the determination of the ancillary proposals.
98. However, it should be noted that Preferred Area Q was removed from the SMP primarily for transportation reasons. The concerns raised by the relevant Inspector at this time were in respect of vehicle routing, the width of Barrow Green Road and the lack of evidence in relation to the cumulative impact of HGVs using Barrow Green Road. Officers consider that the applicant has adequately addressed these matters as part of the proposal.
99. With regard to HGVs travelling from the north along Barrow Green Road, around the roundabout and then back to the application site in order to avoid the proposed new design at the site entrance, the applicant is willing to enter into a S106 legal agreement which would stipulate the routing of HGVs to and from the sandpit and that HGVs would only be able to access sandpit from the A25.
100. For HGVs to be travelling from the north to the application site to avoid using the A25, HGVs would have to travel from the Woldingham, Titsey or Tatsfield. Officers consider that there would be no good reason for drivers to avoid the strategic road network in

favour of minor roads. In any event the terms of the proposed S106 legal agreement would only permit HGVs to access the sandpit by way of the A25.

101. The OLRG also refers to the SMP Inspector's concern that bends in Barrow Green Road are of an inadequate width for two HGVs to pass each other such that widening may be required, and that there is potential conflict between HGVs and cyclists and horseriders.
102. As explained in paragraph 92 above, the proposal includes details of how Barrow Green Road would be widened at current pinch points so to allow two HGVs to pass each other without conflict. This mitigation measure would be subject to a S278 legal agreement which would require these works to be undertaken to the satisfaction of the CHA prior to the commencement of infilling operations.
103. Officers acknowledge that horse riders, cyclists and pedestrians utilise Barrow Green Road as a link to the local rights of way network. However, Barrow Green Road is similar in character to many rural lanes where horse riders, cyclists and pedestrians are often encountered and anticipated by drivers of vehicles including HGVs. The County Council has no records of any personal injury accidents along the stretch of Barrow Green Road from the sandpit to the A25 and this indicates that there is not, and has not been, a particular safety issue with non vehicular users along this stretch of road. Officers recognise there conflict could occur between HGVs and horse riders, cyclists and pedestrians along Barrow Green Road, however it is considered that the proposed widening of Barrow Green Road in addition to the erection of road signs warning vehicle drivers of the potential presence of horse riders both at the junction of the A25 and at the sandpit, as suggested by the British Horse Society, would adequately mitigate such potential conflict.
104. The OLRG have also requested that the number of HGV movements associated with the proposal are reduced from that currently permitted (55 trips or 110 movements per day i.e. approximately 5.5 HGVs travelling to the site per hour). The OLRG have also commented that Barrow Green Road does not have the capacity to take any more HGVs.
105. The applicant's Transport Statement submitted as part of the ES states that based on the void space to be filled this would equate to approximately 23 trips or 46 movements per day which is lower than that currently permitted. However the nature of the fill material would be such that there would be peaks and troughs in procurement and resulting deliveries and therefore the existing permitted number of movements would allow for such variation. The CHA consider that if additional control in terms of movements associated with infilling and restoration of the sandpit was considered necessary, a condition could be imposed on any permission granted requiring that the annual average of HGV movements shall not exceed 46 per operational day and 100 in any single day. However, as there has been no material change in circumstances to warrant this amendment the CHA considers this additional control would be difficult to justify.
106. With regard to the OLRG's concerns in respect of the capacity of Barrow Green Road Officers note that the proposal does not seek to increase the permitted number of HGVs that has historically been accepted for infilling and restoration activities associated with the sandpit. Further, the sandpit is a long established mineral working on Barrow Green Road and the need to restore the site by landfilling has been established since planning permission was originally granted for the working of the sandpit in 1975. The CHA have raised no concerns with regard to capacity on Barrow Green Road should the development be permitted.
107. A number of interested parties, including Parish Council's, have asked that a 20mph speed limit be imposed in respect of Barrow Green Road. However, the County

Council has no records of any recorded personal injury accidents along the stretch of Barrow Green Road from the sandpit's access to the A25. Further, damage only accidents are not reported to the Police and therefore they are not recorded on the County Council's database. The CHA consider that the stretch of road between the sandpit's access and the A25 does not meet the criteria for 20mph zone as these are predominantly in urban areas and in the vicinity of schools. Department for Transport Circular 01/06: Setting Local Speed Limits suggests that 20mph zones are appropriate where mean speeds are below 24 mph or where additional traffic calming is proposed. The mean speed on this stretch of Barrow Green Road is 32/33 mph during times that the sandpit would be operating and therefore additional traffic calming measures would be required to enforce a 20mph speed limit. The 85th percentile speed limit along this stretch of Barrow Green Road is 38/39 mph, indicating that although some vehicles are exceeding the speed limit, it is not a particular problem at this point. 40mph is the norm for rural roads with a predominantly local, access or recreational function or when the road forms part of a recreational route for vulnerable road users. Accordingly, and having regard to the applicant's Transport Statement, the CHA consider that the current speed limit of 40mph is appropriate for the stretch of Barrow Green Road between the sandpit's access and the A25.

108. The OLRG have also requested that there be a mechanism for monitoring and recording HGVs on Barrow Green Road in addition to a routing agreement and penalty system for those that do not adhere to it. The applicant has offered to enter into a S106 legal agreement for the routing of HGVs to the application site so as to ensure that drivers use the A25 and the roundabout forming the junction of A25 and Barrow Green Road. The CHA and CPA are satisfied that this measure, and the physical barriers to be put in place under the terms of a S278 legal agreement, would ensure HGVs access the application site from the south.
109. The ancillary planning application seeks temporary planning permission for installation and retention of, inter alia, a wheel wash and temporary use of this plant in connection with the filling and restoration of the sandpit. Should permission be granted in respect of this application the use of the wheelwash would ensure that HGVs frequenting the sandpit would have their wheels and tyres cleaned before leaving the sandpit and joining Barrow Green Road.
110. Concern has been raised by OLRG with regard to whether the applicant's ES adequately covers cumulative impact of the proposal and that of Oxted Chalkpit which is to the northwest of the application site as they consider that the traffic count data provided by the applicant is not representative of the existing circumstances. The OLRG have referred to traffic count data obtained under a Freedom of Information request from the County Council for trip data collected on Chalkpit Lane.
111. Officers do not consider that consideration of Chalkpit Lane is relevant to this application as HGVs associated with this proposal would use the small stretch of Barrow Green Road between the sandpit's access and the A25 to the south. There would be no need for HGVs frequenting the sandpit to travel to or from the north such that they would use Chalkpit Lane. HGVs associated with Oxted Chalkpit operate a circular route whereby HGVs going to the chalkpit travel from the A25 up Barrow Green Road until the junction with Chalkpit Lane off which the chalkpit is located. HGVs leaving Oxted Chalkpit travel back down Chalkpit Lane but then travel through the centre of Oxted to join the A25. They do not travel southwards along Barrow Green Road.
112. The applicant's traffic count was conducted for a week in May 2011 when Oxted Chalkpit was operational. However, the CHA accept that traffic fluctuates on a daily basis but consider that it is accepted practice that a week's worth of traffic counts is used as an approximation of the baseline situation. The applicant's traffic count data shows a reasonably average month in terms of HGV traffic generation and includes

HGVs that would be travelling to Oxted Chalkpit. Moreover, the traffic count data presented by OLRG for Chalkpit Lane includes LGVs, MGVs and articulated vehicles whereas the applicant's figures only assesses HGVs. Accordingly, the figures provided by OLRG cannot be compared to those counted on Barrow Green Road by the applicant. Additionally, Officers do not consider it reasonable to assume that the vast majority of HGV traffic on Chalkpit Lane would also utilise Barrow Green Road. The one-way system used by Oxted Chalkpit would mean that the number of HGVs associated with the chalkpit would be at least 50% less on Barrow Green Road than on Chalkpit Lane.

113. Officers consider that the applicant's traffic count data is representative of HGV traffic movements along Barrow Green Road and therefore Officers are satisfied that the potential for a cumulative impact with the operations of the chalkpit in terms of HGV movements has been adequately addressed by the applicant.
114. The OLRG have commented that the highway mitigation measures proposed by the applicant would only benefit the users of the lower part of Barrow Green Road and the sandpit and that there are no proposals to provide mitigation north of the application site which accounts for the majority of Barrow Green Road. Officers consider that as the applicant only intends to use the lower part of Barrow Green Road (from the sandpit's access to the junction of Barrow Green Road and the A25 to the south) there is no reasonable requirement for the applicant to provide any mitigation measures to the north of the application site.

Highways, Traffic and Access Conclusion

115. The CHA have raised no objection to the development or the use of Barrow Green Road by HGVs travelling to/from the sandpit. Moreover, the CHA are satisfied with the proposed highway mitigation measures proposed by the applicant and to be secured by a S278 legal agreement. Accordingly, Officers consider the proposal meets the requirements of Policy MC15(ii) in that the highway network is of an appropriate standard for use by the traffic to be generated by the development and can be suitably improved.
116. The CHA raise no concerns with regard to the proposal in terms of impact on pedestrians, equestrian or cyclists using the section of Barrow Green Road between the sandpit and A25 to the south. The applicant will enter into a S106 legal agreement in respect of vehicle routing so as to address the concerns raised by the District Council, Parish Council's and other interested parties. Accordingly, Officers consider the proposal meets the requirements of Policy MC15(iii). Moreover, Officers consider that the application site is well related to the strategic road network and that no other alternative means of access can be secured in relation to the sandpit and Officers are satisfied the proposal meets the requirements of Policy MC15(i).
117. Having regard to paragraphs 81 to 116 above Officers consider that the proposal satisfies the requirements of Policy DC3 of the Surrey Waste Plan 2008 and the District Council's emerging policy DP5. Moreover, Officers are satisfied that the potential for cumulative impact with Oxted Chalkpit was considered as part of the applicant's ES and that in this respect the applicant has demonstrated that the proposal would not have a significant adverse impact on Barrow Green Road in respect of HGV movements.

