

To: Planning & Regulatory Committee

Date: 25 May 2022

By: Planning Development Manager

District(s) Tandridge District Council
 Reigate & Banstead Borough Council

Electoral Division(s):
 Godstone
 Chris Farr
 Merstham and Banstead South
 Mr Kelly

Case Officer:
 Samantha Murphy

Purpose: For Decision

Grid Ref: 532539 152216

Title: Minerals/Waste TA2020/434 RE20/00463/CON

Summary Report

North Park Farm Quarry, North Park Lane, Bletchingley, Surrey RH9 8ND; land north east of Pendell Farm, Pendell Road, Bletchingley, RH1 4QH, Mercers East Quarry, Bletchingley Road, Merstham, Redhill; and land north west of Brewerstreet Farm, Brewer Street, Bletchingley, Redhill, RH1 4QP.

Extraction of silica sand from land north west of Brewerstreet Farm; the continued extraction from land known as Pendell Farm Quarry and North Park Farm Quarry; retention of a silica sand processing plant and ancillary structures at North Park Farm Quarry including stockpiling and storage areas, water and tailings pipelines, water treatment and holding lagoons and the haul road; retention of the conveyor and access tracks; continued temporary diversions of public footpaths 160, 161, 162 and 163 (parts) and public bridleways 142 and 148 (parts) and the continued stopping up of footpath 121 and 143 (parts); diversion of an unnamed brook along the boundary of land known as Pendell Farm Quarry and land north east of Brewerstreet Farm; with associated landscaping and woodland planting; and restoration and aftercare to agriculture and nature conservation.

The application site is a large area covering some 178.84 hectares (ha) extending from Junction 6 of the M25 and Godstone in the east to South Merstham (just beyond the M23) to the west. Most of the application site currently has quarrying operations being undertaken either in the form of sand extraction, the processing of the sand by plant and the deposition of silt tailings.

North Park Farm Quarry (NPFQ) lies in a valley between the North Downs and the Greensand Ridge with the land rising from south to north across the site. The quarry is located in a rural area between the villages of Bletchingley and Godstone with the M25 motorway to the north and the A25 to the south. Access to the application site is gained from a purpose-built haul route linking the quarry to Junction 6 of the M25. Kitchen Copse, an area of ancient semi natural woodland (ASNW) and Site of Nature Conservation Interest (SNCI), lies immediately to the north west of NPFQ and Place Pond SNCI lies immediately to the south of Place Farm Road. A number of Rights of Way have been temporarily diverted or stopped up as part of planning permissions for NPFQ. The processing plant and associated unprocessed and processed sand stockpiles are located at NPFQ. A dedicated haul road leads from NPFQ to Junction 6 of the M25 so that lorries transporting processed sand from NPFQ do not travel through Godstone. The haul road and processing plant were permitted in 2008.

Land known as Pendell Quarry extends to approximately 20ha and is located north of Lower Pendell Farm on previous farmland. Pendell Quarry is a western extension to NPFQ with sand transferred by covered conveyor. Pendell Quarry before quarrying commenced had a number of Rights of Way traversing it which have been temporarily stopped up or diverted. Land known as Mercers West is a former silica sand quarry located to the south and east of South Merstham west of the Thames Water Sewage Treatment Works. Mercers West provides fresh water to NPFQ processing plant to enable the silica sand to be processed. Mercers West also received silt tailings from the processing plant.

The proposed extension area, land known as the Brewerstreet extension in this report, is identified as part of Preferred Area S in the Surrey Minerals Plan 2011 Core Strategy Development Plan Document. It is located north west of Brewer Street Farm and is currently an agricultural field extending to approximately 22ha gently rising to the north east. Its eastern boundary is formed by White Hill Lane and Brewer Street, its southern boundary by Water Lane which is bridleway 169, its western boundary by footpath 160 with the current Pendell Quarry area beyond that; and its northern boundary by an ASNW shaw with the existing covered conveyor that connects NPFQ with Pendell Quarry beyond. Footpath 163 runs through the centre of the proposed extraction area. The Brewer Street Groundwater Source Protection Zone 1 Inner Protection Zone for groundwater lies approximately 200m to the north. The Place Farm and Brewer Street Conservation Area immediately abuts the eastern and some of the southern application boundary for this extension area and includes a number of heritage assets. The Pendell Conservation area lies immediately to the southwest of the proposed extension area and includes a number of heritage assets including Hawthorn School.

All of the application site lies within the Metropolitan Green Belt. Most of the application site lies within an Area of Great Landscape Value (AGLV) except Mercers West which lies just beyond. Most of the application site lies within the Surrey Hills Area of Outstanding Natural Beauty (AONB) which extends from Spynes Mere in the west across the northern half of the application site (but does not include Mercers West).

This proposal is seeking to consolidate the extant planning permissions along with the working of a proposed extension area known as Brewerstreet, into one permission that would control both the Brewerstreet extension area and the existing activities incorporating any changes to the existing activities across the entire application site for a period of 16 years. This would include progressive restoration of Pendell Quarry and NPFQ. The Brewerstreet extension would be worked as a physical extension to Pendell Quarry which would require the removal of a belt of woodland and the diversion of Pendell Brook alongside the stopping up of footpath 160. Sand would be transported to NPFQ by the existing conveyor. The land would be restored to a lower level following the valley topography of the permitted Pendell Quarry restoration scheme, with semi-improved grassland in the quarry base and acid grassland on the slopes, additional woodland planting along the northern boundary to connect with the ASNW and the reinstatement of the belt of woodland between the extension area and Pendell Quarry.

The development plan states that mineral development will be permitted only where a need has been demonstrated and the applicant has provided information sufficient for the mineral planning authority to be satisfied that there would be no significant adverse impacts arising from the development. As a preferred area, the key development requirements for this site include access, local amenity, biodiversity, heritage, hydrology, landscape, agriculture, infrastructure and restoration, which have been addressed within the report.

The Countryside Access Forum have objected to the proposal based on continued diversion and stopping up of a number of Rights of Way around the application site as a whole and consider many of these should be re-established now. They consider the ambience of the Pendell/Brewer Street area will be ruined and there are continual delays with completion of restoration of the application site. The Woodland Trust have objected as they consider there will be detrimental impact to the ASNW to the north of the extension area. The Quarry Observation Group objects to the proposal due to the lack of progressive restoration across the application site as a whole and consider it is debatable whether the mineral is of national need to override the protection of the AONB, impact on the Brewer Street and Place Farm Conservation Area

and delivery of rights of way. The British Horse Society object to the proposal due to the extension of time before rights of way are reinstated and the lack of a comprehensive right of way network for equestrians. 18 letters of objection have been received.

Minerals can only be worked where they are found. Silica sand is essential to support economic growth and quality of life which includes the glass making industry (float glass/ glass containers and increasingly fibre optics and electronics) alongside the filtration industry and chemical industry and the production of sports sands. The National Planning Policy Framework (NPPF) states there should be a landbank of at least 10 years for silica sand and also states that planning decisions should help create the conditions in which businesses can invest, expand and adapt with significant weight being placed on the need to support economic growth and productivity.

Historic England and the County Historic Building Officer have assessed the impacts of the proposal on designated heritage assets including the Conservation Area and Listed Buildings and have commented the proposal will lead to less than substantial harm to the significance of the designated heritage asset being the Brewer Street and Place Farm Conservation Area, Brewer Street Farmhouse and Place Farm; and that this harm should be weighed against the public benefits of the proposal.

The NPPF indicates that planning decisions should protect and enhance valued landscapes, sites of biodiversity and soils. The proposal is considered to be 'major' development for the purposes of exception test required within the NPPF for proposals within AONBs. Officers having considered the information before them are satisfied that given the silica sand is a nationally important mineral reserve supplying mineral to a range of products and that information has been provided that satisfies the exceptional circumstances test in paragraph 177 of the NPPF that the development is in the public interest.

The extraction of minerals is a temporary activity and government guidance and development plan policy states that minerals extraction need not be inappropriate development, provided they preserve its openness and do not conflict with the purposes of including land within it. Due to the temporary nature and reversibility of the proposal and that the Brewerstreet extension site and the application site as a whole will be restored to high quality environmental standards, Officers are therefore satisfied the proposal would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it and complies with paragraph 150 of the NPPF.

Having regard to the environmental information contained in the Environmental Statement, national and development plan policy, consultee views and concerns raised by local residents objecting to the proposal, Officers consider, subject to the imposition of conditions together with controls through other regulatory regimes, the development would not give rise to unacceptable environmental or amenity impacts and the development is consistent with the NPPF and the development plan.

The recommendation is to PERMIT subject to conditions and informatives.

Application details

Applicant

Sibelco UK

Date application valid

26 February 2020

Period for Determination

17 June 2020 – extension of time agreed

Amending Documents

Supplementary Planning Statement, a list of drawings, a table of responses, a Soils and Agriculture revised Report dated October 2020, an Arboricultural and Ancient Woodland Technical Note dated 16 December 2020, responses to queries raised by the County Geological Consultant dated 12 October 2020, Spynes Mere Water Levels; and revised plans listed below. Information submitted in response to Regulation 25 comprises a Dust Management Plan dated October 2020, a Landscape and Visual Impact Assessment Addendum dated October 2020, a Heritage Addendum dated August 2020; and letter from Stantec dated 30 November 2020. Other environmental information comprises an Environmental Statement Addendum, Ecological Responses to comments received dated 1 December 2020, a Groundwater Monitoring Plan dated November 2020; and a Non-Technical Summary dated December 2020; and revised plans submitted in January 2021.

Letter dated 16 August 2021, a list of revised drawings, a Landscape and Ecological Management Plan dated July 2021, new drawing 60471763-PR-038 rev A and revised drawings submitted August 2021.

Amended drawings and revised Landscape and Ecological Management Plan rev A received December 2021.

Email from the applicant dated 11 January 2022.

Email from the applicant dated 1 March 2022.

Email from the applicant dated 12 April 2022.

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.
Need	Yes	97-125
Heritage Assets	Yes	135-168
Ecology and Biodiversity	Yes	169-201
Air Quality and Dust	Yes	202-242
Noise	Yes	243-261
Hydrology, Hydrogeology and Surface Water	Yes	262-285
Soil Handling and Agriculture Contamination	Yes	286-298
Stability	Yes	299-300
Highways and Access	Yes	301-313
Rights of Way	Yes	314-324
Area of Outstanding Natural Beauty, Landscape Character and Visual Impact	Yes	325-337
Green Belt	Yes	338-385
		386-403

Illustrative material

Site Plan

Plan

Aerial Photographs

Aerial 1: Surrounding Area

Aerial 2a: Application Site

Area 2b: Application site (western section)

Area 2c: Application site (middle section)

Site Photographs

Figure 1: Processing plant

Figure 2: Processing plant area and stockpiles

Figure 3: Processing plant with soil screening to the left

Figure 4: Unprocessed sand stockpile area south of processing plant site

Figure 5: Looking east standing on the access road looking towards processing plant with conveyor line and restored Place Farm field on the right

Figure 6: Pendell Quarry looking north west

Figure 7: View of extension area known as Brewerstreet looking south west from footpath 163

Figure 8: View of extension area known as Brewerstreet looking west from footpath 163

Figure 9: View of extension area known as Brewerstreet looking east from the junction of footpath 163 and 160

Figure 10: View of extension area known as Brewerstreet looking south east from the junction of footpath 163 and 160

Figure 11: View of extension area known as Brewerstreet looking north east from bridleway 169

Figure 12: View of extension area known as Brewerstreet looking north west from bridleway 169

Figure 13: Becks Cottage

Figure 14: Spynes Mere

Figure 15 Looking south at North Park Farm Quarry from Gravelly Hill

Background

Site Description

1. The application site is a large area covering some 178.84 hectares (ha) extending from Junction 6 of the M25 and Godstone in the east to South Merstham (just beyond the M23) to the west. Most of the application site currently has quarrying operations being undertaken either in the form of sand extraction, the processing of the sand by plant and the deposition of silt tailings. All of the application site lies within the Metropolitan Green Belt. Most of the application site lies within an Area of Great Landscape Value (AGLV) except Mercers West which lies just beyond. Most of the application site lies within the Surrey Hills Area of Outstanding Natural Beauty (AONB) which extends from Spynes Mere in the west across the northern half of the application site (but does not include Mercers West). Therefore, the site can be considered part of a valued landscape for the purposes of paragraph 174 of the National Planning Policy Framework (NPPF), albeit that existing permitted quarrying operations are also ongoing within it.
2. The following will describe the four areas that make up the planning application area:

North Park Farm Quarry

3. North Park Farm Quarry (NPFQ) has historically covered some 99 hectares¹ (ha), including the processing plant site of some 6ha. The quarry lies in a valley between the North Downs and the Greensand Ridge with the land rising from south to north across the site. The quarry is located in a rural area between the villages of Bletchingley and Godstone with the M25 motorway to the north and the A25 to the south. Access to the application site is gained from a purpose built haul route linking the quarry to Junction 6 of the M25. The AONB covers the northern part of North Park Farm Quarry including the former worked slopes which are undergoing restoration but not including the processing plant, stockpile areas or the current working area in the eastern part of the site.
4. The surrounding land use is predominantly agricultural however there is a golf course to the south of the site. Kitchen Copse, an area of ancient semi natural woodland (ASNW)

¹ This has included the freshwater and processed water pipelines to/ from Mercers East and Spynes Mere near South Merstham.

that has been designated a Site of Nature Conservation Interest (SNCI), lies immediately to the north west of the site. Place Pond SNCI lies immediately to the south of Place Farm Road, approximately 20m from the extent of quarrying. Bridleway 142 runs on its currently diverted route along the southern boundary of the quarry from North Park Cottages to the point where it meets Church Lane/ Place Farm Road. At this point the bridleway continues westwards before heading in a northerly direction (becoming bridleway 148) along the edge of a woodland that marks the end of the applicant's ownership boundary and properties at Place Farm. Bridleway 148 heads in a northerly manner going over the conveyor belt before heading around the eastern boundary of Kitchen Copse and then going underneath the M25. Footpath 121 historically ran across what is now the centre of NPFQ in a north easterly/ south westerly manner towards the M25. This footpath has been temporarily stopped up and would be reinstated on completion of restoration works.

5. The nearest residential properties are to the east of the quarry on North Park Lane; and to the west at Place Farm and Granary Cottage. Mineral extraction is currently taking place in the south eastern corner of the site known as the 'Amber Hole'. Unprocessed sand is currently stockpiled to the south of the processing plant. Processed sand is stockpiled around the processing plant according to grades of material.
6. In terms of restoration, some 22ha has gone into aftercare including the area north west of the processing plant went into aftercare in 2002 and completed aftercare in 2007. The area to the north of the processing plant went into aftercare in 2006 and completed aftercare in 2011. The area east of North Park Lane where the former vehicle loading took place went into aftercare in 2007 and completed aftercare in 2012. Finally, the area closest to Place Farm went into aftercare in July 2020 and is in its second year of aftercare. The next area the applicant is looking to place into aftercare is known as the 'Horseshoe' which is north west of the processing plant and restoration works are due to be completed this spring. Restoration works are also taking place along the southern boundary of the Amber Hole in the form of planting.
7. A covered conveyor and maintenance access track has been installed between Pendell Farm Quarry and NPFQ to transport extracted sand to the processing plant at NPFQ after which it is transported from the site via the dedicated haul road.

Pendell Quarry

8. Land known as Pendell Quarry extends to approximately 20ha and was previously open farmland. It is located to the north of Lower Pendell Farm, approximately 120m north of Water Lane and The Hawthorns School in a valley between the North Downs and the Greensand Ridge with the land rising from south to north across the site. Pendell Quarry is located approximately 1km north of Bletchingley and south of the M25 motorway. North of the M25 motorway the land rises steeply forming the Surrey Hills. The AONB covers over half of this part of the application site. Pendell Quarry is connected to NPFQ by a conveyor belt transporting silica sand from the quarry to the processing plant.
9. The extraction area of the application site lies approximately 300m west of the Brewer Street public water supply thereby lying within its inner, outer and total catchment zone. The Pendell Conservation Area lies immediately to the south of the western extent of Pendell Quarry and the Place Farm and Brewer Street Conservation Area lies approximately 480m to the east. Pendell House (Grade I listed) and the Hawthorns School (Grade II*) listed buildings are located approximately 70m south of Pendell Quarry. The closest residential properties to Pendell Quarry are to the south at Pendell Farm, Pendell Farm Cottages, West Lodge, Pendene and Pendell House alongside the Hawthorns School. The closest residential properties to the conveyor route and the western extent of NPFQ are Becks Cottage, Place Farm, Place Farm Cottages, Place Cottage, The Barn, Cleves Cottage and Granary Cottage.

10. Bridleway 165 runs along the western boundary of Pendell Quarry with bridleway 169 running in a east/ west manner to the south between Pendell Quarry and the Hawthorns School from West Lodge to Brewerstreet Farm. There were several footpaths that had crossed Pendell Quarry before extraction commences (footpaths 162, 629, 628, 163 and 160). These have been subject to temporary stopping up orders and diversion orders such that footpath 160 now run around the southern boundary of Pendell Quarry before joining footpath 161 heading north towards the M25. The applicant proposes that on restoration of Pendell Quarry these footpaths would be reinstated.

