

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

DATE: 20 August 2020

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

PURPOSE: FOR DECISION

GRID REF: 530733 151586

TITLE: MINERALS/WASTE TA/2019/2147

SUMMARY REPORT

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

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

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

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

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

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

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

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

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

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

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

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

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

The recommendation is to PERMIT subject to conditions

APPLICATION DETAILS

Applicant

J & J Franks Ltd

Date application valid

26 November 2019

Period for Determination

17 March 2020

Amending Documents

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

SUMMARY OF PLANNING ISSUES

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

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

ILLUSTRATIVE MATERIAL

Site Plan

Plan – Site Location and Application Site

Aerial Photographs

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

Aerial 2 – Site location showing the application site

Site Photographs

Figure 1 – Existing site access viewing east towards Bletchingley

Figure 2 – Existing site access viewing west towards Nutfield

Figure 3 – Internal haul road viewing site access with A25

BACKGROUND

Site Description

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

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

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

Planning History

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

THE PROPOSAL

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

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

CONSULTATIONS AND PUBLICITY

District Council

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

Neighbouring Authority

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

Consultees (Statutory and Non-Statutory)

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

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

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

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

Parish/Town Council and Amenity Groups

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

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

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

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

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

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

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

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

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

53 **CPRE:**
No views received.

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

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

Summary of publicity undertaken and key issues raised by public

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

The key issues of objection raised:

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

PLANNING CONSIDERATIONS

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

Section 73 and Environmental Impact Assessment (EIA)

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

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

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

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

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

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

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

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

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

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

HIGHWAYS, TRAFFIC & ACCESS

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

Policy MC15 – Transport for minerals

Surrey Waste Plan 2008 (SWP2008)

Policy DC3 – General Considerations

Tandridge District Core Strategy 2008 (TDCS2008)

Policy CSP 12 – Managing Travel Demand

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

Policy DP5 – Highway Safety & Design

Policy DP7 – General Policy for New Development

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

⁵ Dated October 2019, prepared by DustScan AQ.

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

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

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

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

The Development

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

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

Officer Assessment

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

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

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

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

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

Conclusion

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

ENVIRONMENT AND AMENITY

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

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

Policy MC14 – Reducing the adverse impacts of mineral development

Policy MC17 – Restoring mineral workings

Policy MC18 – Restoration and enhancement

Emerging Surrey Waste Local Plan Part 1 – Policies

Policy 5 – Recovery of Inert Waste to Land

Tandridge District Core Strategy 2008 (TDCS2008)

Policy CSP20 – Areas of Outstanding Natural Beauty

Policy CSP21 – Landscape and Countryside

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

Policy DP1 Sustainable Development

Policy DP22 Minimising Contamination, Hazards & Pollution

Policy Context

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

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

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

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

Noise

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

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

Officer Assessment

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

Conclusion

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

Dust and Air Quality

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

Officer Assessment

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

Conclusion

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

Landscape and Visual Impact

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

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

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

Officer Assessment

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

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

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

Conclusion

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

Restoration and Aftercare

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

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

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

Officer Assessment

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

Conclusion

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

METROPOLITAN GREEN BELT

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

Policy MC3 Mineral Development in the Green Belt

Policy MC17 Restoring mineral workings

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

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

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

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

HUMAN RIGHTS IMPLICATIONS

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

CONCLUSION

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

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

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

RECOMMENDATION

The recommendation is to PERMIT subject to the following conditions.

Conditions:

Approved Documents

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

Time Limits

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

Hours of Operation

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

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

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

Limitations

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

Access and Highway Protection

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

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

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

Rights of Way

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

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

Surface and Groundwater Protection

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

Noise

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

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

Dust

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

Archaeology

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

Soil Movement and Placement

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

Restoration, Landscaping and Ecology

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

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

Reasons:

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

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

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

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

Informatives:

1. The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a Section 278 agreement must be entered into with the County Council before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway, in association with the construction of the proposed vehicular access to the A25. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see: www.surreycc.gov.uk/people-and-community/emergency-planning-and-communitysafety/flooding-advice
2. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

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

CONTACT

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BACKGROUND PAPERS

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

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

OTHER DOCUMENTS

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

Government Guidance

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

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

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

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