ECOLOGY AND BIODIVERSITY

National Guidance

National Planning Policy Framework 2012
Waste Management Plan for England 2013

Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011
Updated national waste planning policy: Planning for sustainable waste management 2013

Development Plan Documents

Surrey Waste Plan 2008

Policy DC2 – Planning Designations

Policy DC3 – General Considerations

Tandridge District Core Strategy 2008

Policy CSP17 – Biodiversity

Material Considerations

Policy MC14 of the Surrey Minerals Plan 2001 – Reducing the adverse impacts of mineral development

Tandridge District Council's emerging policy DP19 – Biodiversity, Geological Conservation and Green Infrastructure

Policy Context

118. Section 40 of the Natural Environment and Rural Communities Act 2006 (“NERC”) places a duty Surrey County Council (“SCC”) to consider biodiversity in the full range of their activities. It is a legal requirement that “*every public body must, in exercising its functions, have regard so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity*”. Section 41 of NERC requires the Secretary of State to publish a list of habitats and species which are of principle importance for the conservation of biodiversity in England.
119. Notwithstanding the above, Paragraph 109 of the National Planning Policy Framework (“the Framework”) states that the planning system should contribute to and enhance the natural and local environment by: (a) protecting and enhancing valued landscapes, geological conservation interests and soils, (b) recognising the wider benefits of ecosystem services, and (c) minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
120. Paragraph 111 of the Framework advocates that planning decisions should encourage the effective use of land by re-using land that has been previously developed brownfield land), provided that it is not of high environmental value.
121. Paragraph 118 requires that the County Planning Authority (“CPA”), determining planning applications, should aim to conserve and enhance biodiversity by applying the following principles:
 - I. if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused
 - II. proposed development on land within or outside a Site of Special Scientific Interest (“SSSI”) likely to have an adverse effect on a SSSI (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site’s notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSI’s
 - III. development proposals where the primary objective is to conserve or enhance biodiversity should be permitted
 - IV. opportunities to incorporate biodiversity in and around developments should be encouraged

- V. planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss
 - VI. the following wildlife sites should be given the same protection as European sites:
 - (a) potential Special Protection Areas ("SPA") and possible Special Areas of Conservation ("SAC"); (b) listed or proposed Ramsar sites; and (c) sites identified, or required, as compensatory measures for adverse effects on European sites, potential SPA's, possible SAC's, and listed or proposed Ramsar sites
122. Paragraph 144 of the Framework states that, in granting planning permission for mineral development, it should be ensured there are no unacceptable adverse impacts on the natural environment.
123. Planning Policy Statement 10 – Planning for Sustainable Waste Management 2011 ("PPS10") requires the CPA to consider proposals favourably provided they are consistent with the criteria set out in Annex E of PPS10 and the policies of the Surrey Waste Plan 2008 ("SWP"). Similarly, the Updated national waste planning policy: Planning for sustainable waste management 2013 ("updated PPS10") carries over the requirement for the CPA to assess the likely impacts of the proposed extension of time on the local environment.
124. Annex E of PPS10 states that in testing the suitability of sites the CPA should consider the factors listed in the annex and bear in mind the envisaged waste management facility in terms of type and scale, taking account of best available technologies (not involving excessive costs). In terms of biodiversity Factor D of Annex E explains that considerations will include any adverse effect on a site of international importance for nature conservation (SPA's, SAC's and RAMSAR sites) or a site with a nationally recognised designation (SSSI's or National Nature Reserves). This position is reiterated by the updated PPS10 document.
125. Policy DC2 of the SWP makes clear that planning permission will not be granted for waste related development where this would endanger or have a significant adverse impact on the character, quality, interest or setting of Ramsar sites; SAC's; candidate SAC's; SPA's; potential SPA's; National Nature Reserves or SSSI's; ancient semi-natural woodlands; Sites of Nature Conservation Importance ("SNCI"); local nature reserves and non-statutory nature reserves; or Biodiversity Action Plan habitat and species.
126. This policy then goes on to state that in assessing each development proposal, due regard will be paid to prevailing national policy and guidance appropriate both to the areas and features of acknowledged importance and to the proposed means of dealing with waste. The assessment will also take into account whether any significant adverse impact identified could be controlled to acceptable levels.
127. Policy DC3 of the SWP states that planning permission for waste related development will be granted provided it can be demonstrated by the provision of appropriate information to support a planning application that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. The information supporting the planning application must include, where relevant, assessment of the following matters and where necessary, appropriate mitigation should be identified so as to minimise or avoid any material adverse impact and compensate for any loss: (xii) the loss or damage to flora and fauna and their respective habitats at the site or on adjoin land including linear or other features which facilitate dispersal of species.

128. Policy CSP17 of the Tandridge District Core Strategy 2008 ("TDCS") states that development proposals should protect biodiversity and provide for the maintenance, enhancement, restoration and, if possible, expansion of biodiversity, by aiming to restore or create suitable semi-natural habitats and ecological networks to sustain wildlife in accordance with the aims of the Surrey Biodiversity Action Plan.
129. Policy MC14 of the Surrey Minerals Plan Core Strategy 2011 requires that sufficient information be provided for minerals related development proposals to demonstrate that there would not be a significant adverse impact arising from the development. The policy goes on to set out a number of criteria that should be considered as part of minerals related development including the natural environment, biodiversity and geological conservation.
130. Further, emerging policy DP19 states there is a presumption in favour of applications which seek to enhance biodiversity and seeks to conserve and enhance the natural environment by ensuring that proposals that would adversely affect local, national or statutory designated sites of biological importance are refused.

The Development

131. The application site is not covered by any particular nature conservation or biodiversity designations. However, immediately north of the sandpit lies the ancient semi-natural woodland of Duckpit Wood which extends eastwards into Priory Shaw which is also designated ancient semi-natural woodland.
132. In March 2012 the CPA wrote to the applicant explaining that, "*The Ecologist and Biodiversity Team Manager considers the submitted EIA does not adequately assess the impact on protected species. Paragraph 2.4 of the Ecology Chapter is inadequate for an EIA and the proposal to cover these deficiencies by condition for European Protected Species is unlawful as set out in Planning Policy Statement 9. The CPA therefore requests that the EIA is reviewed to comply with Natural England's Standing Advice on protected species and requests that protected species surveys are carried out prior to the determination of this planning application. In accordance with Natural England's standing advice for protected species the optimum time of year for carrying out these surveys is from April – September/October therefore I would advise these surveys are carried out imminently to make use of this. Based on the comments above from the Ecologist and Biodiversity Team Manager, I request the above information under Regulation 22 of the EIA Regulations in order to address the shortage of information on the above points.*"
133. Subsequently, on 31 October 2013, the applicant submitted new information in response to the Regulation 22 request which included the required protected species survey reports and assessments for invertebrates, great crested newts, reptiles and dormice.
134. Following assessment of this information the CPA's ecologist (in correspondence dated 4 December 2013) recommended that, subject to conditions being attached to any planning permission granted to require that the proposed ecological mitigation measures including a scheme to mitigate the impacts of the restoration on the nesting sand martin colony, the proposed development would be acceptable in ecological terms. The Surrey Wildlife Trust have also raised no objection to the proposal but have requested that the mitigation measures set out for invertebrates and reptiles are conditioned should planning permission be granted.

Invertebrates

135. A survey was conducted in relation to invertebrates between April and October 2012 with particular reference to aculeate Hymenoptera and ground beetles. A total of 493

species of invertebrate were recorded on site including 7 Red Data Book Species (and a provisional Red Data Book species) and a further 22 Nationally Notable species. Five species of invertebrate identified are UK BAP Priority Species. One species of bee (*Colletes cunicularius*) was also discovered which is new to England. The invertebrates identified are considered important at the County scale.