Mercers West

11. Mercers West is a former silica sand quarry located to the south and east of South Merstham west of the Thames Water Sewage Treatment Works. The eastern boundary of the site is formed by bridleway 119 with Spynes Mere Nature Reserve immediately beyond this. The Redhill Brook defines the southern boundary of the site with an area known as Mercers Park located further south. Mercers Park was the first part of Mercers West to be worked and has now been restored to form a large lake for public use. Mercers West is approximately 520m to the west of the M23 and approximately 800m south of the M25. Mercers West forms part of the Holmethorpe Sandpits Complex SNCI which extends southwards to the A25. Mercers West provides fresh water to NPFQ via pipeline that was permitted as part of the processing plant planning application. Mercers West now also receives silt tailings from NPFQ via pipeline. The silt tailings are the residual materials produced following the processing and washing of the silica sand.
12. Chart Wood School's boundary immediately abuts the north western boundary of Mercers West with the school buildings approximately 130m to the west. Woodfield School's boundary abuts the northern boundary of the Mercers West with school buildings approximately 70m. The closest residential properties are approximately 72m to the north on Sunstone Grove, 94m to the north on Woodlands Close and 147m to the north on Bletchingley Road.

The extension area known as Brewerstreet

13. The proposed physical extension area is known as Brewerstreet and is located north west of Brewer Street Farm and is currently an agricultural field extending to approximately 22ha gently rising to the north east. Its eastern boundary is formed by White Hill Lane (the C70) and Brewer Street (the D389), its southern boundary by Water Lane which is bridleway 169, its western boundary by footpath 160 which runs in a north/ south manner with the current Pendell Quarry area beyond that; and its northern boundary by an ASNW shaw with the existing covered conveyor that connects North Park Farm Quarry with Pendell Quarry beyond. Footpath 163 runs through the centre of the proposed extraction area from White Hill Lane to where it meets footpath 160. It is proposed to divert this footpath during the lifetime of the working. A standoff distance of 70-80m is proposed between the extent of sand extraction and the southern and south eastern boundaries which would comprise advance planting and a bund. A 15m buffer zone is proposed to the ASNW.
14. The Brewer Street Groundwater Source Protection Zone 1 Inner Protection Zone for groundwater lies approximately 200m to the north outside of the application boundary. The proposed extraction area does lie within Zone 2 Outer Protection Zone with its south western corner lying within Zone 3 Total Catchment. The northern half of the extension area (north along the line of footpath 163) lies within the Surrey Hills AONB. The Place Farm and Brewer Street Conservation Area immediately abuts the eastern and some of the southern application boundary for this extension area and includes a number of heritage assets. The Pendell Conservation area lies immediately to the southwest of the proposed extension area and includes several heritage assets including Hawthorn School.

15. There are residential properties near to the extension area some of which are listed buildings as follows:
- Becks Cottage's (Grade II listed) immediately to the north of footpath 163, curtilage adjoins the application site's north eastern corner where advanced planting and a soil bund would be placed. The applicant proposes a 100m standoff distance to the sand extraction area.
 - White Hill Cottage (Grade II listed) fronts on to White Hill Lane and is approximately 10m from the application boundary and approximately 100m to the proposed extraction area.
 - The New House is located approximately 40m from the application boundary and approximately 120 from the proposed extraction limit.
 - The Barn (Grade II listed) whose curtilage is 20m from the application boundary and approximately 100m from the extraction area.
 - 9 – 12 Brewer Street, semidetached properties facing towards the application site are 15m from the application site and 100m east from the extraction area
 - 1 – 5 Brewer Street are approximately 15m from the application site's south eastern corner where planting and a soil bund would be placed; and approximately 110m from the extraction area.
 - Brewerstreet Farm (Grade I listed) and associated buildings including commercial units, lies immediately to the south of Water Lane with the proposed extraction limit approximately 100m to the north.
 - There are residential properties around Place Farm (to the east approximately 90m from the application site and 170m from the extraction area) including Place Farm and Cleves Cottage (Grade II*), Place Farm Cottages, Granary Cottage and 1 Place Farm Cottages.
 - The Hawthorns School (parts of which are Grade II* and Grade II listed) lies approximately 100m from the application boundary and 180m from the extraction limit.
16. The extension area is proposed as an eastern extension to Pendell Quarry. These two sites are currently separated by an historic field boundary running broadly north to south, characterised by a ditch known as Pendell Brook and a belt of woodland which may have developed from a hedgerow, and has been augmented by recent tree planting. Black Bushes ASNW lies to the north of the extension area alongside other woodland blocks to the north and east which are not ASNW. Of the proposed 22ha that form this extension area, 13.5ha is Best Most Versatile (BMV) land of which 4.09ha is Grade 2 and 9.41ha of subgrade 3a.

Planning History

North Park Farm Quarry (NPFQ)

17. Sand working at NPFQ commenced following the grant of planning permission (ref.TA76/155/298) in January 1977, which allowed the winning of sand from a 12ha site directly west of North Park Lane. Working has been completed in this area and the land restored to a lower level. A second planning permission (ref.TA81/796/1336) was granted in May 1982, which enabled a westward extension of the previous workings from an area of approx. 20.5ha but also the re-grading of the extracted site and surrounding land amounting to a total of 27.6ha. A further 3.6ha extension to the extraction area previously permitted in 1982 was granted in July 1990 (ref.TA90/0284), which extended the period of extraction until 2010 with restoration to be completed by 2015. In November 2000 planning permission (ref.TA00/0326) was granted for the extraction of sand from land to the south and west of North Park Quarry until 2014 and progressive restoration to be completed by 2016.
18. On 19 July 2004 planning permission (ref.TA02/0183 & RE02/0268) was granted for the construction of a replacement sand processing plant for the plant that had been based at Holmethorpe (near Redhill) with a dedicated haul route creating a new access onto the B2235 Godstone Hill Road. This planning permission involved the processing of raw

silica sand extracted at NPFQ and the export of processed silica sand utilising the new access onto the B2235. The planning application also allowed for a sand / soil rootzone blending area whereby peat (or a similar material) and soil is imported to the quarry site and is blended with sand to produce sports sands. In September 2008 planning permission was granted (ref.TA08/0185 & RE02/0255) for the 'as built' processing plant development at NPFQ.

19. On 23 March 2012 planning permission (ref: TA09/1533 and RE09/1876) was granted for the continued use and retention of the processing plant (and ancillary development) at NPFQ to enable the continued processing of silica sand from both NPFQ and from land north east of Pendell Farm (known as Pendell Quarry) (see details below) until 31 December 2020 with restoration by 31 December 2022.
20. More recently planning permission was granted on 29 September 2015 for the retention of the processing plant without compliance with Conditions 1, 13 and 14 to allow for dust monitoring at the site to continue without the use of horizontal sticky pads (ref: TA/2014/1422 and Re14/01836/CON); and for the continued extraction of silica sand by 2020 and progressive restoration of NPFQ by 31 December 2022 (ref: TA/2014/1884).

Pendell Farm Quarry

21. On 23 March 2012 planning permission (ref.TA09/1536) was granted for the extraction of sand over a period of eight years at Pendell Farm Quarry as an extension to NPFQ with progressive restoration to agriculture, woodland and nature conservation. The extracted sand is transported via a covered conveyor to NPFQ for processing within the existing processing plant and then dispatched via the existing haul route. Extraction of sand from Pendell Quarry commenced in the summer of 2015.
22. More recently planning permission was granted on 29 September 2015 for the continued extraction of sand by 31 December 2020 and progressive restoration of Pendell Farm Quarry by 31 December 2022 (ref: TA/2014/1420). A Landscape and Ecological Management Plan submitted pursuant to Condition 43 of planning permission ref: TA/2014/1420 was submitted in August 2019 and currently remains undetermined (ref: TA/2019/1486).

Mercers West (formerly known as Mercers East Quarry)

23. Planning permission for mineral extraction from Mercers Farm and the surrounding area was originally granted in 1954 by the then Minister of Housing and Local Government with five detailed schemes having been approved for mineral working in the area of Mercers Farm. The first was worked in the late 1960s and early 1970s and was restored to form Mercers Country Park.
24. In April 1999 planning permission (refs: RE98/1064 and TA98/0810) was granted subject to conditions for an extension of 4.8ha and the continued working of industrial sand and approval for a scheme of restoration for 20ha to create two landscaped lakes with the permanent diversion of bridleway 119 at Mercers West (formerly known as Mercers East Quarry). In July 2002 planning permission was granted (ref: RE02/0614) for a 1.1ha extension to the site with restoration to form part of a landscaped lake subject to conditions, including a permitted change from an afteruse involving public access, fishing and water sports to one involving solely nature conservation and permissive public access. Planning permission was granted in July 2007 (ref: RE07/0982 and TA98/810/A) for an extension of time of three years to allow completion of restoration works.

The Proposal

25. The applicant is seeking planning permission for the following:

Extraction of silica sand from land known as Brewerstreet as a physical extension

26. The applicant proposes this as a physical extension of and a continuation of progressive working of sand from Pendell Quarry releasing approximately 4 million tonnes of sand. Excavations would progress from west to east in a phased manner continuing from Pendell Quarry towards Whitehill Lane. Since the strata dip northwards, the excavations would deepen towards the north. To facilitate this, an existing woodland that currently divides Pendell Quarry from the Brewerstreet extension would need to be removed and the existing ditch (Pendell Brook) diverted from its current route into Redhill Brook. Stripped soils would be stored in bunds around the southern and eastern perimeter of the site as well as in the northern part of the site. Tree protective fencing is proposed around the eastern and northern boundary of the extension area to protect trees and an area of ASNW alongside a 15m buffer zone. The existing covered conveyor belt would require repositioning from its current alignment in Pendell Quarry into the extension area. The applicant states that advanced tree planting would be undertaken. Footpaths 160 and 163 would need to be temporarily diverted from their current alignment. As with planning permissions at NPFQ and Pendell Quarry, the applicant proposes extraction to remain 2m above the water table to protect the Grade 1 public supply aquifer. An unworked margin is proposed to protect the existing fuel pipeline that runs along the southern boundary of the extension area.

The continuation of extraction of remaining sand from NPFQ and retention of processing plant

27. The applicant seeks permission to continue to extract remaining reserves at NPFQ in the area known as the 'Amber Hole' which is in the south eastern corner of the site. Alongside this, the applicant would seek to retain the existing processing plant and related infrastructure and an unprocessed sand stockpiling area which is located south of the processing plant. This part of the proposal also seeks retention of the existing covered conveyor that currently runs between NPFQ and Pendell Farm Quarry and its maintenance track; retention of the sand/soil/ organics blending area, water treatment, holding lagoons, staff welfare facilities, haul road, water tailings pipeline and associated landscaping.

Continued extraction and discharge of water to Mercers West

28. Water is currently extracted from Mercers West (which is a former quarry) and is piped to NPFQ by pipes that were permitted by planning permission TA02/0183 and RE02/0268. This water is used in the washing of the silica sand as part of its processing. Processed water is then held in the lagoon at NPFQ before it is piped back to Mercers West where it is released. The water also includes an element of silt which settles out. Water then goes to Spynes Mere and out via a discharge point. This proposal seeks the continuation of water abstraction and discharge of process water to Mercers East.

Other Matters

29. The proposal makes provision of progressive restoration of NPFQ, Pendell Quarry and land known as Brewer Street to nature conservation and agriculture as shown on plans attached with this report. The above is proposed over a period of 14 years after which the processing plant would be decommissioned and removed alongside all associated infrastructure. The applicant anticipates that the remainder of the approved mineral within Pendell Quarry would take up to 4 years to complete and that mineral extraction from land known as Brewer Street would take approximately 10 years alongside progressive restoration. There would be no change to vehicle movements and lorries would continue to use the existing haul road. The applicant seeks a continuation of the same operational hours for the processing plant. With regards to sand extraction the applicant proposes:

07:00 – 18:00 hours Monday to Friday and;
07:00 – 13:00 hours on a Saturday

With the exception of the formation of screen bunds and their subsequent removal:

08:00 – 17:00 hours Monday to Friday and:
09:00 – 13:00 hours on a Saturday.

Other than in the area of Pendell Quarry and the Hawthorns School where works will be carried out only between 08:30 – 17:00 Monday – Friday.

30. The applicant has stated that the management of dust from the application site would continue as they do so presently alongside soil handling and storage practices. The applicant has submitted an Environmental Statement to accompany this planning application which includes assessments on air quality, noise, landscape, heritage, ecology, hydrogeological, flood risk; and bird hazard management plan; alongside information provided within their Planning Statement. More detail on the phasing and working of the site can be found within these documents.
31. Mineral will be extracted through dry working (no working below the water table) and transferred to the existing processing plant by the existing conveyor that currently links Pendell Quarry to NPFQ. It is proposed this conveyor route would be amended so that its end would go into Brewerstreet rather than Pendell Quarry. All the rest of the route would remain as it is currently established on the ground. The application area seeks to work the beds of the Folkestone Formation which is the uppermost formation of the Lower Greensand Group which also includes the Sandgate Formation, Hythe Formation and Atherfield Clay Formation which crop out to the south due to the northward dipping geology.
32. The proposed extension area is to be restored to 8.1ha of gently sloping land on the graded quarry floor with relatively steep banks linking into the natural formation over the remainder of the application area. The banks of the proposed extension site would be formed with overburden and predominately left to naturally regenerate with little to no soil placement to the northern slopes and some soil placement to the southern slopes. There would be no importation of waste materials to the site. Agricultural use of the banks would be limited allowing for alternative habitats in these areas. The quarry floor would be restored to grassland using the better soil materials to a depth of 1.2m with the intention to achieve circa 6.8ha BMV land (subgrade 3a working towards grade 2).
33. The additional working of Brewerstreet would result in an extension of time for operations overall including mineral working and the use of the processing plant. The proposal also seeks to consolidate all of the planning permissions for the site into one permission.

Consultations and publicity

District Council

Tandridge District Council

- | | | |
|---|---|---|
| 34. Planning | : | <u>2020</u> No comments to make.
<u>2021</u> No objection |
| 35. Environmental Health | : | No comments received. |
| 36. Reigate and Banstead Borough Council: | | <u>2020</u> No objection subject to the County Planning Authority being satisfied that the potential impacts would not amount to significant adverse impact upon the local environment and its residents.
<u>2021</u> No objection |

Consultees (Statutory and Non-Statutory)

37. Natural England : 2020 - Request amendments to soil calculations table and information as to phasing of working in Pendell Quarry. Consider further BMV agricultural land would be affected because of soil being stockpiled on land within red line boundary outside of extraction area. Requests conditions.
- 2021 – satisfied with the revised soil and agricultural land assessment including the soil calculations. Requests conditions be imposed.
38. County Archaeological Officer : 2020 The WSI submitted is out of date. A condition should be imposed requesting a WSI be submitted for the extension area.
- 2021 No further comments to make.
39. County Noise Consultant : 2020 requested further clarification on HGV movements, why noise monitoring would not be carried out in the noise management plan at Mercers West, ground cover calculations; and why properties on North Park Lane were not included in the assessment.
- 2021 satisfied with the explanation provided with regards to Mercers West and with the noise calculations for North Park Lane. Note applicant's comments about HGV movements not increasing therefore no further assessment provided.
40. Historic England : 2020 the proposed quarry extension would cause a high level of harm (less than substantial) to the significance of Brewer Street and Place Farm Conservation Area through development, noise and dust within its close rural setting. It would also cause harm (less than substantial) to the two highly graded listed buildings of Brewer Street Farmhouse, grade I listed and Place Farm, grade II* listed as well as to Place Farm Barn (grade II) and Becks Cottage (grade II). Have concerns about the conclusions of the Cultural Heritage Assessment, in particular that the harm to designated heritage assets has not been adequately assessed to the standard required by paragraph 190 of the National Planning Policy Framework (NPPF). In making a decision regarding this proposal, the County Planning Authority will need to consider whether all harm has been assessed and avoided or minimized (paragraph 190 of the NPPF). There are ways in which harm could be further reduced. Any harm which cannot be avoided should then be clearly and convincingly justified (paragraph 194) and then weighed against the public benefits of the proposal as required by paragraph 196.
- 2021 With the proposed amendments and additional planting adjacent to Becks Cottage, consider that the level of harm to the various heritage assets would now be reduced to a moderate to low level within the less than substantial harm category. In conclusion, consider that there will still be some harm caused to heritage assets as a result of development, noise and dust in their close rural setting, but acknowledge that efforts have been made to limit that harm, as advised in our previous correspondence. The amended scheme will cause some (moderate to low) less than substantial harm to designated heritage assets, and advises that paragraphs 190, 194 and 196 of the NPPF should inform your decision as to whether all harm has been avoided or minimised; that there is a clear and convincing justification for the harm that remains; and the public benefits of the proposal outweigh that harm.
41. Environment Agency : 2020 no objection. Acknowledge no materials are imported on to site for restoration but that overburden, and soils would be used. Recommend conditions previously recommended relating to groundwater quality are applied to this application. With regard to the diversion of the ordinary watercourse that runs between Pendell Quarry and the proposed Brewer Street extension, permission would be required from the Lead Local Flood Authority before proceeding with these works. If the route were to change and discharge directly into the Redhill Brook, then a

Flood Risk Activity Permit would need to be obtained from the Environment Agency. Request that the LLFA ensures that any increase in flows into the Redhill Brook does not impact on downstream properties. Advise that the watercourse diversion considers a route that does not increase conveyance of flows and provides additional floodplain storage where possible.

2021 from a groundwater perspective, conditions that stipulate that no dewatering or pumping of groundwater shall be undertaken and that no excavation shall take place lower than 2 metres above the level of the highest seasonable watertable at any point on the site are of importance, so are the conditions that prescribe water level and chemical monitoring to be completed. Due to the sensitivity of the site, with the proposed extension site being situated in source protection zones, equally important are conditions on the storage and preventing spills from fuels and chemicals. The proposed extension site is in Flood Zone 1 meaning there is a low fluvial flood risk. As the site is over 1ha a Flood Risk Assessment is required. Welcome the opportunity to implement wider natural flood management elements. An Environmental Permit will be required for activities on or within 8m of a main river, involving quarrying or excavation within 16m of any main river. Permission will be required from the LLFA for ordinary watercourse diversion.

42. Highways England : 2020 No objection

2021 No objection but require additional clarification concerning the diversion of the brook that appears to start near the M25.

Further comments 2021 note the applicant has provided clarification that Pendell Brook does not cross the M25 and neither does the diversion route. On this basis conclude that we are satisfied that the proposals do not materially affect the safety, reliability and/ or operation of the strategic road network. No objection.

43. County Arboriculturalist : No comments received

44. County Ecologist : 2020 Is satisfied with the ecological information provided with the planning application. The applicant has also provided an assessment using the DEFRA Biodiversity Metric version 2.0 demonstrating biodiversity net gain, post restoration of 11.45% and this is sufficient.

2021 Comments on the LEMP. Consider the further information provided by the applicant addresses points raised regarding Great Crested Newt surveys. Note the BNG metric 2.0 has been superseded by version 3.0 however do not consider there is a need to update or redo this calculation as the requirement of the NPPF is simply to achieve it.

45. County Environmental Assessment Officer : 2022 The submitted ES and ES Addendum provide sufficient information to comply with the minimum information requirements set out in Regulation 18 of the EIA Regulations 2017 (as amended). The submitted ES and ES Addendum provide such information listed in Schedule 4 of the Regulations as is relevant to the specific characteristics of the proposed development and the environmental features likely to be significantly affected (Regulation 18(3)(f)). On balance it is recommended that sufficient information has been provided in the submitted ES and accompanying ES Addendum in respect of the likely significant environmental impacts of the proposed development to enable the MWPA to make a decision in respect of the current planning application (ref. TA/2020/434 & RE/2020/00463/CON) in compliance with the requirements of Regulation 3 of the EIA Regulations 2017 (as amended). The information set out in the submitted ES and ES Addendum in combination with the information obtained through the planning application consultation process can be considered to constitute the 'environmental information' referred to in Regulation 26(1)(a) of the EIA Regulations 2017 (as amended).

46. County Enhancement Officer : 2020 overall support the final restoration design in principle, particularly the integrated and masterplan approach. However there is much detailed design that is either conflicting, requiring clarification or change, as well as opportunities that have been missed and would enhance the value of the scheme. The restoration scheme is compliant with that set out in the Minerals Plan SPD. Welcome and support the progressive approach to working and restoration. Welcome no fill approach. Welcome willingness to embrace enhancements and reference to the RESTORE project planting and the Holmesdale Biodiversity Opportunity Area (BOA). Welcome biodiversity provision but this is compromised by the overfilling of Spynes Mere with silt. The proposed restoration would constrain the agricultural options and flexibility. A Landscape Ecological Management Plan (LEMP) is required. Concern about the void capacity of Mercers West to receive the silt. It is recognised the Brewer Street extension would prolong the processing plant footprint but the current proposal will provide the opportunity to righten up on restoration minimising the geographical area being worked but not yet restored.

2021 With regards to the Landscape and Ecological Management Plan (LEMP) as submitted, did not see a draft. Welcome and applaud the comprehensive approach both geographically and topic wise. However, requires more detail. Strong support for the Restoration Group. With regard to restoration note there are little areas of semi-improved grassland between woodland north of the extension area (outside the extraction area) rather than one block. This could add to fragmentation. Do not see benefit in improved grassland west of Kitchen Copse. Not sure about the restoration timescale for the southern boundary of North Park Farm Quarry.

47. Gatwick Airport Safeguarding : 2020 No objection

2021 No objection, request informative.

48. County Landscape Architect : 2021 consider the LVIA to be a generally thorough assessment however, in the absence of winter baseline photography, there needs to be a more thorough analysis within the assessment of the potential seasonal differences in visual effects from each of the photoviewpoints; further analysis/justification of some of the values ascribed to landscape receptors, particularly in relation to the AONB designation; further analysis/justification of some of the predicted landscape and visual effects. Request the submission of further information from the applicant.

2021 the LVIA provides useful additional analysis of the landscape and visual baseline and predicted landscape and visual effects in addition to the required visualisations. There will be a degree of harm arising to the landscape and visual receptors, particularly through the short-medium term operational extraction phases. Have identified moderate adverse effect on the landscape of the Brewer Street proposed extension site through the site preparation and operational phases, and also short-medium term moderate adverse visual effective at some viewpoint locations and one substantial adverse visual effect at the close range Water Lane viewpoint. However, this harm is mitigated to an extent by proposed screening plant and counterbalanced by the long term benefits for the site restoration. Should planning permission be granted recommend conditions for a LEMP, details of advanced screen planting, details of restoration planting, the development be time limited, maximum height of stockpiles. No significant concerns with the LEMP.

2022 comments about screening planting to the south east boundary of Brewer Street site has not been addressed.

49. Rights of Way : 2020 request additional access including a link from the west side of White Hill Lane to bridleway 165. Request additional access due to users being inconvenienced for some time.

2021 the public have been significantly inconvenienced by this work for a long time. Want to see significant long term benefit.

Aware there are difficulties in achieving level routes in some places. Discussed the possibility of the track around the top of the site [NPFQ] being offered if not as a dedicated bridleway at the very least a permissive route. This should be requested.

50. County Air Quality Consultant : 2020 Agrees that due to no change in vehicle numbers there is no requirement for an air quality assessment of that aspect. Considers the proposal would not have a significant adverse impact with regards to nuisance dust. That smaller dust particles that could affect health are shown to fall below the national air quality objective of $40\mu\text{m}^{-3}$. The Dust Management Plan should be a standalone document and whilst some of the information has been provided it is in different documents. Recommend that the information is brought together into a standalone document. Request quarterly sampling as a minimum and data shared with SES Water. Borehole RH2017 018 is possibly located too far west to provide water quality data comparable to the groundwater. Borehole RH2017 017 may prove more representative and more time to react to any changes in water quality should they occur. This appears to be for groundwater level monitoring only. Proposed water quality monitoring of RH2020 020 is not to be discouraged. No comments on the diversion of Pendell Brook.
- 2021 reviewed the submitted Dust Management Plan and recommend it can be approved.
51. South East Water : 2022 note concerns raised by QOG about farm pits in the locality of the site. Need to liaise with the Environment Agency. Not reference to a pond at Becks Cottage which 'smells', potential impact from this but is of a lesser concern given its slightly remoter location from the boreholes. SES water boreholes at Brewer Street contain nitrate concentrations that are close to breaching the drinking water standard. SES have been tasked by the Environment Agency to prevent nitrate concentrations in the raw water from further deterioration. Sources of nitrate pollution are unknown likely to be from agricultural and non-agricultural sources. Reassuring nitrate features in the groundwater monitoring suite.
52. Lead Local Flood Authority : 2020 satisfied with the proposed drainage scheme as set out in the Environmental Statement. Request conditions are imposed. The requirement of the Ordinary Watercourse Consent has been included as an informative, but we cannot condition something covered under different legislation and therefore this cannot be recommended as a planning condition.
- 2021 no further comments to make
53. County Highway Authority : 2021 undertaken an assessment in terms of likely net additional traffic generation, access arrangements and parking provision and are satisfied the application would not have a material impact on the safety and operation of the adjoining highway. No highway requirements.
- 2022 no further comments to make.
54. County Historic Building Officer : 2020 the evaluation methodology used in the Heritage Statement is different to that in the Environmental Statement and as a result downplays the impact on heritage assets. It should be revised. Concern about how the significance of the setting has been assessed. While the methodology is in line with Historic England guidance, the level of detail provided when describing the setting of each heritage asset is insufficient. A much more detailed assessment is required of the heritage assets in table F10. The results in and findings of the LVIA and Noise Assessment should be taken into account. Concerns about the assessment of impact on the Brewer Street and Place Farm Conservation Area and that it has focused on its western extent and has not included Water Lane which is within the conservation area. Further information is required to show what is actually being proposed in terms of mitigation. Larger sections are required as well as visualisations giving an indication of the proposed perimeter fencing and screening bunds. Request further information.

- 2021 assessed the proposal in accordance with paragraph 190 and 193 of the NPPF and find that there would be moderate degree of less than substantial harm to Brewer Street and Place Farm Conservation Area, Brewer Street Farmhouse, Place Farm, Place Farm Barn, Becks Cottage, White Hill Cottage and Cleves Cottage under paragraph 196 of the NPPF. Consider this harm is outweighed by the benefits of securing a nationally important mineral.
55. Forestry Commission : 2020 Ancient woodlands are irreplaceable and have great value. Refer to the Forestry Commission Standing Advice.
- 2021 no changes to comments made in 2020
56. Biggin Hill Airport : 2021 based on current safeguarding criteria the proposal does not conflict with the current Biggin Hill Operation.
57. Esso Pipeline : 2021 No comments to make.
58. Surrey Health Team : 2021 the team is focused on COVID 19 response and is therefore unable to comment.
59. Fischer German LLP : 2020 No objection
- 2021 No further comments to make.
60. Public Health England – Surrey and Sussex HPT : 2021 we do not have the resources to respond to all such consultations and will only do so if the development has the potential to have a significant impact on public health. We expect the local health team to have been informed. We will not respond unless there is a specific chemical or environmental hazard concern which has the potential to impact on the health of local communities. Impacts on public health from air quality, noise and contaminated land fall under the remit of the local authority.
61. Surrey Hills AONB Officer : 2020 No concerns raised. Recognises there would be a short-term harm.
- 2021 no further views to those previously expressed.
62. County Geological Consultant : 2020 request further information on what materials would be used to buttress the final slopes. Request more information on the parameters for the upper slopes of the Gault Clay and that these parameters are appropriate. Request more information with regards to soil resources. Request details of the diversion be submitted, and hydraulic modelling reviewed and updated as a condition and used in the design. Request information as to no other regional modelling has been provided. Request an assessment of impacts/ effects of the extended duration of operation on receptors for the hydrological impact assessment. Recommend pre commencement condition imposed for the submission and approval of a Groundwater Monitoring Plan. request information on impact on Folkestone Formation and groundwater quality. Request information on the decommissioning proposals.
- 2021 recommend pre commencement conditions are imposed with regards to the diversion of Pendell Brook and a consolidated Surface Water Management Plan. As long as the 2m unsaturated zone is maintained no further comment to make. Whilst a Groundwater Monitoring Plan has been provided as part of the planning application it has a number of shortcomings. Recommend that the monitoring plan is amended before consent is granted or is dealt with as a pre-commencement condition. The applicant appears to accept a planning condition with regards to contamination legacy (should there be any) on cessation of operations.

63. Health and Safety Executive : No comments received.
64. Thames Water : 2021 No objection. Should the applicant subsequently seek a connection to discharge Foul Waters to the public network this would be a material change and would need review. Should the applicant seek a connection to discharge surface water in the public network this would require review. Expect the applicant to minimise groundwater discharges into public sewer. Request an informative.
65. Planning Policy Team : No comments received.
66. Department of Business Innovation and Skills: No comments received.
67. National Grid : No comments received.
68. Planning Casework Unit : No comments received.

Parish/Town Council and Amenity Groups

69. Godstone Parish Council : No comments received.
70. Bletchingley Parish Council : 2020 With the proposed extension area this would mean the site is approaching double the area compared to 2000. There are currently several active extraction areas within North Park Farm Quarry and at Pendell Quarry being worked simultaneously depending on the commercial demand for different quality sand. However only a small portion of the quarried land has been restored and returned to agricultural use and this area is outside the red line boundary. There does not appear to be the urgency to restore areas. There have been several extensions of time applications, and this is seeking a further 16 years. The overall approach to ongoing restoration appears rather vague and there is no specific information within the application site regarding timescales for other areas of the site, some of which have formed part of the quarry site from earlier applications.
- 2022 No further comments to make
71. Nutfield Parish Council : No comments received.
72. Ramblers Association : 2021 object to certain rights of way aspects as there are lost opportunities to introduce valuable new rights of way and a lack of dates for restoration implementation. Some rights of way can be introduced immediately. There is an existing route where bridleway 142 meets North Park Lane which runs around the eastern and northern edges of the current extraction area eventually reaching Bridleway 148 that could be immediately reopened. Another enhancement would be to formalise a route from Bridleway 148 just south of its tunnel under the M25 westwards parallel to the M25 to meet up with bridleway 149. At White Hill Lane where bridleway 149 terminates, the route continues on to footpath 160, this route has no date. It would be possible to implement this route as a footpath almost immediately.

Further comments made in 2021: the dedication of the temporary bridleway 148 is welcomed. The route near North Park Lane running round the eastern and northern edges of the current extraction area is welcomed but it is not clear when this route will be established. There is no date for footpath 121 being re-opened. Whilst the right of way westward from Whitehill Lane to join up with footpath 160 is a positive it is a shame that it was not routed to come off Whitehill Lane immediately opposite where footpath 149 meets the road from the east since this would have been avoided the need for walkers to use Whitehill Lane to get between two paths. Might it be possible for this to be considered?

73. Countryside Access Forum : 2020 objects to the proposal. The current application appears to combine 6 different planning applications in one and last for an extended period. The original planning permission was granted in 1977 and to facilitate

workings, bridleways 142 and 148 and footpath 121 have been diverted and footpath 143 stopped up. The diversion order states that on cessation of sand extraction by 31 December 2014 the bridleway shall be restored to its original line to a condition not substantially less convenient to the public and to the satisfaction of the Council by 31 December 2015. Patently Surrey County Council have not enforced that timeline. The current application has seen footpaths 160, 161, 162 and 163 already diverted and it is proposed that quarrying activity will extend to within metres of bridleway 169 and 165. The entire ambience of the Pendell/ Brewer Street area will be ruined, and it should not be forgotten that most of this area is classified as AONB, some as AGLV and all as Green Belt. The delays in reinstatement of the North Park Farm site to agriculture are approaching a decade and the site will continue to be active, if the extraction permitted on the Pendell site is extended to Brewer Street, due to the need to retain the stockpiling and storage areas and ancillary structures at North Park Farm and the continued operation of the haul road. It is requested the link between bridleway 165 and Whitehill Lane should be opened as soon as was practicable and preferably before the installation of the conveyor over the Lane. There is no sign of any opening up of the requested bridleway several years on from the construction of the conveyor. There has been a lack of restoration of the North Park site, especially in relation to the new definitive rights of way and reinstatement of the original definitive right of way on the site. The current proposals show little realistic measurement of dust pollution.

2021 the diverted bridleway 148 should have been restored in 2014 and when it is reinstated, it will be on a gradient in parts of ¼ which is less convenient to the public. SCAF accepts that on restoration Sibelco propose that the currently diverted routes will be classed as definitive as will be the bridleway from White Hill Lane to join bridleway 165. It is noted that there will be a new definitive footpath from North Park Lane to footpath 121. However, the other proposed footpath from North Park Lane to bridleway 148 was originally proposed as a bridleway and in view of its situation and width, SCAF would suggest there is no physical reason why this cannot be dedicated as a bridleway. It is noted that the route north of Kitchen Copse has been removed it had been hoped this would be a useful link. Maintain objection.

2022 objection remains

74. The Woodland Trust : 2020 objection detrimental impact to ancient woodland. Ancient woodland is an irreplaceable habitat. There will be further potential damage and disturbance to two areas of unnamed ancient semi natural woodland² and request a 100m buffer zone to ensure protection from the effects of the development.
75. East Surrey Badger Protection Society : 2020 the confidential badger report appears to cover all necessary and relevant badger mitigation for the setts. Concern the proposal has the potential to result in net loss of species, disturbance to protected species, fragmentation of wildlife corridors, changes to the ecosystem, light pollution. Request biodiversity net gain for the proposal.