136. The sandpit provides habitat features such as vertical banks of sand and loose, sparsely vegetated areas that are more typical of coastal sites than heathland and so is of considerable local importance in terms of invertebrates. Apart from the area of the Sand Martin colony, the survey found vertical cliffs seemed to be poorly utilised by insects such as mining bees and wasps, although this may be because many areas of the application site were inaccessible to the surveyor because of the scale of the cliffs. The survey recorded that the main area of interest for invertebrates were the banks of topsoil along the western rim, a bank of sand north of the access track and other small mounds and slopes, partly man-made and partly due to natural erosion of the cliffs.
137. The survey suggests that invertebrate interest in the application site is somewhat transient on the basis that bare ground will naturally be colonised by plants, and there is already a problem with goat's-rue in the floor of the pit and sycamore scrub on the rim. The timescale for the loss of the described habitats for invertebrates caused by the proposed restoration is likely to be perhaps a decade earlier than the loss of these habitats by natural vegetation growth. Accordingly, the survey concludes that some active management will be required to maintain favourable conditions in respect of invertebrates and in the absence of the proposed restoration the sandpit is likely to deteriorate in invertebrate value.
138. In this respect the mitigation measures have suggested by the survey and proposed by the applicant as part of the associated restoration and aftercare schemes.
139. The survey states that mitigation is required to minimise the impact of the loss of bare or lightly vegetated sandy soil which is required for several of the more important invertebrate species identified. The aim of this mitigation is to ensure the continuity on site of lightly vegetated ground with bare soil patches so as to provide suitable habitat. In addition, ensuring a good population of swallow will provide a pollen source for those insects which fully or partly require this resource.
140. The applicant has stated that the soils for the restored pit have been chosen to be lightly acidic and sandy, with low nutrients. Grassland wildflower seed will be sown at half the manufacturer's recommended rate to ensure that the grassland will develop a lightly-vegetated flower-rich sward with plenty of bare soil for invertebrates, and will be implemented by mowing or grazing by sheep and/or cattle. A pond, native hedge and woodland planting are also proposed.

Great Crested Newts

141. The survey conducted by the applicant in respect of great crested newts found that the value of the application site is considered negligible as the one record of the solitary adult is very likely to be a wandering individual a long way from its breeding pond and unlikely to be part of a local population. However, great crested newts are known to be in the area and therefore the proposal to create a small pond as part of the restoration of the sandpit would benefit this species in the longer term and the mitigation proposed in respect of reptiles would in any case ensure protection of great crested newts if isolated individuals are still present within the mineral working. No further mitigation is proposed in this respect as the applicant's survey concludes that the unmitigated impact of the proposed restoration in respect of great crested newts is considered to be negligible.

Reptiles

142. Similarly, the value of the sandpit for reptiles is considered important at the Parish/Neighbourhood scale as there were a few records of grass snake only. The unmitigated impact of the proposed restoration is considered minor/negative with a low risk of killing or injury to grass snakes in each phase of the infilling as it rotates around the pit. However, completed phases will be available for recolonisation from reptiles around the margin of the mineral working. Consequently, the applicant's survey in respect of reptiles concludes that the long-term unmitigated impact of restoring the sandpit would be neutral as the restored site would be available for colonisation by grass snakes. Further, the proposed restoration to grassland, woodland, hedge and pond habitats are considered to be enhanced in value to reptiles compared to the pre-development habitats.

143. Consequently, mitigation is required to minimise the impact of the risk of killing grass snakes during infilling and restoration. Continuity of habitat would be maintained during progressive filling and restoration.

144. Accordingly, prior to commencement of works in any phase, reptiles will be removed from the work phase using the following methodology: (a) search refugia on site by hand, capture any reptiles present and release the reptiles immediately on the margin of the site and then remove refugia from the work phase; (b) mow vegetation within the work phase to 75mm height, working from the centre of the site towards the edge of the site, so that reptiles are encouraged to move to the edge of the pit and after mowing, hand search the edge of the pit for any reptiles, capture any reptiles present and release the reptiles immediately on the margin of the site; (c) two days after mowing to 75mm, mow again in a similar manner but to a height of 25mm to encourage remaining reptiles to move to the edge of the pit, capture any reptiles present and release the reptiles immediately on the margin of the site; and (d) start the development works within two days of the final mowing to reduce the timescale for reptiles to move back into the site.

Dormice

145. Again, in respect of dormice the applicant's survey considers the value of the site to be negligible with this species found to be absent. Accordingly, the survey concludes that the unmitigated impact of the development in respect of dormice is considered to be neutral. However the applicant's intention to provide a hedge and native woodland planting will provide a potential breeding habitat for dormice, although this may not be colonised by the same.

Ancient Woodland

146. Immediately north of the sandpit is Duckpit Wood which is designated Ancient Semi-Natural Woodland. This woodland extends eastwards to Priory Shaw. Part of this ancient woodland is within the applicants control although it does not form part of the application site or the sandpit proper. Part of the area within the applicant's control has been worked at some stage for minerals but not restored and left to naturally regenerate.

147. Natural England's Standing Advice for ancient woodland states that ancient woodland is an irreplaceable resource of great importance and local planning authorities have a vital role in ensuring its conservation to protect it from damage or loss by development. The standing advice recognises that the effects of development on ancient woodland can be both within the woodland and from development of adjacent land.

148. Appendix 5 of the standing advice sets out mitigation and compensation measures which could be used to mitigate or negate the impacts upon the ancient woodland. These include translocation of ancient woodland and new woodland planting however it

is accepted that both these methods do not provide a direct replacement for the conditions found in ancient woodland. In this case, the filling of the quarry void is beyond the ancient woodland boundary. Filling would take place and remain within the quarry void and the applicant has stated that on completion of landfilling and restoration, fencing could be provided along the northern perimeter boundary of the quarry and the applicant's ownership to delineate between the ancient woodland and the application site including the previously worked borrow pit so as to offer some protection to the ancient woodland. The applicant has stated that they do not intend on replanting the borrow pit area with trees. Instead the applicant proposes to seed the area with the same grass seed mix as proposed as part of the quarry restoration and to allow for natural succession to take place in this area. The County's Ecologist and Landscape Architect are satisfied with this approach.

Ecological Enhancements

149. In addition to the ecological enhancements and mitigations detailed in paragraphs 135 to 148 above, the proposal includes a Planting and Restoration and Aftercare Scheme which would provide further ecological enhancements to the local area.
150. The applicant is proposing to undertake extensive planting along the sandpit's western and southern boundaries and site access area. Planting along the western and southern boundaries would comprise native hawthorn and blackthorn at a rate of 2 plants ranging from 40 to 60cm in height per square metre. Planting around the site access area would comprise native hazel, field maple, hawthorn and blackthorn. Similarly, this planting would be undertaken at a rate of 2 plants ranging from 40 to 60cm in height per square metre. All the species proposed to be planted by the applicant produce flowers and berries, nuts and seeds which are attractive to invertebrates and birds and are therefore used as shelter and for foraging. The proposed planting would be carried out in the first planting season prior to or immediately after commencement of infilling operations, and managed for 5 years thereafter. The management details provided by the applicant in this respect are considered satisfactory. Further, the applicant is proposing to retain all existing trees and shrubs along the boundaries of the sandpit and in this respect has detailed acceptable measures for protection of these trees and shrubs during infilling and restoration works.
151. The bulk of the sandpit is proposed to be restored to agricultural grassland that can be maintained with through mowing or by grazing. In addition, the applicant proposes to restore and re-establish vegetation in the area of the former borrow pit due north of the sandpit's northern boundary adjacent to Duckpit Wood. This area would be regraded and prepared using soils from the sandpit prior to sowing with the same native grass mix proposed for the sandpit restoration.
152. The seed mix to be used for the proposed restoration would comprise native flowering grasses and herbs which would provide fodder for bees and habitat for invertebrates and reptiles. Additional habitat would be provided by planting the depression between the sandpit and Coney Hill Landfill with sallow, by a surface waster attenuation pond, and a native hedge.
153. The proposed attenuation pond is to be established within the sandpit site during the period of year 6 to year 7. Its margins would be seeded with an appropriate pond grass seed mix so as to stabilise its edges. The proposed native hedge would be established along the boundary of the sandpit and the Coney Hill Landfill and following completion of infilling operations. It would comprise field maple, hawthorn, holly, and blackthorn thereby providing shelter and a food source for birds and invertebrates.

Ecology and Biodiversity Conclusion

154. The County's Ecologist and Principal Enhancement Officer have not raised objection to the proposed ancillary development. Similarly, Natural England and the Environment Agency have not objected to the proposal. Although the District Council have objected to the proposed extension of time they have not raised any ecological concerns in relation to the ancillary proposal.
155. The County's Ecologist advises that the ecological mitigation measures proposed by the applicant be secured by way of planning condition. Similarly, the SWT advises that the applicant should be required to undertake all the recommended actions in section 4.0 of the Ecology Addendum-2 (proposed mitigation) including proposed enhancements as this would help prevent adverse effect to legally protected species.
156. Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application would not damage or destroy the interest features of Woldingham and Oxted Downs Site of Special Scientific Interest ("SSSI") and Godstone Ponds SSSI. Accordingly, they have advised that these two designations do not represent a constraint in determining this application.
157. The EA has advised that no infiltration of surface water drainage into the ground should be permitted other than with the express consent of the County Planning Authority which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development should be carried out with the approved details.
158. The Surrey Bird Club and several interested parties have raised concern about the impact of the proposed infilling on the existing Sand Martin nesting holes located within the southern face of the sandpit. These concerns have been raised in association with planning application Ref. TA11/1075 and Officers have sought to address these concerns in detail throughout the associated committee report.
159. In summary, Officers have encouraged the applicant to retain this face as existing so as to minimise or negate the impact of infilling and restoration activities on the birds. However, the applicant has offered to retain a 2m section of the face in addition to providing further 2m high artificial nesting habitat. The detail of this artificial structure proposed could be secured by way of a planning condition before infilling operations commence. Consequently, Officers are uncertain as to whether any artificial structure would act as an adequate substitution to the existing natural quarry face which appears to be popular with Sand Martins. Compounding this uncertainty is the fact that the applicant has provided no assessment as to whether the nesting holes to be preserved within the top 2m of the quarry face would remain viable nesting habitats following infilling operations. Considering the ecological enhancements proposed (as discussed in paragraphs 149 to 153 above) by the applicant Officers do not consider that refusing to grant planning permission for the proposed ancillary development on the basis of the uncertainty relating to Sand Martins would be justifiable.
160. Accordingly, having regard to paragraphs 131 to 159 above and subject to the planning conditions discussed, Officers consider that the proposed development satisfies the requirements of policies DC2 and DC3 of the Surrey Waste Plan 2008 and policy CSP17 of the Tandridge District Core Strategy 2008 and no material considerations indicate otherwise.