2021 accept that case for the subsidiary sett to be closed pending the granting of a licence by Natural England and that conditions will apply. Sett closing can be disturbing to badgers but there is likely to be suitable badger habitat in the vicinity of this sett. The feasibility of the construction of an artificial sett as an enhancement of mitigating the loss of an active sett is something that should be given serious consideration. It is the case that such setts are not always used once built but it does give the excluded badgers another option and may deter them from moving further afield.

76. Quarry Observation Group (QOG) : 2020 objects to the proposal due to the lack of progressive restoration and control of development at the site as there is no certainty

² One woodland is north of Pendell Quarry and the second is immediately to the north of the proposed extension area.

that restoration proposals will be implemented as proposed. The expected progression must be after extraction, the land restored without delay into a period of aftercare. Mercers West should have been restored to a condition suitable for nature conservation in 2008. Spynes Mere is not in aftercare. Planning consent TA00/326 required quarrying to cease in 2014 and restoration by 2015 but Sibelco now seeks permission to continue quarrying in the same area and this could be delayed until 2036. It is debatable whether the mineral is of a national need to override the protection of an AONB. There is a slow rate of extraction as demonstrated by the stockpiling of sand. This area should be addressed in this application to assess the harm. The combined dust emission from the stockpiles needs consideration. The application does not provide enhancement of the public rights of way on final restoration nor adequate connectivity or early implementation. The promised footpath around the north of North Park Farm could be upgraded to a bridleway and this is being refused and it should have been opened in 2016. The new footpath running from Becks Cottage to the north to avoid walking through a narrow stretch of White Hill could be implemented at the outset. This is welcomed. There should be a new bridleway to be constructed to line White Hill to Water Lane bridleway providing an alternative route. This was proposed to be implemented when Pendell begin operations and has been delayed and downgraded to a footpath. It is now proposed again but only on final restoration. The Landscape Ecological Management Plan for Pendell still hasn't been approved. Request confirmation they can deploy water cannons. There is no information about possible contamination from old farm pits running northwards has been done and suitable water quality monitoring should be carried out to prevent the aquifer becoming polluted. There should be a requirement for a specialist to visit the northern slopes of North Park Farm Quarry on a regular basis to confirm that face is stable. The impact on the Place Farm and Brewer Street Conservation Area has been understated. A bund will do nothing to mitigate the impact to buildings in the conservation area. Interim fencing should be required in North Park Farm around the processing plant, haul route and conveyor to enable timely restoration. A combined directional and deposition dust gauge should be provided to monitor dust impact at the eastern end of the Brewer Street extension. Information on the inner source protection zone of the Brewer Street Borehole is not to be compromised. Spynes Mere had a condition requiring a 2m freeboard. This has not been delivered.

2021 concerned that conditions imposed on previous consents are being ignored. Quarrying should have ceased in 2020 but it is continuing. A raw sand stockpile is in place without consent. The LEMP has not been approved. There is no certainty of restoration, and the public are entitled to have a reasonably accurate prediction of how long quarrying will affect an area. SMP policy requires restoration of mineral takes place at the earliest opportunity. The steep slopes in the restoration would lead to an unnatural landform. Request a condition that quarrying in North Park Farm should cease prior to excavation commencing in Brewer Street and restoration be achieved two years afterwards. Concern that the bridleway along northern boundary of NPFQ has not been delivered and the bridleway from White Hill to bridleway 165 has not been delivered. The proposed bridleway from White Hill to bridleway 148 seems most improbably as it is too narrow here and would be cut through ancient woodland. The Supplementary Planning Statement states the existing temporary diversion routes of bridleway 148 and 142 would be retained on restoration but this is not reflected on maps. Retention of bridleway 148 would be greatly welcomed. Tree planting instead of an increased buffer zone is not acceptable. Trees planted in Phase 1 will not be mature enough in time to provide protection. The buffer zone should be at least 100m wide along the eastern side of Place Farm the vertical sticky pad gauge should be moved to the top of the bund on the eastern side of Brewer Street in front of the Brewer Street properties. Has the Source Protection Zone moved? Disagree with the conclusion of the revised Heritage Impact Assessment. The impact will be high, and the proposed tree planting will not be mature enough in time. A remedial plan of action needs to be provided for Spynes Mere. There is lack of provision to protect against pollution of a major aquifer.

2022 previous concerns remain of unjustified delays in restoration - quarrying at North Park should be required by Condition to cease prior to commencement of quarrying at Brewer Street to protect the AONB and its setting; inadequate assessment of the effects of diverting Pendell Brook – extra water diverted to the Warwick Wold area could increase flood risk - lack of water flowing past Hawthorns could cause problems for discharge from their sewage system; inadequate assessment and monitoring of possible contamination of the public water supply from farm pits running along the north east of the proposed quarry area; dust plan is inaccurate and needs updating - monitors from the Place Farm area should be moved to the Brewer Street extension to offer more relevant protection; harm to the Brewer Street and Place Farm Conservation Area has been understated and standoff distances should be increased; confused as to whether footpath 121 has been permanently stopped up or not and a condition should be imposed requiring the Brewerstreet extension not to commence until the bridleway between Whitehill to bridleway 165 and the footpath running from North Park Lane to bridleway 148 has been fully open to the public.

77. Surrey Bat Group : No comments received.
78. RSPB : No comments received.
79. Surrey Amphibian and Reptile Group: 2020 remind SCC that the extension area is a known site for GCN so surveys, mitigation, habitat protection will be required and licences from Natural England may be required.
80. CPRE : No comments received.
81. Bletchingley Conservation and Historical Society: No comments received.
82. British Horse Society : 2020 Objection on the following grounds. This is another extension of time and horse riders who have suffered from the quarry workings are unlikely to live long enough to reap the benefits that might occur on full restoration of the sites. The bridleway shown on plan R01/P17/050A should have been installed before the conveyor line was installed. This has not happened.

2021 Objection remains. The PROW restoration does not include the retention of diverted bridleway 148 route, the northern boundary path from North Park Lane to bridleway 148 is not included. There is effort to lessen the gradient of bridleway 148. The timescales are still long and there is little sign of reinstatement. The link between Whitehill Lane and bridleway 148 (north of Kitchen Copse) cannot be serious as it would require felling of a strip of ancient woodland to achieve its desired width. There is no sign of commencement of the path from Whitehill Lane to bridleway 165. Users, such as horse riders, expect a more comprehensive ROW network than there was at the outset. Given the changes involved from this proposal expect it is fair to ask for mitigation and improvement to ROW network. Until these issues are properly addressed, objection.

2022 Objection remains

83. Sustrans : 2021 Sustrans interest concerns NCR21 from Redhill to Warlingham B269. Interest concerns the bridleways that it uses for NCR21 route which are bridleways 142 and 148 and not sure how these would be affected.
84. Godstone Village Association : No comments received.

Summary of publicity undertaken and key issues raised by public

85. The application was originally publicised by the posting of 12 site notices around the extent of the planning application boundary; and an advert was placed in the local newspaper. There have been two further rounds of publicity and neighbour notification including notifying those that have made representations on the planning application. A

total of (insert no.) of owner/occupiers of neighbouring properties were directly notified by letter. 18 letters of objection have been received raising the following concerns:

Objection

- Object to the expansion of continued and further extraction of silica sand and accompanying infrastructure in this area.
- Understand at Sibelco have a history of not complying with planning permission/ regulation and fear regardless of what is decided, this will continue as before.

Conservation Area

- The proposal is not suitable in a conservation area/ the proposal cannot be approved as it is in a conservation area.

AONB

- The proposal cannot be approved as it is in an AONB.

Green Belt

- The site is in the Green Belt and the proposal will blight the landscape with huge excavations

Heritage

- There is the historic association of nearby land with many listed buildings in the vicinity as well as those associated with Ann of Cleaves in Brewer Street and surrounds.

Visual Impact

- Damage of environment to due to visual impairment of outstanding countryside.
- Previous attempts by the company to 'landscape' the environment around the site have resulted in dead trees and hundreds of plastic tree sheaths littering the countryside around the redirected footpaths.
- Further desecration of farmland in this area which is in danger of overwhelming an area of outstanding natural beauty.
- The quarrying will affect many and should be taken into account.
- The view will become an eyesore and tree planting will block our extensive view to Reigate Hill.
- The application is misleading as they claim the new work on the land will not affect our views. The views from our barn will be very negatively affected and diminish the value of surrounding properties.

Phasing

- Will phase 4 be started after phases 1, 2 and 3 are completed? There are no start or end dates for the phasing.
- Why do bunds need to be built some years before excavation starts there? Can the bunds go up just before excavation starts?
- Excavation will be 100m from the nearest dwellings. I cannot see that is anywhere near far enough away. Request 250m.
- Request the bund to be on the excavation boundary. Could the bund be higher at 5m to screen views from Place Farm Road? Could the bund be more random shape than those we have seen around the quarry?

Noise

- Grave concerns of the consequences to our daily lives in terms of noise/ noise will increase.

Dust and Air Quality

- Grave concerns of the consequences to our daily lives in terms of dust/ additional dust particles in the air.
- Do not agree that there were no complaints since 2016, although it is true that complaints were far fewer after 2015.

- What does nearest work area mean?
- Request an extraction boundary of no less than 90m from receptors is permitted.
- Some dwellings near the application site have not been included in the Air Quality Assessment and should be.
- It is not clear whether the dust monitoring will continue the practice established at North Park of using combined Dustscan directional sticky pad gauges along with Frisbee deposition gauges. I trust that there will be a combined Dustscan and Frisbee gauge at the North East corner of the extraction limit and close to Becks Cottage so that it captures the effects of the prevailing south westerly winds and is downwind of the extraction area. The Dustscan vertical sticky pad gauge reports have historically had the closest correlation with complaints.
- It is essential a PM10 sensor such as an Osiris is deployed on the north east corner of the extraction area.
- Concern that the Osiris monitor for PM10 underestimates the levels recorded.
- Consider that water cannons are required to dampen extraction faces when strong winds are likely and threaten receptors.
- There is already an issue of dust that is swept by the wind onto our property (on Brewer Street) and this will get worse with this proposal.
- Where will the dust monitoring be located to measure an accurate account of the sand pollution?
- The bund should be 100m from our boundary and 5m high.
- Pollution of the air will be huge due to the prevailing winds. The proposal will ensure almost continuous dust around our property. The monitoring of dust in the past has been insufficient.

Stockpiling area

- The application proposes inclusion of a stockpiling area. How long has unauthorised stockpiling taken place and is this on previously restored land. Why is there a need to store material in this area? What dust control measures will there be?
- Will there be a volume or height restriction?

Soils

- How is soil stripping and placement monitored?
- The proposal would result in a loss of 6.7ha of best and most versatile land, is this acceptable in light of shortages of good agricultural land?
- Direct placement of soils is difficult because of time delay due to the slow extraction rate. Therefore, soils need to be stored in the interim. Will these be seeded? Will subsoil and topsoil be stored separately?
- Are the stripping depths and volumes of each soil type recorded?
- Is the use of a bulldozer recommended by Defra?
- How will you ensure that machines won't run over restored areas?

LEMP

- The LEMP for Pendell should have been approved within 12 months of the 2015 permission.

Aftercare

- During aftercare is there a check on finished soil depths using an auger? And compaction checked with soil samples?
- Is there an annual meeting to review and record aftercare results?
- How much of the site overall has gone into aftercare?
- How do you know that areas restored some time ago still meet the required restoration standard?
- Concern that despite the large area only a small area has come out of aftercare during the working of the site.
- Why has there been so little land restored back to its original state despite the expansions?

- Sibelco's track record for restoration is abysmal and there needs to be a financial guarantee.

Diversion of the stream

- Against the diversion of the stream as it is one of the reasons, we purchased our property. We would lose our amenities including wildlife.

Traffic and Highways

- The proposal should be accompanied by a Traffic Assessment.
- There should be an appraisal of the potential benefits of utilising land east of North Park Lane and other land in the Company's ownership to provide a two-way bypass for A25 traffic to link to Junction 6.
- Concern about the state of unkempt roads and they do nothing to upkeep of existing roads which permanently run with water and are filthy.
- There would be heavy vehicles delivering and collecting causing more local traffic and diesel fumes.
- The trucks are active very early in the morning along the constructed road to the north of our house. This will lead to another 8 years of this.
- Object to the traffic and disturbance it will cause in our area.

Health

- Heightened health and safety concerns due to reduction in air quality/ plant noise and lorry movements.
- A major issue would be the effect on the long-term health of the nearby residents and school children at Merstham Park School. The silica dust that will be caused by the extraction from the quarry is harmful substance that kills thousands of people every year who are in the vicinity when working in construction, rail and roadworks.

Officer comment – there is to be no mineral extraction at Mercers West and therefore no mineral extraction close to Merstham Park School. The application site extends to Mercers West as this is where the water is removed by pipeline to feed the processing plant, and then the tailings are deposited.

Recreation and footpaths

- The effect on the countryside used by walkers, horse riders and cyclists for leisure and fitness.
- Reduction of utility to public due to redirection of footpaths.
- It is essential that we can access the footpath entrance (footpath 163) from opposite our cottage. White Hill Lane is single track road is very busy with traffic making it dangerous to walk on.
- Bridleways should be established before work commences and neither these or footpaths diverted before work begins on the land.
- Our route walking to school along the footpaths will be affected

Quality of Life

- The proposal will affect the quality of life

Other Matters

- Inability to view the documentation as individual was shielding due to Coronavirus.
- Request compensation to mitigate impact to our property/ our property value will decrease
- Object as the extraction of sand will be taking place next to one of sports fields causing noise pollution and air pollution.
- Why is there a high restrict fence the whole way round North Park site meaning that although it is restored no one can walk on it.
- Our property will be surrounded by an active mine.
- Is this really the only source of sand in the country?

- As long as all the existing conditions relating to the earlier application are imposed on this application and all materials are moved from the site by way of a conveyor belt and the haul route then I have no objection.
- This application puts into jeopardy the use of the Old Rectory for use for the local community and my own enjoyment.

Support of the application

- The proposal will result in material benefits including the steady and adequate supply of industrial sands, employment opportunities, contribution to the economy and contribution to the UK glass industry. This is in conjunction with the scarcity of the mineral which underlines the significance of North Park Farm Quarry.

Planning considerations

Introduction

86. The proposal is for extraction of silica sand from an area known as Brewer Street alongside retention of the processing plant at North Park Farm Quarry (NPFQ) and continuation of sand extraction in the area known as the 'Amber Hole' at NPFQ alongside a stockpile area. Brewer Street is identified as part of Preferred Area S in the Surrey Minerals Plan Core Strategy DPD 2011. Preferred Area S is a large block of land extending eastwards from Merstham Road to White Hill Lane. It includes an area of land known as Pendell Quarry which was granted planning permission for the extraction of silica sand in 2012³ which lies north of the Hawthorn School where silica sand is currently being worked.
87. The guidance on the determination of planning applications contained in the Preamble/Agenda frontsheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs. In this case the statutory development plan for consideration of the application consists of the Surrey Minerals Local Plan 2011, Tandridge Core Strategy 2008, the Reigate and Banstead Core Strategy 2014, the Reigate and Banstead Development Management Plan 2019.
88. Tandridge District Council submitted their emerging local plan "Our Local Plan 2033" in January 2019 to the Planning Inspectorate. An Examination in Public (EiP) commenced in October 2019 and was completed by the end of November 2019. Following this the Inspector's preliminary conclusions and advice was received in December 2020 with this being discussed on 8 February 2021. Since that time, correspondence has taken place between Tandridge District Council and the Planning Inspectorate with regards to transport modelling of the capacity of Junction 6 at the request of the County Highway Authority and Highways England. These matters remain unresolved at the time of this report. Given the plan has undergone EiP stage, Officers consider that policies within this Plan be afforded some weight in decision making for this application. However, this weight does not outweigh those policies that form part of the TDCS2008 and TDLP2014 which are part of the adopted Development Plan. The eastern part of the application site lies within the Godstone Neighbourhood Plan area however no Neighbourhood Plan has been adopted for this area. There are no other neighbourhood plans within the planning application area.
89. Much of the application site lies within the Surrey Hills AONB, therefore it is important to ensure that the development proposal does not cause harm to the setting of the AONB. The Surrey Hills AONB Management Plan 2020-2025 has been adopted to provide a focus of the whole of the AONB designation and its conservation and enhancement. The AONB Management Plan provides policies and objectives for development that may

³ TA09/1536

occur within the AONB or its setting. Policy P1 states that in balancing different considerations associated with determining planning applications, great weight will be attached to any adverse impact that a development proposal would have on the amenity, landscape, and scenic beauty on the AONB and the need for its enhancement. The Surrey Hills AONB boundary is currently under review by Natural England. A consultation is currently taking place by Defra⁴ to help decide on the extension of the AONB boundaries and consider the case for its extension. This consultation was due to finish in April 2022. The implications of this consultation and review are discussed below.

90. Paragraph 11 of the NPPF is clear that for decision taking this means approving development proposals that accord with an up-to-date development plan without delay or where there are no relevant development plan policies or policies which are most important for determining the application are out of date, granting permission unless:
- The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
91. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations. For planning applications accompanied by an Environmental Statement (ES) the environmental information contained in it will be taken into consideration and reference will be made to it. In assessing the application against development plan policy, 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: impact on heritage assets, impact on the AONB, landscape charact and visual impact, dust, noise, groundwater and the rights of way network.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

92. The proposal falls within Schedule 1 Category 19 “Quarries and open-cast mining where the surface of the site exceeds 25 hectares, or peat extraction where the surface of the site exceed 150 hectares” of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (the “EIA Regulations”) given its size of 179ha. The applicant submitted an Environmental Statement (ES) to comply with Regulation 3 of the EIA Regulations 2017. That regulation prohibits the granting of planning permission for EIA development unless the relevant planning authority has first taken the environmental information into account. The ‘environmental information’ to be taken into account includes, but is not limited to, the ES and any further information provided by the applicant.
93. Paragraph (3) of Regulation 18 of the EIA Regulations sets the minimum standard for the information to be included in an ES. This includes a description of the proposed development (Regulation 18(3)(a)), include a description of the likely significant effects of the proposed development on the environment (Regulation 18(3)(b)), a description of any features of the development or other measures that would be used to avoid, prevent, or reduce and if possible offset likely significant adverse effects on the environment (Regulation 18(3)(c)), a description of the reasonable alternatives to the development considered and provide an indication of the main reasons for the option taken (Regulation 18(3)(d)), to be accompanied by a non-technical summary (NTS) that includes an overview of the information set out (Regulation 18(3)(e)); and include such of the information set out in Schedule 4 to the EIA Regulations as is relevant to the development concerned and the environmental features likely to be significantly affected by the scheme (Regulation 18(3)(f)).
94. Paragraph (4) of Regulation 18 of the EIA Regulations requires that submitted ESs be based on the most recent relevant scoping opinion or direction, include the information

⁴ [Surrey Hills Area of Outstanding Natural Beauty needs you - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/surrey-hills-area-of-outstanding-natural-beauty-needs-you)

necessary for the reaching of a reasoned conclusion on the likely significant effects of the development on the environment, be subject to scrutiny by the MWPA's technical advisers, statutory consultees and the general public through the planning application consultation process; and be prepared taking into account the results of any relevant and reasonably available existing environmental assessments. Paragraph (5) of Regulation 18 of the EIA Regulations places obligations on the developer in respect of the competence of the persons appointed to prepare the ES and must ensure that the ES is prepared by competent experts and be accompanied by a statement outlining the relevant expertise or qualifications of the appointed experts.

95. Regulation 26(1)(d) of the EIA Regulations advises that when granting planning permission for EIA development planning authorities should consider whether it would be appropriate to impose monitoring conditions. The national Planning Practice Guidance (nPPG) advises that duplication of monitoring requirements should be avoided, with existing regimes being used where feasible, that monitoring measures should be proportionate and that monitoring should not be used to gather general environmental information. The existing consents for silica sand working and processing at North Park Quarry include conditions that require monitoring in respect of the impacts of the development on, inter alia, groundwater levels and quality, noise, and dust. Similar conditions would likely be attached to any permission that may be granted in respect of the current application, covering key impacts identified in the submitted ES and ES Addendum.
96. The County Environmental Assessment Officer has reviewed the submitted ES and ES Addendum and considered that they provide sufficient information to comply with the minimum information requirements set out in Regulation 18 of the EIA Regulations 2017 (as amended). The submitted ES and ES Addendum provide such information listed in Schedule 4 of the Regulations as is relevant to the specific characteristics of the proposed development and the environmental features likely to be significantly affected (Regulation 18(3)(f)). The Environmental Assessment Officer states that on balance it is recommended that sufficient information has been provided in the submitted ES and accompanying ES Addendum in respect of the likely significant environmental impacts of the proposed development to enable the CPA to make a decision in respect of the current planning application (ref. TA/2020/434 & RE/2020/00463/CON) in compliance with the requirements of Regulation 3 of the EIA Regulations 2017 (as amended). The information set out in the submitted ES and ES Addendum in combination with the information obtained through the planning application consultation process can be considered to constitute the 'environmental information' referred to in Regulation 26(1)(a) of the EIA Regulations 2017 (as amended).

NEED

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

Policy MC1 – Spatial Strategy – Location of Mineral Development in Surrey

Policy MC8 – Silica Sand Supply

97. The Folkestone Formation comprises weakly cemented medium-coarse grained pale sands with current bedding of shallow marine origin. Within the beds there are silty and finer grained interbeds and ironstone bands. The proposal is for the extraction of silica sand, which contains a high proportion of silica in the form of quartz. The silica sand at the application site (and that which has been found at both Pendell Quarry and NPFQ) has a low iron and low aluminium content which makes it suitable as a raw feed to produce glass, sports, horticultural and construction sands. The significance of the end use rather than the nature of the sand in the ground is recognised by the British Geological Society (BGS) Factsheet⁵, which has defined silica as sand "*used for applications other than construction aggregates and which are valued for physical and*

⁵ British Geological Survey Mineral Planning Factsheet: Silica Sand

chemical properties". The Factsheet goes on to say, "*silica sands have to conform to very closely defined specifications and consistency in quality is of critical importance*" and "*silica sands command higher prices than construction sands and serve a wider geographical market, including exports*".

98. The chemical and physical requirements of end-uses vary widely, the most important properties being grain size and grain size distribution (grading), grain composition, grain shape, grain strength, colour and staining behaviour. Markets often have very specific requirements for one or more of these properties, and as such sands are generally marketed as „specialist sands“ that include industrial processes (for glass, foundry moulds, chemicals, aircrete, bricks and tiles), "non-construction aggregates" (including equestrian sand, sports and leisure sand, horticultural sand) and specialist construction uses.
99. Given the application site's location within the Surrey Hills AONB and it being adjacent to two conservation areas and listed buildings, a key issue in determining this application is the need for the development, whether it is of national and / or local interest and whether there are any alternatives. The planning application is focused on the extraction of some 4mt of specialist sand from an area of 22ha over a period of approximately 10 years.

Policy

100. Silica sand deposits are scarce and are considered a mineral of national importance. Minerals can only be worked where they naturally occur and that there is potential for conflict between the benefits to society that minerals bring and the impacts that may arise from their extraction and supply. The environmental implications for communities and landscapes should be balanced against the need for the mineral. There are, however, limited opportunity for the use of alternatives to silica sand owing to the unique properties of specialist sands.
101. The Surrey Minerals Plan 2011 - Core Strategy Development Plan Document (SMP2011) highlights that the silica sand resources within Surrey are some of the purest within the country, with low levels of iron and alumina. Paragraph 3.14 confirms that sites with existing workings at Bletchingley (North Park Quarry) and at Buckland (Park Pit and Tapwood complex – these sites have now closed and are no longer producing silica sand) lie within or abut areas of high landscape quality with land at Bletchingley lying partially within an Area of Outstanding Natural Beauty.
102. SMP2011 Policy MC1 sets out that resources of silica sand are restricted to specific parts of the Folkestone Formation on the eastern side of the county with a preferred area for silica sand working adjoining the existing working north of Bletchingley. North Park Farm Quarry (NPFQ) has long been established as a mineral site and this is recognised in the SMP2011. SMP2011 Policy MC8 states that "silica sand production will be met by development within the preferred area of Pendell Farm, Bletchingley". As outlined above, Preferred Area S in the MLP2011 is titled 'Pendell Farm' however it covers not only the area which benefits from planning permission TA/2014/1420 but also the planning application area for Brewer Street and the area for the conveyor line. The map showing the extent of Preferred area S in the MLP (page 74) shows an area of search hatched which is north of Pendell and is not this current planning application area. Officers are therefore satisfied that Policy MC8 applies in this regard to this application even though the policy refers to the preferred area as Pendell Farm.
103. Policy MC8 goes on to explain that proposal will be expected to demonstrate the extent to which sand is of, or can be processed to, the standards necessary to meet the national need for silica sand. Policy MC8 also highlights the importance of phasing silica sand development to maintain a landbank of at least ten years of permitted reserves. The policy supporting text says that the preferred area would provide an extension to the landbank for production at NPFQ and cumulative impacts will be minimised by processing output from the preferred area through the plant at that site. The onus will be

on the applicant to demonstrate that any proposal to work minerals on the preferred area in tandem with the existing working does not generate unacceptable cumulative impacts.

104. Paragraph 214 of the NPPF requires mineral planning authorities to plan for a steady and adequate supply of industrial minerals, such as silica sand, by encouraging safeguarding or stockpiling so that important minerals remain available for use; and maintaining stock of permitted reserve to support the level of actual and proposed investment required for new or existing plant and the maintenance and improvement of existing plant and equipment. The footnote to this paragraph states that the reserves should be at least 10 years for individual silica sand sites. The landbank for silica sand is calculated as a range and is between 5 and 10 years which is below the target of more than 10 years contained in national policy advice⁶.
105. The applicant states that the remaining reserves at NPFQ is approximately 2million tonnes (Mt). Based on current production levels of around 440,000 tonnes per annum (tpa) this would provide around 4.5 years permitted reserve. The applicant states that with the proposed extension area of 4Mt, this would provide a reserve of 13.5 years. In doing so, this complies with para 214 of the NPPF. The applicant states that at the current rate of extraction the proposed extension would take around 10 years to complete on commencement, with a further two years to complete the restoration following the cessation of quarrying. The applicant has submitted a Mineral Resource Statement with the planning application which provides information on the number, location and frequency of boreholes that have been sunk at the site to define the quality and quantity of silica sand reserve at the site. The applicant states that there is overburden at the site formed of topsoil and clay amounting to 312,000m³. This is to be stripped and stored in bunds around the application site.

Silica Sand Properties

106. The sand produced at NPFQ has a national market. Some sand that does not meet the quality parameters for industrial grades is supplied for local markets. Unlike construction sands, which are used solely for their physical properties, silica sands are commercially valued for their chemical properties also as it is a very durable material resistant to heat and chemical attack⁷. These sands have a high silica content in the form of quartz and, more importantly, very low levels of deleterious impurities particularly clay, iron oxides and refractory minerals such as chromite. They typically have a narrow grain size distribution.
107. Silica sand in the UK comes from different geological formations with very different geological histories and consequently grading and composition vary from site to site and within each site. For most applications, silica sands have to conform to tight specifications and specific grain size distribution alongside a consistency in chemistry and grain size. Individual grades may vary markedly from one another such that even small differences in chemistry and grain size distribution may mean that they are not interchangeable in end use.
108. The most stringent chemical requirements are for the glass and chemical industries. The purity level of sands for these uses is generally judged by the iron content. A low-iron content is usually required for glass making. Colourless container glass (flint glass) requires the highest-grade silica sand approximately 0.035% iron oxide (Fe₂O₃), or lower, with a narrow range of grain sizes to ensure an even and consistent melt. Sand used in the foundry or water filtration industries can have a slightly higher minimum requirement for iron but requires a consistent grain shape alongside consistent size and grading and should be clay-free washed sands which are high in silica. Additionally, there is a requirement for consistency in the quality of silica sands. The BGS Factsheet says that an increasingly important market for silica sand is specialist sports and leisure

⁶ Surrey County Council Annual Monitoring Report 2019/20

⁷ Mineral Products Association

applications. Whilst there are no chemical constraints on these uses, they demand quality as well as consistency in grain size and colour.

109. A critical factor in defining a sand or sandstone deposit, as a silica sand resource is its inherent particle size and the ease with which impurities can be removed. As well as the right physical and chemical characteristics for particular end uses consideration must be given to whether the sand can be economically worked and processed to the standard required for industrial applications. Silica sands are processed according to their intended end use.
110. Processing is aimed at improving the physical and chemical properties of the sand, largely by adjusting the grain size distribution, by removing undersize and oversize material and removing contaminating impurities in the sand or from the surfaces of the individual sand grains. Washing and size classification are standard methods, but sands used in the manufacture of colourless glass are further processed by acid leaching, froth flotation or gravity separation. The processing plant at NPFQ uses gravity separation. Whilst washing the sand will remove most of the clay particles, which can contain aluminium, feldspar has both a density and grain size similar to that of quartz and is not easily separated by processing. Removal of free iron particles can be done by gravity separation, flotation or magnetic separation; however, removal of iron staining is more difficult and is usually accomplished by hot or cold leaching in sulphuric acid. Classification is used to gain a consistent grading of the sand alongside the use of hydrosizers or screens. Coarse and fine sand is removed during processing (particularly for glass sands) but these co-products are still a viable resource that may be suitable for an industrial end use or used for non-industrial applications such as horticulture, sports and equestrian uses.
111. These grades cannot be produced from more typical building sands due to their requirement for clean, even graded sand with more rounded grains. Some of the sand with a higher iron content may meet the specification for building sand and a proportion of this may be sold for such use, however from the extension area, these tonnages will be small.

Silica Sand Use

112. Silica sand has primarily been used in the foundry and glass industries. Whilst UK heavy manufacturing has progressively declined resulting in a steady reduction in the demand for foundry sand, there is a requirement for higher quality silica sand for applications such as aerospace, military, and precision automotive parts. The most important consumer of silica sand now is the glass industry. Commercial glass used for bottles and jars (containers) and flat glass (windows, mirrors and vehicle glazing) contains 70-74% silica with the ultimate source being silica sand. The glass industry also includes fibreglass and glass for specialist uses including medical, optical and lighting.
113. Figures provided in BGS "Silica Sand" Factsheet show that, in 2018 some 28% of silica sand was still being used by the glass industry, 5% used for foundry, 31% used for other industrial uses, and 24% used for horticultural and leisure uses with the remaining being in ceramics and agriculture. Of the glass figures, a survey conducted by the Silica and Moulding Sands Association found that 29% was flat glass, 63% colourless containers and 8% coloured containers/ fibre glass. The principal glass products using silica sand include colourless and coloured containers, flat glass and glass fibre. Between 2005 and 2014 overall glass sand production decreased which coincided with two float glass plants in St Helens closing. However, production has gradually been increasing since 2014 driven by container glass production. Other than glass cullet there are no alternative raw materials for glass manufacture.
114. Low iron silica sands are also used in the production of ceramic bodies such as tableware, sanitary-ware and wall and floor tiles alongside the manufacture of water-soluble sodium silicates and other silicon chemicals such as silica gels and silicones.

Silica also and contributes to information technology being part of mobile phones and tablets alongside the filtration industry. And, as outlined above, sports and leisure applications including sports surface construction and horticultural applications where there is a demand for quality as well as consistency.

115. The BGS Factsheet (2020) sets out that the value of UK silica sand sales was estimated at £82 million in 2017, an increase from £67 million in 2016, with an official figure for employment within the silica sand industry being 266 which is a decline from 500 in the early 2000s. These figures only include employees working directly at extraction sites. The Factsheet goes on to say that the glass industry, which is the most important consumer of silica sand, produced about 3 million tonnes of container glass valued at £894 million. The sales of flat glass in the UK in 2017 were valued at about £192 million, glass fibres at £435 million and technical glass products at £172 million. Sales for these products have followed a trend of either being level or gradually increasing over the last five years.

Occurrence and production of silica sand in the UK and South East

116. Sand with the appropriate physical, chemical and mineralogical properties for industrial uses is found in a relatively small number of areas of the UK. Production of silica sand is primarily concentrated on a few high-quality deposits, notably those in Cheshire, Norfolk, Surrey, Kent, Bedfordshire, Nottinghamshire, North Yorkshire, Essex, Worcestershire Highland region and Fife. The Office for National Statistics survey for 2018 gave an estimate of 4.79 million tonnes for that year for silica sand production. 87% of silica sand is provided from England and 13% from Scotland. The UK is essentially self-sufficient in silica sand with exports coming mainly from Scotland and imports to Northern Ireland. Very high purity sand required for crystal glass and optical glass manufacturers is imported to the UK, as there is no indigenous supply.
117. Subtle differences between the mineral resources can make the performance of minerals from one deposit quite different from another limiting the potential sources of supply. The special characteristics of the markets for silica sand and the costs of processing mean that silica sand resources have a fairly restricted distribution. Silica sand may be transported considerable distances as compared with construction sand, which tends to have a local market.
118. Sand extracted in Surrey comes from the Upper Cretaceous Lower Greensand Formation (Folkestone Beds), which stretches from Farnham in the west along the centre of Surrey to Oxted in the east and continues into Kent. The majority of the sand extracted from quarries within the Folkestone Beds is used in general construction purposes (building, concrete and asphalt sand). Only a small number of quarries produce high purity specialist sands. In terms of current levels of production, sands from this age in eastern and southern England are some of the most important, accounting for around 40% of total output in Great Britain. In Surrey, deposits of silica sand occur in the upper reaches of the lower Greensand Formation in the eastern half of the county from Betchworth to Godstone. These deposits have a low iron content making them suitable for the production of colourless glass sand and are unusual in having low alumina content (Al_2O_3) compared with silica sand quarried elsewhere in the UK, making them suitable for the manufacture of sodium silicates (BGS).
119. Historic sand extraction for specialist end uses has also taken place at Mercers East Quarry; and Park Pit and Tapwood Quarries complex in Buckland. NPFQ is currently the only site extracting silica sand in the county.