VISUAL AND LANDSCAPE IMPACT

National Guidance

National Planning Policy Framework 2012

Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011

Updated national waste planning policy: Planning for sustainable waste management 2013

Development Plan Documents

Surrey Waste Plan 2008

Policy DC2 – Planning Designations

Policy DC3 – General Considerations

Tandridge District Local Plan 2001

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

Saved policy BE4 – Landscape Design of New Developments

Tandridge District Core Strategy 2008

Policy CSP20 – Areas of Outstanding Natural Beauty

Policy CSP21 – Landscape and Countryside

Material Considerations

Policy MC14 of the Surrey Minerals Plan 2001 – Reducing the adverse impacts of mineral development

Tandridge District Council's emerging policy DP19 – Biodiversity, Geological Conservation and Green Infrastructure

Policy Context

161. Paragraph 109 of the National Planning Policy Framework (the Framework) requires that the planning system contribute to and enhance the natural and local environment by protecting and enhancing landscapes whilst paragraph 111 encourages the effective use of land by re-using land that has been previously developed (brown field land), provided that it is not of high environmental value.
162. Annex E of PPS10 states that in testing the suitability of sites the CPA should consider the factors listed in the annex and bear in mind the envisaged waste management facility in terms of type and scale, taking account of best available technologies (not involving excessive costs). In terms of landscape and visual impact Factor C of Annex E explains that considerations will include Considerations will include (i) the setting of the proposed location and the potential for design-led solutions to produce acceptable development; and (ii) the need to protect landscapes of national importance such as the Surrey Hills Area of Outstanding Natural Beauty ("AONB").
163. Policy DC2 of the SWP states that planning permission will not be granted for waste related development where this would endanger, or have significant adverse impact, on the character, quality, interest or setting of the AONB, Areas of Great Landscape Value ("AGLV") or Ancient semi-natural woodlands.
164. Policy DC3 of the same seeks the protection of landscapes and woodland and the provision of mitigation measures where appropriate. Similarly, policy MC14 of the SMP seeks to protect the appearance, quality and character of the landscape and any features that contribute to its distinctiveness by requiring information to be submitted on these matters to accompany a planning application for minerals development.
165. *Saved policy BE2 of the Tandridge District Local Plan 2001 ("TDLP") asserts that the visual amenities of the Green Belt should not be injured by proposals for development conspicuous from the Green Belt that would be visually detrimental by reason of their siting, materials or design requiring particular attention in respect of the retention and reinforcement of landscaping including forest, tree and woodland screening in such locations.*
166. *Saved policy BE4 of the TDLP requires that proposals for development should demonstrate that particular care has been taken that the landscape design is suitable for the site and form of development. Existing trees of significant public amenity value should be considered as part of the initial design process to ensure they can be retained as an integral part of the scheme. Where trees are felled prior to permission for development being sought, the CPA may require replacement planting as part of any permission granted.*

167. Policy TSP20 of the Tandridge District Core Strategy 2008 ("TDCS") advocates that the conservation and enhancement of the natural beauty of the landscape is of primary importance within the AONB, reflecting their national status and therefore the principles to be followed in the area are to (a) conserve and enhance the special landscape character, heritage, distinctiveness and sense of place of the locality, (b) conserve and enhance important viewpoints, protect the setting and safeguard views out of and into the AONB, (c) protect prominent locations on skylines and slopes and for development to take advantage of existing landscape features and tree screening, (d) support suitable located sustainable development necessary to facilitate the environmental, economic and social well being of the AONBs and their communities, (e) promote access to, particularly by means other than the car, recreation within and enjoyment of the area, and (f) apply the highest environmental design standards to development.
168. This policy goes on to confirm that the same principles will be applied in the associated AGLV which will be retained for its own sake as a buffer to the AONB and to protect views from and into the AONB. Further, policy CSP21 of the same seeks protection of the character and distinctiveness of the District's landscapes and countryside for their own sake with new development being required to conserve and enhance landscape character.

The Development

169. The application site does not fall within any landscape designations. However, the AONB and an AGLV lies some 610m to the north of the sandpit beyond the M25 motorway. Immediately north of the sandpit is Duckpit Wood which extends eastwards toward Priory Shaw both of which are designated Ancient Semi-natural Woodland.
170. The site is located within the Wealden Greensand Landscape Character Area ("LCA") as set out within Surrey County Council's 1997 publication "The future of Surrey's landscape and woodlands". The Wealden greensand cuts across Surrey from Kent to Hampshire and is between the North Downs and the Low Weald. Some of the key characteristics of this LCA are identified as small villages with a pastoral farmed landscape with some woodland. More specifically, the sandpit is situated within the Reigate Greensand - Greensand Hills Character Area which is a narrow band of low, sandy hills supporting a large extensive scale, open, undulating landscape. The key characteristics of this local landscape are many settlements straddling the hills giving the area a more urban character, small areas of farmland having large fields divided by a strong pattern of shaws and low-cut hedges, common land and remnant parks and parkland features.
171. "The future of Surrey's landscape and woodlands" document recognises that there have been a number of mineral workings in this landscape which can tend to appear as "*splashes of orange sand in distant views*". The document also goes on to confirm that woodland is often Ancient semi-natural healthy oak-birch woodland with some oak-bracken-bramble woodland.
172. To support the proposed development the applicant submitted as part of the original ES a Landscape and Visual Impact Assessment ("LVIA"). This LVIA was updated by the applicant again in 2013.
173. The LVIA comprised an assessment of the sensitivity and magnitude of the local landscape resource and the visual receptors surrounding the sandpit in the context of the likely impacts arising from infilling and restoration and the significance of these. In doing the LVIA recognised that the local area is predominantly rural despite the absence of prominent agricultural land usage. The LVIA outlines that the adjacent land uses include Coney Hill Landfill, woodland, a golf course and land in horse keep. The LVIA states that the combination of landform and land cover result in the potential visibility of the site being contained within a limited spectrum due to the screening

bunds to the west and south and the woodland to the north. Coney Hill to the east precludes longer distance views.

174. The sandpit would be filled to the previously original approved pre-settlement contours associated with planning permission Ref. TA94/0980/A2. As a result, the LVIA recognises there would be temporary (earthworks, plant, infrastructure, vehicle movements etc.) and permanent effects (the final landscape with changes to the landform and after use) landscape impacts resulting from the proposed infilling and restoration works including the ancillary development proposed. In this respect the LVIA concludes that the effect on the landscape resource would be moderately positive with additional hedges, shrub and woodland planting and other landscape enhancements such as the pond. With regard to visual amenity, the LVIA concludes that whilst there would be an adverse effect during the operational phase of the development, over time this would turn slightly positive due to the return of views across the rural landscape and the provision of features including trees and shrubs. Overall the applicant's LVIA concludes that there would be no residual negative effects on the landscape resources or visual amenity as a result of the development.

175. The planting and restoration schemes proposed by the applicant are discussed in paragraphs 149 to 153 above.

Landscape and Visual Amenity Conclusion

176. The applicant seeks planning permission for the installation and use of bunded fuel storage, wheel wash, site reception offices, weighbridge and hardstanding and the upgrade to the site access in relation to the proposed extension of time relating to the infilling and restoration of the existing and longstanding mineral working. In this respect there have been no concerns or objections raised by statutory consultees or other interested parties in respect of the landscape or visual impact of the proposal.
177. In respect of landscape and restoration the District Council would appear not to have any concerns in respect of the proposal when it concerns the visual or landscape impact of infilling and restoration so long as the County Landscape Architect, Natural England and Surrey Wildlife Trust are satisfied with the proposals.
178. Surrey Wildlife Trust does not raise objection to the proposed development. They have commented that should the CPA be minded to grant planning permission the applicant should be required to undertake all the recommended actions in section 4.0 of the Ecology Addendum-2 (proposed mitigation) including proposed enhancements as this would help prevent adverse effect to legally protected species.
179. Natural England considers that the development relates to the AONB and they have therefore advised that the CPA seek the advice of the Surrey Hills AONB board.
180. The Surrey Hills AONB Board has not raised objection to the proposal. They confirm that the sandpit does not feature in views out of the AONB because of the contours and intervening woodlands and that any views of the proposed development to the AONB would be localised and would unlikely feature in significant wider public views. The board have also acknowledged that the sandpit has been long established and confirmed that restoration to agriculture is welcomed since it is the agricultural use of parts of the landscape, together with woodlands, in the area that makes the most positive contribution to its landscape character.
181. The County's Landscape Architect has not objected to the proposed extension of time on the basis that it is not considered that the proposal would result in significant adverse impacts on the area in terms of landscape and visual character. Similarly, the County's Principal Enhancement Officer has not objected to the proposal.