Alternatives

120. Primary mineral resources are not evenly distributed and can only be extracted where they naturally occur resulting in a limited number of strategically important sites supplying demand in other regions. As part of the Environmental Statement, the

applicant provided alternatives to the proposed development which are: do nothing, alternative sites and alternative methods of working/ restoration. The applicant states that the do nothing option would result in the site closing and would fail to deliver the continued supply of silica sand to the consuming industries, contrary to NPPF policy that seek maintenance of this supply.

121. In terms of alternative sites, the Brewerstreet extension is the only allocated silica sand site within the SMP. The SMP2011 was supported by “*A study of Silica Sand Quality and end Uses in Surrey and Kent*” (March 2010 by GWP) which looked at the production from the broader Folkestone beds and further afield in the rest of the UK to assist with the site selection process for allocated sites in the SMP. Chilmead Farm is allocated as an Area of Search but was not taken forward as a preferred area. As stated above, silica sand deposits can only be worked where they are found and are of a specific chemical composition. As such there are no other alternative silica sand sites within the County.
122. Specialist sand extraction has taken place within the Folkestone Beds in both Surrey and Kent. There are currently 11 quarries (one inactive) excavating sand from the Folkestone Beds in Kent and Surrey of which seven produce soft sand (construction aggregates). Of the Kent quarries that extract silica sand, Wrotham is also located within the AONB with Nepicar within the visual envelope of the AONB. According to Kent Minerals and Waste Local Plan 2013-30 (adopted 2020) mineral reserves of silica sand in Kent is 2.2Mt, below that required for para 214 of the NPPF. However, it should be borne in mind that silica sand extracted from one quarry may be different to another due to the difference in chemical properties. Whilst of some age now, the GWP Study⁸ did recognise that it would be very unlikely that general building sand could be processed to produce high-grade glass sand economically or in an environmentally acceptable manner. The report goes on to say that in Surrey there are unlikely to be additional resources of high-grade silica sand in the Folkestone Beds outside the currently identified area between Godstone and Reigate.
123. In terms of alternative methods of working, the applicant states this is governed by the conditions within the application area. The applicant states that the plant and machinery used in sand extraction are already on site and are efficient and flexible and is considered the best way of working the proposed development. The design of the proposal is to ensure the maximum recoverable reserves are extracted in the least harmful way.

Quality of mineral in land at Brewerstreet Extension

124. An evidence based was presented in support of the identification of the Brewerstreet extension area as part of Preferred Area S in the SMP2011 which included an assessment of the yield and quality of the resource from borehole records, physical and chemical analyses. The GWP Study set out that iron content is used as the principal measure of quality of the sand and a cut off of 0.13 Fe₂O₃ is used to identify ‘low iron’ and ‘high iron’ samples. This reflects the target grade for glass sand and the cut off for processing for these grades. The applicant provided a Mineral Resource Assessment with this application showing the chemical analyses of boreholes taken within the Brewerstreet extension area showing an average chemistry of 0.057 Fe₂O₃ with low chromium values of 0.007 and low alumina values of 0.08. In comparison typical analyses from Leizate Quarry (Kings Lynn) and the former Moneystone Quarry have 0.65% Al₂O₃ and from Messingham has 1.6-2.4% Al₂O₃.

Conclusion on Need

125. It is recognised within Government guidance that the provision and installation of plant for the processing of silica sand (as located at North Park Quarry) requires a high level of investment. The BGS factsheet also recognises that there are only a limited number of

⁸ A study of Silica Sand Quality and end Uses in Surrey and Kent” (March 2010)

locations where extraction of this silica sand can economically take place and silica sand is a nationally scarce mineral. The adopted SMP2011 recognises the need for silica sand and the limited areas within the UK where this specialist sand is found, with only two locations in Surrey. The SMP2011 identifies the Brewerstreet extension area as part of the preferred area under Policy MC8, and extraction of silica sand from this area would enable the landbank requirement to be met for the minerals plan period. Officers consider that the applicant has demonstrated that the quality of the silica sand at the Brewerstreet extension is of the standard necessary that meets the national need and SMP2011 policy test. The applicant has provided phasing plans for the proposed operations to enable a landbank of 10 years. Given the scarcity of this specialist sand resource and lack of alternatives, the existing processing plant at North Park Quarry and the importance of maintaining production in accordance with national guidelines, it is accepted that there is a significant need to work the extension, which is in accordance with the development plan policy.

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

Reigate and Banstead Local Plan: Core Strategy 2014 (RBLPCS2014)

Policy CS1 – Presumption in favour of sustainable development

Policy CS4 – Valued townscapes and the historic environment

Policy CS10 – Sustainable Development

Reigate and Banstead Development Management Plan 2019 (RBDMP2019)

Policy DES9 – Pollution and Contaminated Land

Policy CCF1 – Climate change mitigation

Policy CCF2 – Flood Risk

Policy NHE2 – Protecting and enhancing biodiversity and areas of geological importance

Policy NHE3 – Protecting trees, woodland areas and natural habitats

Tandridge Local Plan Part 2, 2014 (TLP2014): Detailed Policies 2014 – 2029

Policy DP5 – Highway Safety & Design

Policy DP7 – General Policy for New Development

Policy DP19 – Biodiversity, Geological Conservation and Green Infrastructure

Policy DP20 – Heritage Assets

Policy DP21 – Sustainable Water Management

Policy DP22 – Minimising Contamination, Hazards & Pollution (Air Pollution)

Tandridge District Core Strategy 2008 (TDCS2008)

Policy CSP13 – Community, Sport and Recreation Facilities and Services

Policy CSP17 – Biodiversity

126. National planning policy with regards to protection of the environment and amenity is set out in the following paragraphs in the NPPF. Paragraph 174 of the NPPF provides that decisions should contribute to and enhance the natural environment by, amongst other things; protecting and enhancing valued landscapes, sites of biodiversity, or geological value and soils in a manner commensurate with their statutory status or identified quality in the development plan; recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of BMV agricultural land, and of trees and woodland; minimising impacts on and providing net gains for biodiversity; preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution. Development should wherever possible, help to improve local environmental conditions such as air and water quality. Footnote 58 states that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.

127. The principles for determining applications include refusing permission for development that would result in significant harm to biodiversity that cannot be avoided, adequately mitigated, or, as a last resort compensated for. In addition, paragraph 180 provides that development resulting in the loss or deterioration of irreplaceable habitats (such as ASNW) should be refused, unless there are wholly exceptional reasons.
128. Paragraph 185 provides that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. It adds that potential adverse noise impacts should be mitigated and reduced to a minimum – and should avoid noise giving rise to significant adverse impacts on health and the quality of life, having regard to the *Noise Policy Statement for England* (NPSE).
129. Planning decisions should, in accordance with paragraph 186, sustain and contribute towards compliance with relevant limit values or national objectives for pollution, considering the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Paragraph 188 provides that the focus of decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes), and that these regimes should be assumed to operate effectively.
130. The *National Planning Practice Guidance* (hereinafter the NPPG) sets out guidance on planning for mineral extraction, including assessing environmental impacts, restoration, and aftercare. The NPPG provides that some areas may have been subjected to successive mineral development (such as aggregate extraction) over a number of years, and the cumulative impact is capable of being a material consideration when determining individual planning applications. It also notes that where working is proposed on BMV agricultural land restoration and aftercare should enable the land to retain its longer-term capability.
131. SMP2011 recognises the difficulties in balancing meeting the need for mineral development and ensuring the impact from mineral working does not result in unacceptable impacts on local communities and the environment. SMP2011 Policy MC14 states that proposals for mineral working will only be permitted where a need has been demonstrated and sufficient information has been submitted to enable the Mineral planning authority to be satisfied that there would be no significant adverse impacts arising from the development and sets out matters to be addressed in planning applications. Policy MC14 is clear that proposals within preferred areas will be expected to address the key development requirements set out for each. In determining mineral development planning applications, potential impacts need to be considered, giving particular attention to those highlighted in any screening opinion made for the site. Issues for consideration detailed in Policy MC14 include:
- a) noise, dust, fumes, vibration, illumination, including that related to traffic, generated by the development;
 - b) flood risk, including opportunities to enhance flood storage, dewatering and its potential impacts, water quality, and land drainage;
 - c) the appearance, quality and character of the landscape and any features that contribute to its distinctiveness;
 - d) the natural environment, biodiversity and geological conservation interests;
 - e) the historic landscape, sites or structures of architectural and historic interest and their settings, and sites of existing or potential archaeological interest or their settings;
 - f) public open space, the rights of way network, and outdoor recreation facilities;
 - g) the use, quality and integrity of land and soil resources, land stability and the integrity of adjoining transport infrastructure;

- h) cumulative impacts arising from the interactions between mineral developments, and between mineral and other forms of development; and
- i) any other matter relevant to the planning application.

132. Policy DP7 (6) of the TLP2014 seeks to safeguard existing and secure good standards of new amenity for all current and future occupants of land and buildings. Part 6 of this policy seeks to ensure that proposed development does not significantly harm the amenity of neighbouring properties by reason of pollution (noise, air or light), traffic, or other general disturbance.

133. RBLPCS2014 Policy CS1 states that in assessing and determining development proposals, the Council will apply the presumption in favour of sustainable development and work proactively with applicants to secure development that improves the economic, social and environmental conditions in the area. The policy goes on to say that unless material considerations indicate otherwise, proposed development that accords with policies in the development plan will be approved without delay and proposed development that conflicts with the development plan will be refused. The policy says that where there are no policies relevant to the application or where relevant policies are out of date at the time of making the decision, the Council will grant permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against policies in the NPPF as a whole, or specific policies in the NPPF indicate that development should be restricted or any other material considerations indicate otherwise.

134. Policy CS10 requires development to respect the ecological and cultural heritage of the borough including the historic environment, minimise the use of natural resources and contribute to a reduction in carbon emissions by re-using existing resources minimising water use and reducing the production of waste; be designed to minimise pollution including air, noise and light and to safeguard water quality; be located to minimise flood risk taking account of all sources of flooding.

Heritage Assets

135. Paragraph 189 of the NPPF states that heritage assets range from sites and buildings of local historic value to those of the highest significance and should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Paragraph 194 states with regards to planning applications "*In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation*".

136. Paragraph 195 goes on to say that it is the responsibility of the local planning authority to identify and assess the particular significance of any heritage asset that may be affected by a proposal taking into account the impact of a proposal on the heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

137. Paragraph 199 states that "*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*". Paragraph 200 goes on to say,

“any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification”. Paragraph 201 outlines that *“any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification”.*

138. Paragraph 202 outlines that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal”.* Paragraph 203 deals with non-designated heritage assets requiring the effect of an application their significance should be taken into account in determining a planning application and that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
139. Paragraph 205 requires that where heritage assets are to be lost, that developers *“record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible”.*
140. SMP2011 Policy MC2 gives protection to key environmental interests in Surrey and sets out the information and assessments required for mineral development in to be permitted that may have a direct or indirect impact on nationally important heritage assets including schedule monuments and listed buildings. It will have to be demonstrated that the development is in the public interest, and that the applicant can establish that development and restoration can be carried out to the highest standard and in a manner consistent with safeguarding the specific relevant interests.
141. Policy DP20 of the TLP covers heritage assets. It states that there will be a presumption in favour of development proposals which seek to protect, preserve and wherever possible enhance the historic interest, cultural value, architectural character, visual appearance and setting of the District’s heritage assets and historic environment. The policy goes on to say:
- a) Only where the public benefits of a proposal significantly outweigh the harm to, or loss of a designated heritage asset or its setting, will exceptional planning consent be granted. These benefits will be proportional to the significance of the asset and to the level of harm or loss proposed.
 - b) Where a proposal is likely to result in substantial harm to, or loss of, a designated heritage asset of the highest significance⁹ granting of permission or consent will be wholly exceptional.
 - c) In all cases the applicant will be expected to demonstrate that all reasonable efforts have been made to either sustain the existing use, find viable alternative uses, or mitigate the extent of the harm to the asset; and where relevant the works are the minimum necessary to meet other legislative requirements.
 - d) With the granting of permission or consent the Council will require that the works are sympathetic to the heritage asset and/or its setting and in the case of a Conservation Area, the development conserves or enhances the character of the area and its setting, including protecting any existing views into or out of the area where appropriate.
 - e) Any proposal or application which is considered likely to affect a County Site of Archaeological Importance, or an Area of High Archaeological Potential (AHAP) or is for a site larger than 0.4 hectares located outside these areas, must be accompanied by an archaeological desk-top assessment. Where the assessment indicates the possibility of significant archaeological remains on the site, or where archaeological deposits are evident below ground or on the surface, further archaeological work will be required, and evidence should be recorded. In cases where the preservation of remains in-situ is not possible; a full archaeological investigation will be required.

⁹ Scheduled monuments, grade I and grade II* listed buildings, and grade I and grade II* registered parks and gardens.

142. The policy supporting text requires development proposals to be accompanied by a description of the significance of the heritage asset including any contribution made by their setting.
143. Policy CS4 of the RBLPCS requires development to be sensitively designed to respect, conserve and enhance the historic environment including heritage assets and their settings.
144. Policy NHE9 of the RBDMP2019 requires development to protect, reserve and wherever possible enhance designated and non-designated heritage assets and historic environment including special features, area character or settings of statutory and locally listed buildings. The policy goes on to say that all planning applications that directly or indirectly affect designated or non-designated heritage assets must be supported by a clear understanding of the significance, character and setting of the heritage asset, and demonstrate how this understanding has been informed the proposed development, how the proposal would affect the asset's significance; and any necessary justification proportionate to the importance of the heritage asset and the potential effect of the proposal. The policy also states that in considering planning applications that directly or indirectly affect designated heritage assets, the Council will give great weight to the conservation of the asset, irrespective of the level of harm. Any proposal which would result in harm to or total loss of a designated heritage asset or its setting will not be supported unless a clear and convincing justification is provided. The policy outlines that that:
- a. Substantial harm to, or loss of, Grade II assets will be treated as exceptional and substantial harm to, or loss of, Grade I and II* assets and scheduled monuments will be treated as wholly exceptional.
 - b. Where substantial harm to, or loss of designated heritage assets would occur as a result of a development proposal, planning permission will be refused unless there are substantial public benefits which would outweigh the harm or loss; or i. it can be robustly proven that there are no other reasonable and viable uses for the asset in the short or medium term nor any other realistic prospect of conservation; and ii. the harm or loss would be outweighed by the benefits of redevelopment.
 - c. Where less than substantial harm to a designated heritage asset would occur as a result of a development proposed, the harm will be weighed against the public benefits of the proposal

Policy NHE9 goes on to state that in considering proposals that directly or indirectly affect other non-designated heritage assets, the Council will give weight to the conservation of the asset and will take a balanced judgement having regard to the extent of harm or loss and the significance of the asset; that all development proposals must be sympathetic to a heritage asset and/or its setting; and that proposals affecting a Conservation Area must preserve and where possible, enhance the Conservation Area, paying particular regard to those elements that make a positive contribution to the character of the Conservation Area and its setting. Finally, the policy also requires an archaeological assessment including field evaluation, to inform the determination of planning applications for sites which affect or have the potential to affect areas of Archaeological Importance or exceeding 0.4ha.

145. Policy HC2 of the Surrey Hills AONB Management Plan states that heritage assets, including historic buildings and archaeological sites, will be conserved, managed and recorded. Policy HC3 requires proposals to have due regard to the setting of historic buildings. As required by national and Development Plan policy, the applicant submitted a Heritage Statement with the planning application that explains both the above and below ground heritage assets at and near the application site.
146. The SMP2011 paragraph 6.23 recognises that heritage assets in Surrey are irreplaceable resources that can be vulnerable to damage from development and that conflicts may arise between protecting this heritage and meeting the need for minerals.

Paragraph 6.24 states that listed buildings and conservation areas should be protected and that the emphasis will be on preserving the physical structure, setting or any features of special architectural or historic interest of a listed building and to preserving or enhancing the character or appearance of a conservation area. Paragraph 6.25 states that careful attention will be given to protecting the setting of an historic building or a rural settlement where the historic pattern or fabric of the landscape is of particular value.

147. A Heritage Assessment was originally submitted as part of the Environmental Statement and a subsequent Report on heritage matters was submitted which assessed the effect of the proposal on the conservation areas and listed buildings.

Listed Buildings

148. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a “General duty as respects listed buildings in exercise of planning functions.” Subsection (1) provides: “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.” Section 66 of the Act gives a ruling on how planning applications are to be considered in cases affecting listed buildings, and also includes an obligation to protect the setting of listed buildings. This legislation has been assessed by the Courts on various occasions, invariably finding that, if there would be harm to a listed building or its setting, that harm must be given considerable importance and weight and not treated merely as a ‘material consideration’ to which decision-makers can attach such weight as they think fit. The courts have confirmed that following the process set out in the NPPF for assessing the impact on heritage assets corresponds with the duty set out in section 66 of the Act.
149. The proposal would not result in any direct impact on listed buildings themselves by either altering or demolishing them. As such, it is appropriate to assess whether this proposal would harm the setting of any of the listed buildings and thereby affect their significance. The setting of a Heritage Asset is defined in the NPPF Glossary as the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral. Historic England’s Good Practice Planning Note (3)¹⁰ explains that the extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way which an asset is experienced in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity and the understanding of the historic relationship between places. There are three key elements from the proposal: the creation of the screening bunds, the operational phase extracting the silica sand; and the restoration phase.
150. There are 10 Grade II listed buildings, three Grade II* listed buildings and two Grade I listed buildings within approximately 500m of the application site, most of which lie within either the Place Farm and Brewer Street Conservation area or the Pendell Conservation Area. War Coppice Camp Scheduled Monument is situated 575m north east of the application site (875m from the extension area). As part of the Heritage Statement, the applicant visited designated cultural receptors within 1km of the proposed extension site.
151. Of particular relevance to this proposal because of proximity and significance is the Grade I Brewer Street Farmhouse which is a 15th century house with 16th century alterations, restored and extended to north in 1850. It is described as a *very good*

¹⁰ Historic England “The Setting of Heritage Assets” Historic Environment Good Practice Advice in Planning Note 3 (Second Edition).

example of its type in the listing description¹¹. Historic England note that part of its historic interest lies in its illustration as an early dispersed farmstead and the application site contributes to this interest as part of its setting. Views from the farmhouse to the proposed extension are limited due to the orientation of building, which faces east. However, there are some views of the proposed extension area from first floor rear and side windows as well as from the garden which make a positive contribution to the setting of the listed building. The Heritage Assessment outlines that views from the rear elevation would be blocked by the existing farmyard, farm buildings and evergreen hedging so impact is limited. In addition to views from the building, Historic England have noted that the relationship between the site and the farmhouse can also be appreciated in clear views from Water Lane which runs along its north eastern boundary. They add that both this and views from the building reveal the rural setting around the heritage asset which contributes to its significance as it helps provide an understanding of the historic function and role of the farmhouse and its intimate connection to the surrounding landscape.

152. Situated to the east of the extension area is Grade II* Place Farm House including Cleves Cottage which is the former gatehouse to Bletchingley Place 16th century rebuilt in 18th century. Attached to the east of the building is Cleves Cottage. This is orientated to the south with no views of the site from the principal elevation. However, two small attic windows on the western elevation faces toward the extension area where views of the application site can be obtained. This makes a positive contribution to the setting of the listed building as it reveals its historic landscape context amongst dispersed farmsteads. The Barn (Grade II listed) is a residential conversion situated immediately south of Place Farm House. Its frontage directly overlooks the proposed extension site and this also contributes to its setting for the same reason. There is hedging on the property's western boundary. The Barn prevents views westwards from Cleves Cottage (Grade II*).
153. Becks Cottage (Grade II) faces onto footpath 163 and is in close proximity to the application site. While there are trees and landscaping between the building and the extension site, views can be glimpsed through gaps in this vegetation. Direct views from White Hill Cottage (Grade II) are blocked due to existing vegetation that surrounds this property. However, views of the application site from first floor windows can be obtained over this vegetation and the hedgerow. Both of these buildings were constructed as workers cottages built to help farm the land. As a result, the appearance of the application site as farmland makes a positive contribution to their setting. In terms of the other listed buildings that are within 500m of the extension area, these are of such a distance that intervisibility with the proposed extension area cannot be obtained and there would be no impact on the setting of those of those listed buildings or their significance. Officers recognise that the proposed extension area makes a contribution to the significance of the setting of the listed buildings outlined above and how these assets are experienced. Historic England consider this contribution to be important and positive, not just from views but also as it is part of the open countryside and their historic context. For clarity the listed buildings impacted by the physical extension of the quarry are Brewer Street Farmhouse (Grade I), Place Farm House (Grade II*), Place Farm Barn (Grade II), Becks Cottage (Grade II) and White Hill Cottage (Grade II).
154. In terms of War Coppice Scheduled Monument views are heavily screened by trees with the extreme west of the proposed extension site being glimpsed but not perceptible.
155. The applicant in the Heritage Assessment has described the significance of any heritage assets affected as required by the NPPF para 194, including contribution made by their setting in accordance with Historic England's Good Practice Planning Note (3). This assessment has included a judgement as to how the setting contributes to the significance of the heritage asset.

¹¹ [BREWER STREET FARM HOUSE, Bletchingley - 1281258 | Historic England](#)

156. Historic England commented on the initial design of the proposal and stated that the current proposals would not safeguard the setting of heritage assets and could cause a high level of harm to the significance of the listed buildings and their setting. The County Historic Building Officer (CHBO) agreed with this position. This is because the proposed extension would have a clear presence in a number of views to and from the listed buildings with these views being sufficiently strong to make an important contribution to their heritage significance. Historic England said harm would also arise as a result of increased noise and dust. Historic England and the CHBO disagreed with the evaluation technique and findings of the submitted Heritage Assessment conclusion that the impact on the significance is not significant. Concerns were raised with regard to the level of detail in the assessment and how noise impacts were considered. Historic England also commented that a 10 year period is a long period and could harm the viability of the wedding venue business at Brewer Street Farmhouse and The Old Rectory contrary to the advice of para 190 of the NPPF.
157. Historic England have advised that some of the harm caused by the proposal could be reduced by providing a substantial buffer to the quarrying activities. This included removing the eastern projection of the quarry and that a tree belt along the southern and eastern boundaries of the extension area would assist in screening the development and would be visually more attractive in the landscape than an artificial bund. Historic England comment the trees could be removed on restoration thereby maintaining the open views of the countryside from Brewer Street Farmhouse in the longer term. Historic England advise that with these changes, the level of harm would be less than substantial in NPPF terms. Without these, they advise there would be a higher level of harm to the significance of the heritage assets albeit still less than substantial.

Conservation Area

158. Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires special attention be given to the desirability of preserving or enhancing the character or appearance of the conservation area in exercising planning functions. The Brewerstreet extension area is adjacent to and forms the close setting of Brewer Street and Place Farm Conservation Area and listed buildings within this, including Grade I and Grade II* dwellings. Historic England note that the significance of the conservation area derives from its status as a small loose knit, historic rural hamlet of farmstead, country houses and cottages of considerable historic character. They consider that the rural setting of the proposed extension site contributes to the character and appearance of the conservation area as its historic landscape context illustrates how the area developed from dispersed farmsteads, country houses and cottages. The conveyor link which is currently in place would remain so for this proposal; and would run from the extraction area to the existing processing plant would pass through the extreme north-eastern corner of Place Farm Conservation Area, which is also an Area of High Archaeological Potential.
159. The proposed extension would bring quarrying activities very close to the conservation area. It would be seen from the footpaths and lanes around and within the conservation area. Historic England and the CHBO have said the greatest impacts on the conservation area would be on views from Water Lane, views from footpath 163; and also on views from the top of Place Farm Road. Views of the site would also be seen along footpath 160 adjacent to The Rectory and distant views from Brewer Street across the paddock of Brewer Street Farmhouse. Historic England raised concerns that the effects of noise and dust are considered likely to be within industry limits, they consider the additional noise and dust would cause some harm to the appreciation of the relatively un-spoilt and rural character and appearance of the conservation area.
160. The original submission design included soil bunds along much of the southern boundary with Water Lane and the eastern boundary with Brewer Street. Historic England commented that the proposal as submitted in 2020 would cause a high level of harm to the significance of this conservation area due to the impact on a number of views to and

from the conservation area impacting on the visual relationship between the heritage assets and the extension area alongside harm as a result of increased dust and noise. The CHBO commented that the Heritage Assessment on the conservation area gave no consideration to Water Lane and is incomplete without it. The CHBO commented the original design could have caused significant harm to the setting of the conversation area.

161. The Pendell Conservation Area lies immediately to the south west of the extension area beyond bridleway 169 and extends westwards including The Hawthorns School and Pendell House. The site is within the setting of this conservation area and listed buildings however Historic England have commented that the impact of the proposed development on these heritage assets will be less harmful due to their distance from the proposed extension site and that they are visually separated from it by modern features including the sports hall at Hawthorn School, landscaping and a tree belt. Historic England did not quantify whether there would be any harm to these heritage assets and the CHBO is of the opinion there would be no harm.

Assessment following Amendment to the Planning Application

162. Following comments from statutory consultees, the applicant has revised the proposal to:
- obscure the soil bunds with additional woodland planting along the eastern boundary and part of the southern boundary (Water Lane) to just beyond footpath 160
 - in providing the planting, a buffer zone along the boundary with the conservation area is created
163. The CHBO comments this is an improvement but “does not entirely mitigate the harm caused by the proposal”. The CHBO comments in terms of the temporary effects of the application, there would be harm from the loss of views of the open fields which form part of the setting of the aforementioned heritage assets and from the noise and dust from the quarrying. The CHBO also comments there would be harm from changes to the topography, field boundaries and usage of the application site following restoration. This is with particular regard to Brewer Street Farmhouse and Place Farm because of their higher degree of significance. The CHBO has commented that taking into account there is no direct impact on the heritage assets involved and the soil bunds would be obscured, he considers there to be a moderate degree of less than substantial harm to the built heritage assets involved both temporarily and permanently. He has not recommended any further mitigation.
164. Historic England have reviewed the revisions made to the planning application. They request that additional planting is provided around Becks Cottage as while there are trees and landscaping already along this boundary, views of the site through gaps in the vegetation can be obtained, especially in the winter months. Historic England comment that with the proposed amendments and additional planting adjacent to Becks Cottage, that the level of harm to the various heritage assets would now be reduced to a moderate to low level within the less than substantial harm category. They consider that there will still be some harm caused to the heritage assets as a result of development, noise and dust in their close rural setting, but acknowledge that efforts have been made to limit that harm.
165. Officers consider that the applicant described the significance of heritage assets affected by this proposal, including any contribution made by their setting and that the level of detail provided has been proportionate to the assets importance sufficient to understand the potential impact of the proposal on their significance. This is in accordance with the requirements of para 194 of the NPPF. The County Planning Authority in the form of the CHBO, have identified heritage assets that would be affected by this proposal and have assessed the particular significance of these heritage assets in accordance with para 195 of the NPPF. Officers recognise that the proposal would lead to the obscuring of views across the site during the construction and operational phases of the proposal,

and the open arable field forms part of the setting of the heritage assets. Officers also recognise that on restoration of the site, whilst views over the extension area would return, the topography of the site would be altered alongside its afteruse from arable to a mix of arable and nature conservation. Officers note that both Historic England and the CHBO state the development proposal would lead to a moderate to low less than substantial harm to the significance of the heritage assets detailed above. In line with para 199 of the NPPF, not only must great weight be applied to this harm, but a greater weight given because the proposal impacts the more highly designated heritage assets of Brewer Street Farmhouse (Grade I) and Place Farm House (Grade II*). In accordance with para 202 of the NPPF, this will need to be weighed against the public benefits of the proposal as part of the Officers overall assessment of this proposal.

Archaeology

166. There is a presumption in favour for the preservation of nationally important archaeological remains in situ if mineral proposals would cause damage or have a significant impact on them unless there are overriding reasons of national importance for the development to proceed. Much archaeological work has been carried out at North Park Farm Quarry and Pendell Quarry. Both sites were subject to conditions requiring a Written Scheme of Archaeological Investigation which would set out how archaeological digging would take place on site and how any finds (if found) would be recorded. Archaeological work has recently been completed in Pendell where a number of finds have been found including a large flint. There are no archaeological matters associated with NPFQ or Pendell as archaeological works have taken place already and have been recorded. Therefore, this section will only deal with archaeological matters associated with the proposed extension area.
167. The current application is supported by a Written Scheme of Investigation (WSI) however the County Archaeologist commented this document is somewhat dated (2012) and recommended this be revised to take into consideration new planning policy guidance (national and local) any new archaeological guidance issued by Heritage England, the Chartered Institute for Archaeology and other relevant bodies. The County Archaeologist has also requested a plan of all the areas within the various permissions that have been archaeologically investigated prior to extraction and have subsequently been released to the quarry as this would allow an opportunity to ensure that permitted areas of extraction have been suitably investigated and recorded and to define which areas, if any, have been removed from proposed extraction.
168. The County Archaeologist has also requested a geoarchaeological assessment of the Brewerstreet application site to ensure the nature of the stratigraphy and its variation across the site is understood. The County Archaeologist is satisfied that this can be addressed through the imposition of a suitably worded condition and that the submission of this information can be provided through discussions between the County Archaeologist and the applicant's archaeologist. The applicant responded on this matter agreeing to the imposition of a condition for this WSI to be submitted before works commence in the extension area. This addresses the County Archaeologists concerns that there is a continuation of archaeological works at the site. Officers recognise that preservation in situ is preferred for archaeological remains, however, preservation by record of archaeological deposits is acceptable and the submission of a WSI as to how this would be carried out, is an acceptable approach meeting the requirements of Policy DP20 of the TLP.

Ecology and Biodiversity

169. Paragraph 174(a) and (b) of the NPPF seek to protect and enhance sites of biodiversity value recognising the wider benefits from trees and woodland. Paragraph 174(d) requires decisions to minimise impacts on and provide net gains for biodiversity including coherent ecological networks that are more resilient to current and future pressures. Section 40 of The Natural Environment and Rural Communities Act 2006 states that

“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”.

170. Policy CSP17 of the Tandridge District Core Strategy 2008 (TDCS2008) states that development proposals should protect biodiversity and provide for the maintenance, enhancement, restoration and, if possible, expansion of biodiversity, by aiming to restore or create suitable semi-natural habitats and ecological networks to sustain wildlife in accordance with the aims of the Surrey Biodiversity Action Plan. Policy DP19 (TLP2014) (Biodiversity, Geological Conservation & Green Infrastructure) seeks to provide more detail than CSP17, securing protection of protected wildlife sites and landscape areas. The policy states that planning permission for development directly or indirectly affecting protected or Priority species will only be permitted where it can be demonstrated that the species involved will not be harmed or appropriate mitigation measures can be put in place.
171. Policy CS2 of the RBLPCS2014 sets out several criteria. Criteria 1(e) states that SSSIs and SNCIs and ancient woodland will be protected for their biodiversity value and where appropriate enhanced. Criteria 1(f) states that green corridors and site-specific features which make a positive contribution to the green fabric and/or a coherent green infrastructure network and will, as far as practicable, be retained and enhanced. Policy NHE2 of the RBDMP2019 states that development likely to have an adverse effect upon any site designated as a SNCI will only be granted where the need for, and benefits of, the development on that site clearly outweigh the impacts on nature conservation features and community value and it is demonstrated that adequate mitigation of, or as a last resort, compensation for, the impact of the development will be put in place. The policy goes on to say that within Biodiversity Opportunity Areas, development proposals will be expected to retain and enhance other valued priority habitats and features of biodiversity importance.
172. Policy B4 of the Surrey Hills AONB Management Plan expects applicants for planning permission to deliver biodiversity gains as part of their proposals secured through planning conditions or legal agreements.

Habitat

173. There are several ecological designations at and in proximity to the application site including areas of Ancient Semi Natural Woodland (ASNW) and SNCIs. Paragraph 180(c) of the NPPF sets out national policy with regards to the protection of ancient woodland and veteran trees stating, “*development result in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists*”. Footnote 63 of the NPPF explains what is meant by ‘exceptional reasons’ and this includes where the public benefit would clearly outweigh the loss or deterioration of habitat. Ancient woodland is any area that’s been wooded continuously since at least 1600 AD and is defined as irreplaceable habitat. Natural England and the Forestry Commission’s ‘Standing Advice’ for planning authorities¹² notes that: “‘wooded continuously’ does not mean there’s been a continuous tree cover across the whole site. Not all trees in the woodland have to be old. Open space, both temporary and permanent, is an important component of ancient woodlands”¹³. Ancient woodland includes ancient semi nature woodland mainly made up of trees and shrubs native to the site, usually arising from natural regeneration; and plantations on ancient woodland sites (PAWS) replanted with conifer or broadleaves trees that retain ancient woodland features such as undisturbed soils, ground flora and fungi. The ancient woodland that

¹² [Ancient woodland, ancient trees and veteran trees: protecting them from development - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/422222/Ancient-woodland-ancient-trees-and-veteran-trees-protecting-them-from-development.pdf)

¹³ The Woodland Trust “Planners Manual for Ancient Woodland” (2019)

lies within the applicant's land holding is both ASWN and PAWS. Woodland is a finite resource and ancient woodland cannot be replicated once lost.