182. Officers recognise that the proposed development will have a localised impact on the landscape and visual amenity. However, this impact would be transient given that the applicant is intending to complete all works within 8 years of the grant of any permission and mitigated by the existing and established vegetation surrounding the application site. Following restoration of the sandpit the application site would be assimilated into the surrounding landscape. This landscape assimilation together with the ecological enhancements offered by the applicant would enhance the local landscape and as a consequence local visual amenity. It would also provide for a beneficial and positive agricultural afteruse of the application site.
183. Having regard to paragraphs 169 to 182 above, Officers consider that the proposal satisfies the requirements of policies DC2 and DC3 of the Surrey Waste Plan 2008, *saved policies BE2 and BE4 of the Tandridge District Local Plan 2001*, and policies TSP20 and TSP21 of the Tandridge District Core Strategy 2008 and no material considerations indicate otherwise.

FLOOD RISK AND POLLUTION

National Guidance

National Planning Policy Framework 2012

Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011

Updated national waste planning policy: Planning for sustainable waste management 2013

Development Plan Documents

Surrey Waste Plan 2008

Policy DC2 – Planning Designations

Policy DC3 – General Considerations

Tandridge District Local Plan 2001

Saved policy EV3 – Development in Flood Plains

Saved policy EV6 – Water Quality

Saved policy EV7 – Contaminated Land

Material Considerations

Policy MC14 of the Surrey Minerals Plan 2001 – Reducing the adverse impacts of mineral development

Policy Context

184. The National Planning Policy Framework (“the Framework”) asserts that planning plays a key role in helping shape places to minimise vulnerability and providing resilience to the impacts of climate change. It advocates that this is central to achieving sustainable development. The Framework also provides technical guidance on flood risk which replaces Planning Policy Statement 25 – Development and Flood Risk.
185. Paragraph 100 of the Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Paragraph 103 states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere.
186. Paragraph 109 of the Framework states that the planning system should contribute to and enhance the natural and local environment by (a) preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability, and (b) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
187. Consequently, paragraph 120 of the Framework states that in order to prevent unacceptable risks from pollution and land instability, planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative

effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

188. In explaining the separate but complementary relationship between the land-use planning and pollution control regimes Planning Policy Statement 10 – Planning for Sustainable Waste Management 2011 (“PPS10”), at paragraph 27, clarifies that, *“...pollution control is concerned with preventing pollution through the use of measures to prohibit or limit the release of substances to the environment to the lowest practicable level. It also ensures that ambient air and water quality meet standards that guard against impacts to the environment and human health. The planning system controls the development and use of land in the public interest and should focus on whether development is an acceptable use of the land, and the impacts of those uses on the development and use of land.”*
189. Paragraph 32 of PPS10 provides further clarification in this respect by stating that, *“It should not be necessary to use planning conditions to control the pollution aspects of a waste management facility where the facility requires a permit from the pollution control authority. In some cases, however, it may be appropriate to use planning conditions to control other aspects of the development. For example, planning conditions could be used in respect of transport modes, the hours of operation where these may have an impact on neighbouring land use, landscaping, plant and buildings, the timescale of the operations, and impacts such as noise, vibrations, odour, and dust from certain phases of the development such as demolition and construction.”*
190. Annex E of PPS10 states that in testing the suitability of sites the CPA should consider the factors listed in the annex and bear in mind the envisaged waste management facility in terms of type and scale, taking account of best available technologies (not involving excessive costs). In terms of water resources and land stability, Factors A and B of Annex E explains that considerations will include (a) the proximity of vulnerable surface and groundwater – for landfill the geological conditions and the behaviour of surface water and groundwater should be assessed both for the site under consideration and the surrounding area and the suitability of locations subject to flooding will also need particular care, and (b) locations, and/or the environs of locations, that are liable to be affected by land instability will not normally be suitable for waste management facilities.
191. Policy DC2 of the Surrey Waste Plan 2008 (“SWP”) states that planning permission will not be granted for waste related development where this would endanger, or have a significant adverse impact, on the setting of land liable to flood. This policy goes on to explain that in assessing each development proposal, due regard will be paid to prevailing national policy and guidance appropriate both to the areas and features of acknowledged importance and the proposed means of dealing with waste, and that this assessment will also take into account whether any significant adverse impact identified could be controlled to acceptable levels.
192. Policy DC3 of the SWP is clear that planning permissions for waste related development will be granted provided it can be demonstrated by the provision of appropriate information to support a planning application that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. In this particular case the information supporting the proposal must include assessment of (i) the release of polluting substances to the atmosphere or land arising from facilities or transport, (iv) the drainage of the application site and the adjoining land and the risk of flooding, (v) groundwater conditions and the hydrogeology of the locality, and (xvi) any health impacts.

193. Saved policy EV3 of the Tandridge District Local Plan 2001 states that in areas liable to flood, development will not be permitted unless it can be demonstrated to the satisfaction of the CPA, in consultation with the Environment Agency, that by itself or cumulatively with other development, it will not (i) impede the flow of flood water, or (ii) reduce the capacity of the flood plain to store water, or (iii) increase the number of people or properties at risk from flooding. It goes on to state that any proposed flood protection measures should not harm the character, appearance or nature conservation value of the area.
194. Saved policy EV6 of the same states that, in consultation with the Environment Agency, the CPA will resist development that would adversely affect the quality of surface water or ground water or the environment of water courses or water bodies and goes on to confirm that the CPA will generally support initiative that lead to restoration, conservation or enhancement of the water environment and improvement in water quality. Whilst saved policy EV7 is clear that where the CPA is aware that land is or may be contaminated, it will consult with the Environment Agency and other pollution control authorities and that development will be permitted provided that there will be no risk to health or the environment and provided adequate remedial measures are proposed which would mitigate the effect of any contamination and render the site suitable for use.

The Development

195. The application site is located within Flood Zone 1 (land with the lowest probability of flooding). However, it is situated on land designated by the Environment Agency ("EA") as a groundwater Source Protection Zone.
196. There have been no technical objections to the proposed ancillary development in so far as flooding and pollution prevention and control matters are concerned.
197. The District Council's Environmental Health Officer recognises that the development would be regulated by the EA and have therefore not raised objection to the proposal. However, Sutton and East Surrey Water have raised concerns with regards to matters relating to pollution prevention and control specifically in relation to the infilling of the sandpit with inert waste. The EA have confirmed that the concerns voiced by Sutton and East Surrey Water can be addressed through the environmental permitting process.
198. The EA have commented that once they have received assurances relating to suitable infrastructure and methods of working are in place to minimise the risks to controlled waters from any permitted operations at the site in future an Environmental Permit will be issued. Accordingly, their advice under the previous permissions would be relevant with regard to groundwater protection. The EA will only accept inert waste to be used to infill the sandpit.
199. The EA have also confirmed that the draft permit has a pre-operational condition that required groundwater monitoring to establish a baseline condition before any inert waste is deposited at the site. Further, they have confirmed that there will be no commencement of activities until the conditions stated within the permit have been satisfied.
200. The County's Hydrogeologist initially raised concerns with regards to the infilling of the sandpit with inert waste due to a lack of sufficient information in respect of site stability and pollution prevention and control matters. However, having reviewed the amending and amplifying information submitted by the applicant in November 2013 it has been confirmed that the applicant's submission addresses these concerns and that it is no longer considered that these issues remain to be addressed in planning terms.

201. Accordingly, the County's Hydrogeologist considers that that application and approach to the restoration proposed is adequate.
202. In terms of flood risk, the County's hydrogeologist has confirmed that the applicant's Flood Risk Assessment is satisfactory and that the only potential flooding issue identified relates to surface water run-off which would be controlled by a surface water management plan. The EA have confirmed that they are satisfied with surface water drainage scheme proposed but would remind the applicant that a separate land drainage consent from the EA may be required for works within existing watercourses.

Flood Risk, Stability and Pollution Conclusion

203. Having regard to the separate but complementary relationship between the land-use planning and pollution control regimes as discussed in PPS10, taking into consideration that the infilling of the sandpit would be subject to an Environmental Permit regulated by the EA and that any concerns raised by Sutton and East Surrey Water can be adequately addressed through this process, Officers do not consider that the proposed ancillary development would have a significant adverse impact on local water resources such that planning permission should be refused.
204. Further, given the location of the application site within Flood Zone 1 and considering the County's Hydrogeologist's view that the only potential flooding issue identified relates to surface water run-off which would be controlled by a surface water management plan which the EA are satisfied with Officers do not consider that the proposal would result in flooding of the application site or displacement of surface water elsewhere such that it gives rise to flooding on adjacent land.
205. Accordingly, Officers consider that the proposal satisfies the requirements of policies DC2 and DC3 of the Surrey Waste Plan 2008 and saved policies EV3, EV6 and EV7 of the Tandridge District Local Plan 2001 and no material considerations indicate otherwise.

AIR QUALITY

National Guidance

National Planning Policy Framework 2012

Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011

Updated national waste planning policy: Planning for sustainable waste management 2013

Development Plan Documents

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Tandridge District Local Plan 2001

Saved policy EV120 – Environmental Pollution and New Development

Material Considerations

Policy MC14 of the Surrey Minerals Plan 2001 – Reducing the adverse impacts of mineral development

Policy Context

206. Paragraph 109 of the National Planning Policy Framework ("the Framework") states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from levels of air pollution.
207. Paragraph 122 of the Framework goes on to advise that when considering development proposals the CPA should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or

emissions themselves where these are subject to approval under pollution control regimes. The CPA should assume that these regimes will operate effectively.

208. Paragraph 124 of the Framework discusses air quality specifically in relation to Air Quality Management Areas but it does confirm that the cumulative impacts on air quality from individual sites in local areas should be considered.
209. PPS10 Annex E criteria G requires that in decision making consideration should be given to the proximity of sensitive receptors and the extent to which adverse atmospheric emissions can be controlled through the use of appropriate and well-maintained and managed equipment and vehicles.
210. Both Surrey Minerals Plan 2011 Core Strategy policy MC14 and the Surrey Waste Plan 2008 policy DC3 require consideration of air quality impacts from minerals and waste development proposals respectively.
211. Saved policy EV12 of the *Tandridge District Local Plan 2001* states that permission will not be granted for sensitive development where the occupiers would suffer significantly from fumes, smell or other forms of pollution unless practical measures can be taken and maintained to reduce the effects to an acceptable level where they would not be significant or intrusive to those occupiers.

The Development

212. There are residential receptors within 14m of the sandpit. The applicant has submitted as part of this application a risk-based qualitative approach which focuses on nuisance dust risks associated with emission from the infilling and restoration of the quarry. The assessment concludes that magnitude of risk of dust to receptors is 'high'.
213. The County's Air Quality Consultant ("AQC") has reviewed the air quality section of the Environmental Statement and has confirmed that the correct key sources of air quality effects such as vehicle exhaust emissions and emission of fugitive dust have been identified by the applicant.
214. The AQC has confirmed that proposals generating less than 200 HGV movements per day are not likely to affect air quality to a degree that would require detailed risk assessment. As the proposal does not seek to generate HGV movements above that already permitted for the site, i.e. 120 two way movement per day (60 total trips), the AQC does not consider the air quality effects associated with the proposal to be significant.
215. The applicant's Environmental Statement identifies that receptor exposure to nuisance dust is considered likely and potentially significant. The AQC concurs that the risk of nuisance dust effects is medium to high based on the proximity of sensitive receptors to dust generating activities and that with the implementation of the applicant's proposed mitigation measures the residual risk of nuisance dust effects would be low.
216. The mitigation offered by the applicant in this respect include: (a) water spray bowser to be used on reception area and haul roads during dry conditions, (b) road sweeping at the site entrance and on Barrow Green Road, (c) on site speed restrictions including a speed limit, (d) use of a wheel wash, and (e) all HGVs to be covered when accessing the site.
217. Accordingly, the AQC considers the measures set out in the Environmental Statement are consistent with the level of risk associated with the proposal. However as it has been determined that nuisance dust effects are potentially significant without the implementation of mitigation measures and therefore the AQC recommends that a dust action plan is formalised by way of a condition.

Air Quality Conclusion

218. In the absence of technical objections to the proposal, and having regard to paragraphs 212 to 217 above, Officers consider that the development satisfies the requirements of policies DC2 and DC3 of the Surrey Waste Plan 2008 and saved policy EV12 of the Tandridge District Local Plan 2001 and no material considerations indicate otherwise.

METROPOLITAN GREEN BELT

National Guidance

National Planning Policy Framework 2012 and its Technical Guidance
 Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011
 Updated national waste planning policy: Planning for sustainable waste management 2013

Development Plan Documents

Surrey Waste Plan 2008
 Policy CW6 – Development in the Green Belt
Tandridge District Local Plan 2001

Saved policy RE2 – Development in the Green Belt outside the settlements

Material Considerations

Policy MC3 of the Surrey Minerals Plan 2011 – Mineral development in the Green Belt
 Policy MC17 of the Surrey Minerals Plan 2011 – Restoring mineral workings

Policy Context

219. Paragraph 79 of the National Planning Policy Framework (“the Framework”) explains that the fundamental aim of Green Belt policy is to keep land permanently open, whilst paragraph 80 lists the five purposes of Green Belts: to check unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling or derelict and other urban land.
220. Paragraph 81 of the Framework requires local planning authorities to plan positively to enhance the beneficial use of the Green Belt such as looking for opportunities to provide access to and opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity or to improve damaged and derelict land.
221. Paragraph 88 advocates that in considering any planning application the CPA should ensure that substantial weight is given to any harm to the Green Belt, and that very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
222. Paragraphs 89 and 90 of the Framework discuss what types of developments are ‘appropriate’ in Green Belt locations. Waste related development is not included in paragraphs 89 and 90 and therefore, as with previous Green Belt Policy (Planning Policy Guidance 2 – Green Belts), waste related development is ‘inappropriate development’ in the Green Belt. All development is considered inappropriate in the Green Belt unless falling within the categories set out in paragraphs 89 and 90 of the Framework.
223. Paragraph 90 of the Framework confirms that mineral extraction is not inappropriate development in the Green Belt and paragraph 144 states that where mineral development takes place restoration and aftercare should be provided for at the earliest opportunity and to be carried out to high environmental standards.

224. PPS10 states that planning authorities should protect Green Belts but recognise the particular locational needs of some types of waste management facilities in determining planning applications that these locational needs, together with the wider environmental and economic benefits of sustainable waste management, are material considerations that should be given significant weight in determining whether proposals should be given planning permission.
225. However the Government's support for stringent protection against inappropriate development in the Green Belt has been reflected in the updated PPS10 document. The updated policy removes the reference in PPS10 that the CPA should give significant weight towards locational needs and wider environmental and economic benefits when considering waste planning applications in the Green Belt. This means that, under national planning policy, these planning considerations should not be given more significant weight compared to others when the planning application is determined. However the proposal, which is located in the Green Belt, will still need to be considered by the CPA on its individual planning merits having regard to the Development Plan and other material considerations, with the weight to be given on particular planning considerations being for the decision maker, subject to the circumstances of each particular case.
226. Policy CW6 of the Surrey Waste Plan 2008 states that there is a presumption against inappropriate waste related development in the Green Belt except in very special circumstances. Very special circumstances to justify inappropriate development in the Green Belt will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
227. Similarly, saved policy RE2 of states that outside the settlements there will be a presumption against inappropriate development that would be harmful to the Green Belt and goes onto confirm that proposals for inappropriate development may be justified if very special circumstances that outweigh the harm by reason of inappropriateness or any other harm can be shown to exist. It clarifies that engineering or other operations and the making of a material change in the use of land are inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt.
228. Policy MC17 of the Surrey Minerals Plan 2011 Core Strategy directs that mineral working will only be permitted where the CPA is satisfied that the site can be restored and managed to a high standard. The policy requires that restored sites should be sympathetic to the character and setting of the wider area and capable of sustaining an appropriate after use. The policy also goes on to state that restoration of mineral workings should be completed at the earliest opportunity and progressive restoration will be required where appropriate. The commentary text to policy MC17 identifies that the majority of mineral workings lie in the Green Belt and after use needs to be appropriate to the designation. Whilst policy MC3 states that proposals for mineral development, other than extraction and primary treatment, will only be permitted where the applicant has demonstrated very special circumstances that clearly outweigh the harm by reason of its inappropriateness and any other harm.

The Development

229. The application site is situated within the Metropolitan Green Belt. The proposal concerns ancillary development relating to the filling of a former mineral working with inert waste material so as to facilitate restoration. The principle of restoring the sandpit has previously been established as documented by the planning history associated with the application site.

Harm

230. The extraction of minerals is not inappropriate development in the Green Belt. However, the proposal seeks planning permission for ancillary development relating to the landfilling inert waste material. It is this aspect of the proposal that the applicant submits is inappropriate development in the Green Belt and therefore planning policy requires the applicant to demonstrate factors which either alone or in combination amount to very special circumstances which clearly outweigh the harm caused to the Green Belt by reason of inappropriateness and any other harm.
231. Openness of the Green Belt relates to the absence of development. Officers consider that the proposal would harm the openness of the Green Belt by the siting and operation of plant and machinery, vehicle movements, and site infrastructure. Although temporary and transient, these activities and structures would be industrial in nature and scale. They would also impact upon the local environment and amenity principally by increased vehicle movements.
232. The applicant has proposed measures to control, mitigate, and compensate for the effects of the proposal in terms of ecology, air quality, highways and traffic and visual and landscape impact. These measures should be taken into account when attributing weight to the harm that would be caused by the proposal.

Very Special Circumstances

233. The sandpit will provide for a total of 338,000m³ of landfill void space at a rate of 75,000 tonnes of inert waste per annum beyond the 2015 period cited by the Surrey Waste Plan 2008 at which time landfill void in Surrey is unlikely to be in surplus.
234. The inert waste to be landfilled is likely to comprise waste that cannot otherwise be reused, recycled or recovered, as waste materials that can be reused or subjected to recycling or recovery operations would be diverted from landfills due to the commercial tax burden of disposing of such waste materials in that way.
235. The waste hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery (including energy recovery), and last of all disposal (e.g. landfill). The Waste Management Plan for England, PPS10, the updated PPS10 document and the Surrey Waste Plan 2008 all echo the requirements of the waste hierarchy. However, it is recognised that disposal of inert waste by landfill remains a valid way of restoring quarries where this is a planning requirement to enable a more positive and beneficial use of land.
236. In this respect policy MC17 of the Surrey Minerals Plan advocates that restoration of mineral workings should be completed at the earliest opportunity. This policy also requires progressive restoration and the applicant will be expected to agree a scheme with the CPA detailing how the land will be restored and managed before, during and after working.
237. The highway mitigation measures proposed by the applicant in respect of planning application Ref. TA13/1652 include (a) physical junction improvement at the sandpit's vehicular access point with Barrow Green Road, (b) moving the boundary fence to the applicant's land back so that it aligns with the line of the visibility splay at the sandpit's vehicular access point thereby providing greater sight lines, (c) widening of the Barrow Green Road carriageway to 7.3 metres where there are currently pinch points and where the width is measured to be less than this, and (d) clearing of any vegetation along Barrow Green Road. These mitigation measures would be subject to a Section 278 legal agreement which would be agreed with the County Highway Authority and constructed to the satisfaction of the same before any infilling takes place. The highway improvements would remain in place following restoration of the sandpit.

238. The bulk of the sandpit is proposed to be restored to agricultural grassland that can be maintained with through mowing or by grazing. The proposed restoration scheme includes a five year post restoration aftercare strategy and the subsequent 25 year maintenance programme. In addition, the applicant proposes to restore and re-establish vegetation in the area of the former borrow pit due north of the sandpit's northern boundary adjacent to Duckpit Wood. Officers consider that the after use proposed, in conjunction with the ecological enhancement measures offered by the applicant, would be a beneficial and positive use of the restored sandpit including the application site.
239. Additional habitat would also be provided by planting the depression between the sandpit and Coney Hill Landfill with sallow, by a surface water attenuation pond, and a native hedge. The applicant is also proposing to undertake extensive planting along the sandpit's western and southern boundaries and site access area which would be attractive to invertebrates and birds and are therefore used as shelter and for foraging.
240. These measures would enhance the ecological characteristics of the application site and adjoining land, and facilitate assimilation of the restored sandpit into the local landscape.
241. Officers consider that the above factors, in combination, amount to very special circumstances.

Green Belt Conclusion

242. The facilitation of the infilling of the former mineral working by way of the proposed development would have an adverse impact on the openness of the Green Belt by virtue of the industrial scale and nature of the proposal. However, this impact would be temporary and transient following which a substantial improvement in the quality of the application site would be brought about by its assimilation into the local landscape, the ecological enhancements offered by the applicant, and the beneficial and positive agricultural after use proposed.
243. In addition, the proposed development would facilitate continued sustainable waste management infrastructure within the County beyond 2015 in accordance with the Surrey Waste Plan 2008. This would result in the continued sustainable management of waste arising from within the County's borders and residual waste arisings from London.
244. The mitigation and compensatory measures offered by the applicant and the conditions to be imposed by Officers on any permission granted would temper any harm caused by the proposal as discussed throughout this report.
245. Paragraph B46 of the Surrey Waste Plan 2008 states that minerals can be worked only where they are found and extraction need not be inappropriate development, provided that high environmental standards are maintained and that the site is well restored. Landfill is most often the means to that restoration. Neither landfill nor landraising activities need conflict with the purposes of including land in the Green Belt. Both can play a positive role in the objectives of the Green Belt: the after use of a site may provide the opportunities for access to restored open countryside, or improve damaged land around a town.
246. In this case Officers recognise that the infilling and restoration works will have a localised impact on the landscape and visual amenity. However, this impact would be transient given that the applicant is intending to complete all works within 8 years of the grant of any permission and mitigated by the existing and established vegetation surrounding the application site. Following restoration of the sandpit the application site would be assimilated into the surrounding landscape. This landscape assimilation

together with the ecological enhancements offered by the applicant would enhance not only the ecological characteristics of the application site and adjacent land but also the local landscape and therefore local visual amenity. The restoration of the sandpit as proposed would also provide for a beneficial and positive after use of the land.

HUMAN RIGHTS IMPLICATIONS

247. 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.
248. Officers do not consider that the proposal engages any Convention rights afforded to the applicant.

CONCLUSION

249. There is no planning permission associated with the sandpit's vehicular access and associated access area which would allow for its use in association with the infilling and restoration of the sandpit. However, this area has historically been used for ancillary infrastructure relating to the mineral working. Consequently, the rationalisation of the application site which measures some 0.66ha, is necessary in order to facilitate the infill and restoration of the sandpit should planning permission be granted in respect of planning application Ref. TA11/1075.
250. The proposal includes replacing existing offices, a weighbridge, wheel cleaning facilities and fuel storage. The use of the sandpit's vehicular access and the operational development proposed to be established within the application site would be of a temporary nature. The application site would be restored in the year following 31 May 2020 or earlier. Once infilling and restoration operations associated with the sandpit have been completed the ancillary features and their foundations would be removed from the application site. However, the exiting gated access and some associated hardstanding would remain to facilitate aftercare and management arrangements of the restored sandpit and to allow access to the Coney Hill Landfill site.
251. No technical objections have been raised in respect of the ancillary development. However, the District Council, Oxted Parish Council, The British Horse Society, the Surrey Bird Club, Oxted and Limpsfield Residents Group, and several interested parties have raised objection to the applicant's proposal to extend the time in which infilling and restoration works associated with the sandpit can take place. These objections have been discussed in detail in the Officers report associated with planning application Ref. TA11/1075. The principal objections appear to relate to the impact of infilling and restoration works on Barrow Green Road by way of HGV movements.
252. So as to address these objections the highway mitigation measures proposed by the applicant in respect of planning application Ref. TA13/1652 include (a) physical junction improvement at the sandpit's vehicular access point with Barrow Green Road, (b) moving the boundary fence to the applicant's land back so that it aligns with the line of the visibility splay at the sandpit's vehicular access point thereby providing greater sight lines, (c) widening of the Barrow Green Road carriageway to 7.3 metres where there are currently pinch points and where the width is measured to be less than this, and (d) clearing of any vegetation along Barrow Green Road. These mitigation measures would be subject to a Section 278 legal agreement which would be agreed with the County Highway Authority and constructed to the satisfaction of the same before any infilling takes place. The highway improvements would remain in place following restoration of the sandpit.

253. In this context the County Highway Authority has reviewed the applicant's Transport Statement and Environmental Statement and considers that the applicant has adequately addressed the impact of HGVs associated with ancillary development proposed. Accordingly, the CHA raise no objection to the proposal or the proposed highway improvement works to Barrow Green Road subject to the imposition of conditions limiting the number of HGVs to 55 trips (110 movements) per day, that measures are in place to ensure no deleterious material fouls the public highway and that the proposed mitigation measures are the subject of a S278 legal agreement and constructed to the satisfaction of the CHA before the infilling operations commence.
254. The facilitation of the infilling of the former mineral working by way of the proposed development would have an adverse impact on the openness of the Green Belt by virtue of the industrial scale and nature of the proposal. However, this impact would be temporary and transient following which a substantial improvement in the quality of the application site would be brought about by its assimilation into the local landscape, the ecological enhancements offered by the applicant, and the beneficial and positive agricultural after use proposed.
255. In addition, the proposed development would facilitate continued sustainable waste management infrastructure within the County beyond 2015 in accordance with the Surrey Waste Plan 2008. This would result in the continued sustainable management of waste arising from within the County's borders and residual waste arising from London.
256. The mitigation and compensatory measures offered by the applicant and the conditions to be imposed by Officers on any permission granted would temper any harm caused by the proposal as discussed throughout this report.
257. Paragraph B46 of the Surrey Waste Plan 2008 states that minerals can be worked only where they are found and extraction need not be inappropriate development, provided that high environmental standards are maintained and that the site is well restored. Landfill is most often the means to that restoration. Neither landfill nor landraising activities need conflict with the purposes of including land in the Green Belt. Both can play a positive role in the objectives of the Green Belt: the after use of a site may provide the opportunities for access to restored open countryside, or improve damaged land around a town.

RECOMMENDATION

258. Officers recommend that planning permission Ref. TA/13/1653 be **GRANTED** subject to the following conditions:

Conditions:

1. The development hereby approved shall be carried out and maintained in all respects strictly in accordance with the following plans, drawings and documents:

Drawing: PS-A-1 Location Plan dated June 2013
 Drawing: PS-A-2 Site Plan dated June 2013
 Drawing: PS-A-3 Context Plan dated June 2013
 Drawing: PS-A-4 Section 278 Agreement Layout dated June 2013
 Drawing: PS-A-5 Highways Land Ownership Information dated June 2013
 Drawing: PS-S-1 Location Plan dated June 2013
 Drawing: B.1 Area Plan Showing Site Location
 Drawing: B.2 Plan of Site and Receiver Locations
 Drawing: B.3 Noise Model Calculation Locations and Bund Location
 Drawing: ES-01 General Site Area dated May 2011
 Drawing: ES-02 Location Plan dated May 2011

Drawing: ES-03 Site Plan dated May 2011
 Drawing: ES-04 Restoration Plan with Pre-settlement Contours dated May 2011
 Drawing: ES-05 Local Sensitive Receptors dated May 2011
 Drawing: Figure 06 Area Sensitive Receptors - Landscape Designations dated May 2011
 Drawing: Figure 13 Phase 1 Habitat Survey dated May 2011
 Drawing: P-S-1 Planting Plan (shown on existing profile) dated April 2013
 Drawing: R-S-1 Restoration Scheme Site Location (aerial) dated June 2013
 Drawing: R-S-3 Restoration Scheme Site Preparation dated June 2013
 Drawing: R-S-4 Indicative Progressive Restoration dated June 2013
 Drawing: R-S-5 Restoration Plan Stage 2 (post infilling and surface planting) dated June 2013

Drawing: LVIA-1 Environmental Statement LVIA Aerial View dated April 2013
 Drawing: LVIA-3 Environmental Statement LVIA Existing Profile dated June 2013
 Drawing: Figure 01 Sand Martin Nests in April 2012 dated December 2013
 Drawing: Location of Dormouse Nest-Tubes dated January 2012
 Drawing: Reptile Survey Location of Refugia Under Forthcoming National Guidance dated January 2012

Drawing: Great Crested Newt and Invertebrate Survey dated January 2012
 Document: Section 4 Proposed Mitigation and Mitigated Impact Assessment of the Environmental Statement Ecology Addendum-2 dated June 2013
 Document: Section 2.2 Proposed Avoidance of Harm to Nesting Sand Martins of Sand Martin Mitigation Proposals dated February 2014
 Document: Section 2.2 Surface Preparation Following Infill of Void of Restoration and Aftercare Scheme dated February 2014
 Document: Section 2.3 Agricultural After Use (Unimproved Mixed Species Grassland) of Restoration and Aftercare Scheme dated February 2014
 Document: Section 2.4 Woodland 'Shaw' and Shrub Planting of Restoration and Aftercare Scheme dated February 2014
 Document: Section 2.5 Water Body Wetland Area of Restroation and Aftercare Scheme dated February 2014

Document: Section 2.7 Soil Management and Storage of Restoration and Aftercare Scheme dated February 2014
 Document: Section 2.8 Retention, Protection and Maintenance of Existing Trees and Shrubs Including Removal of Undesirable Species of Restoration and Aftercare Scheme dated February 2014
 Document: Section 3 Phasing and Progressive Restoration of Restoration and Aftercare Scheme dated February 2014
 Document: Section 4 Aftercare Management of Restoration and Aftercare Scheme dated February 2014
 Document: Section 5 Ecological Monitoring of Restoration and Aftercare Scheme dated February 2014
 Document: Section 2 Pre Restoration Planting Proposal of Revised Planting Scheme dated February 2014
 Document: Section 3 Management of Proposed Planting of Revised Planting Scheme dated February 2014
 Document: Section 4 Retention, Protection and Maintenance of Existing Trees and Shrubs of Revised Planting Scheme dated February 2014
 Document: Section 5 Responsibilities and Timescales of Revised Planting Scheme dated February 2014

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and/or re-enacting that Order with or without modification), no plant, buildings, structures or machinery (other than those expressly authorised by this permission), whether fixed or moveable, shall be stationed, erected, or constructed on the application site without the prior written approval of the County Planning Authority.

3. Within 8 years from the date of the permission hereby granted all plant, machinery, buildings, structures and their respective foundations not required in connection with the aftercare and management of the restored sandpit shall be removed from the application site within a period of 3 months.
4. No machinery shall be operated, no process shall be carried out, and no deliveries shall be taken at or dispatched from the application site outside 0700 to 1800 hours Monday to Friday and 0700 to 1300 hours on Saturdays, nor at any time on Sundays, Bank, National or Public Holidays. This condition shall not prevent the carrying out of emergency operations but these are to be notified to the County Planning Authority in writing within 5 working days.
5. Prior to commencement of the development hereby permitted the proposed modified access to the application site shall be designed/constructed and provided with visibility zones in accordance with the approved plans all to be permanently maintained to a specification to be agreed in writing with the County Planning Authority and the visibility zones shall be kept permanently clear of any obstruction.
6. The means of access to the development hereby permitted shall be from the existing access to Barrow Green Road, as modified, only.

7. Before any operations which involve the movement of materials in bulk to or from the application site are commenced, facilities shall be provided, as must be agreed with the County Planning Authority, in order that the operator can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface on the public highway. The agreed measures shall thereafter be retained and used whenever operations are being carried out.
8. The number of HGV movements to and from the application site shall not exceed 110 per day (55 HGVs) Monday to Friday and 60 per day (30 HGVs) on Saturdays. Records of HGV movements to and from the site shall be maintained for up to one year at any one time and shall be made available to the County Planning Authority on request.
9. Prior to commencement of infilling operations, a Dust Action Plan is to be submitted to the County Planning Authority for approval. The Dust Action Plan shall be implemented as approved and maintained for the duration of the development.
10. No activity hereby permitted shall emit dust, which causes a nuisance beyond the boundaries of the site, due to either inappropriate working or adverse weather conditions. If such an emission should occur appropriate measures shall be taken to abate the problem, but if unsuccessful the activity shall be suspended until it can be resumed without causing emission as a result of different methods of working, the addition of additional dust suppression measures or changed weather conditions.
11. Prior to commencement of infilling operations the applicant shall submit details of invasive plant species to the County Planning Authority for approval including whether any invasive plant species are present within the boundaries of the application site and the measures to be put in place to deal with them during the course of the development. The details as approved shall be implemented and maintained by the applicant for the duration of the development hereby permitted.
12. All plant and machinery shall operate only in the permitted hours, except in emergency and shall be silenced at all times in accordance with the manufacturer's recommendations.
13. the level of noise arising from any operation, plant or machinery on the site, when measured at, or recalculated as at, a height of 1.2m above any noise sensitive building that faces the site shall not exceed 55 LAeq during any 30 minute period.

14. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume for single and hydraulically linked tanks. If there is a multiple tankage, the bund capacity shall be 110% of the largest tank or 25% of the total capacity of all tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund. There shall be no outlet connecting the bund to any drain, sewer or watercourse or discharging onto the ground. Associated pipework shall be located above ground where possible and protected from accidental damage.
15. Adequate drip trays shall be provided for static plant and machinery and any materials accidentally contaminated by oil spillage shall be removed immediately. A parking area for all moveable plant and machinery shall be provided on site to be agreed in writing by the County Planning Authority where precautions shall be taken to prevent oil drippings contaminating the soil or subsoil. All moveable plant and machinery shall be parked within this area outside the normal working day.

Reasons:

1. For the avoidance of doubt and in the interests of proper planning.
2. In the interests of local amenity and to protect the amenities of neighbouring dwellings in accordance with Policy DC3 of the Surrey Waste Plan 2008.
3. So as to comply with the terms of the application.
4. So as to comply with the terms of the application and in the interests of local amenity and to protect the amenities of neighbouring dwellings in accordance with Policy DC3 of the Surrey Waste Plan 2008.
5. So that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with policy DC3 of the Surrey Waste Plan 2008.
6. So that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with policy DC3 of the Surrey Waste Plan 2008.
7. So that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with policy DC3 of the Surrey Waste Plan 2008.
8. So that the development does not prejudice highway safety or cause inconvenience to other highway users in accordance with policy DC3 of the Surrey Waste Plan 2008.
9. In the interests of the local environment and amenity in accordance with Policy DC3 of the Surrey Waste Plan 2008.
10. In the interests of the local environment and amenity in accordance with Policy DC3 of the Surrey Waste Plan 2008.
11. In the interests of the local environment in accordance with Policy DC3 of the Surrey Waste Plan 2008.
12. In the interests of the local environment and amenity in accordance with Policy DC3 of the Surrey Waste Plan 2008.
13. In the interests of the local environment and amenity in accordance with Policy DC3 of the Surrey Waste Plan 2008.

14. To ensure the availability and purity of the underground water which is within a water borehole aquifer and to protect the free flow and purity of surface water in accordance with policies DC2 and DC3 of the Surrey Waste Plan 2008.
15. To ensure the availability and purity of the underground water which is within a water borehole aquifer and to protect the free flow and purity of surface water in accordance with policies DC2 and DC3 of the Surrey Waste Plan 2008.

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. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
3. The applicant is advised that as part of the detailed design of the highway works, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
4. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleared wheels or badly loaded vehicles. The County Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders.
5. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a Section 278 Agreement will need to be completed before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
6. The applicant should note that the Wildlife and Countryside Act 1981 makes it an offence to plant or otherwise cause to grow in the wild any plant listed in Schedule 9 Part 2 of this Act.
7. The applicant is reminded that, under the Wildlife and Countryside Act 1981 (as amended) it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or is being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity during this period and shown it is absolutely certain that nesting birds are not present.
8. Any watercourse within the boundary of the site would be classed as an 'ordinary watercourse' and comes under the terms of the Land drainage Act 1991, whereupon any culvert, diversion, weir dam or like obstruction to the flow of the watercourse requires the consent of the Environment Agency, under the Land Drainage Act 1991. For nature conservation reasons, the Environment Agency seeks to avoid culverting and will not normally consent such works except for access. In the absence of any agreement to the contrary, maintenance of the watercourse is the responsibility of the riparian owner. Application for consent should be made to the Environment Agency's Development and Flood Risk team (tel. 01732 223151).

CONTACT

Dustin Lees

TEL. NO.

020 8541 7673

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 2012 and its Technical Guidance

Waste Management Plan for England 2013

Planning Policy Statement 10 – Planning for Sustainable Waste Management 2011

Updated national waste planning policy: Planning for sustainable waste management 2013

The Development Plan

The Surrey Waste Plan 2008

Saved policies of the Tandridge District Local Plan 2001

Tandridge District Core Strategy 2008

Other Documents

Surrey Minerals Plan 2011

Tandridge District Council's emerging policy