174. The Woodland Trust have objected to the proposal on the grounds that there would be potential damage and disturbance to two areas of unnamed ASNW. These being Pendell Wood immediately to the north of Pendell Quarry, and woodland that has historically formed part of Black Bushes immediately to the north of the Brewerstreet extension area. The Woodland Trust comment that when land use is further intensified such as this application, plant and animal populations are exposed to environmental impacts from outside of the woodland and habitats become more vulnerable. The Woodland Trust are concerned with dust and airborne particles from movement, storage and stripping of soils, transport emissions and chemical impacts from works; noise from blasting, floodlighting, vibration, trampling and other activities during construction; and hydrological changes. It should be noted that the mineral would be transported to NPFQ via conveyor therefore vehicle emissions would be confined to the plant extracting the sand on site. There is no blasting involved in this proposal nor any floodlighting. There are no activities proposed within the ASNW identified by the Woodland Trust therefore there would be no trampling. The Woodland Trust request a buffer zone of at least 100m but recognises that mitigation measures can include screening barriers to protect woodland, noise reduction measures and buffer zones.
175. Natural England Standing Advice identifies direct impacts of development on ASNW or ancient and veteran trees can include damaging or destroying all of them including soils, damaging roots and understorey, damaging or compacting soil around tree roots, polluting the ground around them, changing the water table; and damaging archaeological features or heritage assets. In addition to this nearby development can also have an indirect impact on ASNW through the breaking up or destroying connections between woodlands, increasing pollution including dust, increasing disturbance to wildlife from additional traffic, increasing light or air pollution; and changing the landscape character of the area.
176. Natural England and the Forestry Commission's Standing Advice is that development should avoid impact on ASNW first. If this cannot be achieved, then any impacts should be reduced (mitigated) with compensation as a last resort. The advice states that in consideration of development proposals compensation measures should not be considered as part of the assessment of the merits of the development.
177. Kitchen Copse SNCI and ASNW¹⁴ is located immediately to the north of the conveyor beltline and adjacent to an area known as the Horseshoe which is currently undergoing restoration. No further mineral extraction is proposed in this area and following completion of restoration and the signing of the Horseshoe area into aftercare, the conveyor belt would be the only impact of the proposal. Officers are satisfied the conveyor belt and the continued use of the processing plant in North Park Farm Quarry for an extended period, would not cause significant adverse impact to Kitchen Copse ASNW.
178. With regards to Big Pickle ASNW located immediately to the north of the processing plant at NPFQ, no further mineral extraction is proposed in this area nor does the proposal seek to physically encroach onto the ASNW. The site operates a dust management plan to ensure dust emissions from the processing plant area are controlled. The site is currently undertaking operations to stabilise an area of the quarry in proximity to Big Pickle which has had slippage issues. This work is ongoing at the present time and is the only work in proximity to Big Pickle. This forms part of the restoration of this part of the site and essential to return this land to nature conservation use. Elm Platt ASNW and Godstonecorner Wood ASNW both adjacent to the haul route would not be affected during the continued operations of the proposal as the haul road is in place. However, when the haul road is decommissioned and removed, this activity

¹⁴ Designated for its ancient semi-natural woodland

could have an impact on the adjoining woodland such as ground disturbance. As this is not an immediate issue, Officers consider that a condition should be imposed that the applicant submit a scheme detailing how the haul route would be removed on its cessation including how operations would ensure the protection of the ancient woodland during those works.

179. Pendell Wood ASNW located north of Pendell Quarry would not be physically affected by this proposal as it lies outside of the extraction area of Pendell Quarry some 65m. Black Bushes ASNW lies to the north of the proposed Brewerstreet extension area. During extraction in this area, a 15m – 20m standoff area is proposed to safeguard the ancient woodland and additional woodland planting is proposed along the southern edge of this ASNW to afford more protection. Conduit Shaw ASNW is located north east of Whitehall Lane and would not be affected by this proposal. There is also another area of ASNW adjacent to Black Bushes ASNW and Whitehall Lane which would also not be physically affected by this proposal. Natural England comment that consideration should be given to paragraph 175 of the NPPF. Officers consider that the proposal follows the Natural England and the Forestry Commission's advice that areas of ASNW have been avoided and suitable mitigation is in place through buffer zones and additional planting.
180. Mercers West and Spynes Mere are located within the Holmethorpe Sandpit Complex SNCI¹⁵ which covers an extensive area including Mercers Park, Patteson Court Landfill and Mercers Quarry. The proposal seeks to continue to pump water from Mercers West which has occurred from several years and return silt back to it. The potential implications of this are discussed below within the LEMP section. Mercers West and Spynes Mere are located within the Holmethorpe Sandpit Complex SNCI¹⁶ which covers an extensive area including Mercers Park, Patteson Court Landfill and Mercers Quarry. The proposal seeks to continue to pump water from Mercers West which has occurred from several years and return silt back to it. The potential implications of this are discussed below within the LEMP section.
181. Officers are satisfied that the proposal would not have a physical impact upon statutory and non-statutory ecological designations.
182. The PEA identified that the application site supports a mosaic of habitats including arable, broadleaved woodland, broadleaved woodland plantation, dry and wet ditches, ephemeral/ short perennial, hedgerows, semi-improved grassland, standing water which are Mercers West and Spynes Mere, improved grassland and poor semi-improved grassland. With regards to the Brewerstreet extension area, this habitat is arable with hedgerows which were classed as species poor with Hawthorn as the dominant species. Of these, the semi-natural broadleaved and semi-improved neutral grassland are of County value for nature conversation.
183. The Brewerstreet extension area is currently formed of the following habitats: arable, hedgerow, broadleaved woodland, broadleaved woodland plantation, and tall ruderal. The proposal would result in the loss of all the arable land and some of the woodland most noticeably the woodland that currently divides Pendell Quarry and the Brewerstreet extension area due to the proposed phasing programme. The application provides for compensation for the loss of the woodland habitat which would be provided during the operations of the quarrying as progressive restoration would occur, and on restoration. The applicant has carried out a biodiversity net gain (BNG) calculation in accordance with the Defra matrix to show that the proposal provides BNG in accordance with paragraph 180(d) of the NPPF. The BNG process looks at the biodiversity distinctiveness of each habitat¹⁷ which is then assigned a value followed by assessing

¹⁵ Designated for lagoons, ruderal communities, marsh, will carr and rank grassland. County importance and bird foraging and breeding site.

¹⁶ Designated for lagoons, ruderal communities, marsh, will carr and rank grassland. County importance and bird foraging and breeding site.

¹⁷ Ranging from very high score (e.g. priority habitats) to very low (little to no biodiversity value).

the condition of the habitat from good to poor. The quality of the ecological significance of the habitat is then assessed based on the geography and habitat relationship to its surroundings. This is as follows:

Habitat	Area before works (ha)	Area after works (ha)	Overall gain/ loss (ha)
Arable	22	0	-22
Broadleaved woodland	1.55	4.75	3.2
Broadleaved woodland plantation	0.67	0.67	0
Tall ruderal	0.14	0.14	0
Hedgerow	639.04m	640m	0m
Acid grassland	0	1.6	1.6
Improved grassland	0	3.63ha	3.63
Semi-improved grassland	0	11.73	11.73

The loss of arable habitat is negative due to its total quantity of change however arable habitat is of low value for biodiversity. The increase in biodiversity units is based on the increase in Acid, improved and semi-improved grassland habitat, a priority habitat. In terms of biodiversity net gain the current site has 60.22 biodiversity units¹⁸ plus 1.47 units for hedgerows. The BNG assessment says that 50.40 biodiversity units would be lost primarily due to the loss of the woodland. Post restoration, the site would provide 89.42 units. This would lead to an increase of 29.20 biodiversity units (48.49%) for habitat. This shows over a 10% BNG for the application site meeting Defra's current target of 10% BNG. However, it should be recognised that whilst proposed woodland to be lost would be replaced with new woodland, the quality of the replacement woodland would be less than that lost due to the age of the woodland and the existing flora and fauna it supports.

184. The County Ecologist has reviewed the ecological information provided and the BNG calculation and considers the information provided within this assessment is sufficient alongside the information provided in the EclA and the PEA.

Protected species and biodiversity

185. Because habitat at the application site was found to be suitable to support protected and priority species, the applicant undertook surveys for Great Crested Newts (GCN), reptiles, badger, bats, hazel dormouse, otter and water vole and birds; and submitted an Ecological Impact Assessment (EclA) and a Preliminary Ecological Appraisal (PEA) as part of the ES. It is important to assess whether the impact of change on the above species would be high (large scale, permanent change likely to change the ecological integrity), medium (moderate scale of permanent change, large scale temporary change, integrity of feature not affected) or low (small magnitude, medium temporary change, integrity not affected). Criteria D of Policy DP19 of the TLP states that planning permission for development directly or indirectly affecting protected or Priority species will only be permitted where it can be demonstrated that the species involved will not be harmed or appropriate mitigation measures can be put in place.
186. This proposal would result in both short term and long-term changes. The short-term impacts would be from the stripping of soils, removal of trees and a hedgerow and the winning of silica sand. These would include direct loss from clearance of vegetation and potential habitat and impact from the activities including noise/ light disturbance.
187. A total of 22 ponds were surveyed, 11 within the application site and 11 within 250m of the application site. Of these, three ponds within the application site (both within North

¹⁸ Calculated using the Defra matrix

Park Farm Quarry) and two ponds within 250m of the application site (one at Big Pickle and other near the haul road) identified the presence of GCN. The ponds located within the Brewerstreet extension and adjacent to it were identified as having a low suitability for GCN. A translocation programme was undertaken at the application site in 2018 under a mitigation licence for the population within North Park Farm quarry and GCN fencing remains in place within the application site. The EclA states that because Pond 5 returned a positive result for GCN through the eDNA survey but because this pond could not be subject to further surveying, that prior to the commencement of any works as part of this planning application that traditional population size class assessment surveys should be undertaken. Officers consider the results of these surveys should be submitted to the CPA for the County Ecologist to assess.

188. With regards to reptiles, a single Common Lizard and Grass Snake were recorded within the application area when surveys were carried out with habitat suitability for reptiles being considered negligible. With regards to invertebrates, Roman Snail were recorded in two locations being North Park Farm Quarry and Pendell Quarry. The population recorded at North Park Farm Quarry were translocated to a receptor area within the quarry in 2018 and monitoring undertaken as part of a licence. Roman Snail was recorded along the woodland boundaries between Pendell and Brewerstreet.
189. With regards to badgers, all habitats across the whole application site were considered suitable for sett building and foraging and two setts were identified within the application site. Badgers and their setts are protected by law under the Protection of Badgers Act 1992 where it is an offence to wilfully kill, injure or take a badger, cruelly or ill treat a badger, dig for a badger, intentionally or recklessly damage or destroy a badger sett; or disturb a badger when it is occupying a sett. In most cases avoiding disturbing badgers and damaging or blocking access to their sett is the preferred option. However, where this cannot be avoided, a licence can be applied for from Natural England¹⁹.
190. One of the badger setts in the application site is active and for breeding. The PEA includes mitigation measures to ensure protection of the badger sett including a 30m buffer zone and badger fencing near and around the sett to ensure badgers are not harmed. The PEA comments that the loss of the arable field and the small area of woodland would not be significant for badger foraging as there are other nearby suitable foraging sites. The PEA says that given progressive restoration is proposed this would allow for the replacement of broadleaved woodland. The PEA recommends update surveys are carried out for each phase to check the status of the sett which can be conditioned alongside the imposition of the fencing. The East Surrey Badger group have commented that the confidential badger report which forms part of the PEA covers all the relevant mitigation necessary for the two setts. Officers recognise that sand extraction and other activities associated with this proposal could come near badger setts. However, with the provision of a buffer zone and a condition to continue to monitor the sett and provide revised mitigation measures, if necessary, Officers consider that the proposal meets the requirements of Natural England's guidance on badgers.
191. Bat surveys were carried out and found bat activity along the strip of woodland/hedgerow which currently separates Pendell Quarry from the extension area Brewerstreet which is proposed to be removed with high levels also recorded along the northern boundary of the extension area. The species most recorded during the Transect/ Point County surveys were Common Pipistrelle and Soprano Pipistrelle. Other species recorded include Noctule and unidentified *Myotis* Bat spp. The surveys concluded that the habitats present within Brewerstreet extension area are primarily used by foraging and commuting bats. The bat surveys recommend that trees, hedgerows and woodland acting as commuting corridors and foraging habitat are retained where possible.

¹⁹ Natural England - Guidance Badgers: protection and licences [Badgers: protection and licences - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/badgers-protection-and-licences)

192. With regards to Dormice, the survey was carried out in broadleaved woodland in Pendell, along the western and northern boundaries of Brewerstreet and the northern extent of Pendell due to historic information gathered with regards to the presence of Dormice in the locality. The survey results found it likely absent but would be suitable habitat, but this would be limited due to the isolated nature of this habitat from higher quality habitat within the surrounding area. No evidence of otter or water vole were recorded in the survey.
193. The EclA accepts that for birds there would be disturbance due to short term impacts however this is offset by the large area of woodland that would be retained by this proposal that would continue to provide habitat for both foraging and roosting. Any tree or hedge removal that is proposed to be removed for the proposal would be done so outside of bird nesting season so not to cause harm to nesting birds.
194. With regards to the Brewerstreet extension area, this aspect would result in the removal of a woodland belt and ditch that forms the western boundary of that extension area that currently divides this site from Pendell Quarry. This would be removed in Phase 3A as working progresses eastwards. This woodland belt is not designated as ASNW. The removal of this woodland would mean loss of habitat for species. There would also be a loss of trees which extend as a finger along footpath 163 in the final phase of mineral extraction. The County Ecologist and County Landscape Architect raised concerns about the loss of this woodland as habitat and a landscape feature and questioned whether it could be retained and protected as part of the proposal.
195. Officers recognise that the proposal would involve harm and disturbance to habitat for these protected species for an extended period. Natural England's Standing Advice for protected species and development²⁰ seeks avoidance, mitigation or compensation measures in that order which should be secured as part of planning conditions. The application has sought to avoid harming or disturbing protected species during the mineral extraction and restoration phase through the introduction of standoff distances to woodland areas and protective fencing for badgers. The proposal would also involve compensation in the form of progressive restoration as mineral working extends eastwards into the extension area providing new woodland planting and grassland scrub areas within Pendell Quarry and then the extension area.
196. The County Ecologist has reviewed the submitted ecological information and Ecological Impact Assessment and considers there is sufficient ecological information to assess the ecological impact of the application based on the survey reports and the EclA submitted. The County Ecologist recognises that prior to the commencement of phases there would be a need to carry out surveys for protected species to ensure adequate measures, if required, are in place before works commence.
197. Officers recognise that the proposal would lead to a short-term loss of a woodland belt that currently provides habitat that support protected species. Officers also recognise the mineral extraction process could lead to noise and dust emissions however the applicant has provided information to demonstrate how such emissions would be controlled and mitigated at the site so not to cause significant adverse impact on protected species. Therefore, while the habitats of these protected species could be affected Officers consider there are adequate habitats surrounding the applications site and through progressive restoration, that would continue to provide alternative habitat. Officers are satisfied that the applicant has identified protected species at the site and that it is appropriate and acceptable to require the applicant to provide regular up-to-date surveys before mineral working commences in the extension area. Officers are satisfied the proposal meets the requirements of Natural England's Standing Advice and Development Plan policy with regards to species protection.

Trees

²⁰ [Protected species and development: advice for local planning authorities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/protected-species-and-development-advice-for-local-planning-authorities)

198. Policy NHE3 of the RBDMP2019 requires new development proposals to include an assessment of existing trees and landscape features on site including their suitability for retention and consideration of the impact on habitats beyond the site boundary. The policy goes on to say that development resulting in the loss of or the deterioration in the quality of a protected tree or hedgerow (including trees covered by protection orders, protected hedgerows, trees in Conservation Areas, ASNW, aged and veteran trees outside Ancient Woodland and trees classified as being of categories A or B in value), will be refused unless the need for, and benefits of, development in that location clearly outweigh the loss; and that unprotected but important trees woodland or hedgerows with ecological, amenity or other value should be retained as an integral part of the design of development except where their long-term survival would be compromised by their age or physical condition or there are overriding benefits of their removal. The policy states that where trees are lost this would be subject to adequate compensatory provision commensurate to that which is lost and provided on site where possible and of appropriate species of trees to be used. The policy requires a buffer zone between ancient woodland and the boundary of new development.
199. The planning application is supported by an Arboricultural Report which identified and categorised on-site trees that could be affected by this proposal as required by Policy NHE3. There are trees within the application site which would be removed as part of the proposal given their location. The proposal would result in the loss of:
- a. 1 A grade tree a mature oak located to the north of a group of trees near the conveyor belt
 - b. 4 B grade groups of trees (the tree belt between Pendell Quarry and the extension area including one B grade tree), one B grade tree around footpath 163; and a minimal western corner section of Black Bushes woodland
 - c. 9 C grade trees in the tree belt mentioned above and along footpath 163
 - d. 4 U grade trees around footpath 163

No areas of ASNW or veteran trees would be lost and no hedgerow requires removal. A 15m buffer zone is proposed between the extraction area and the ASNW.

200. During the operational life of the site, there would be an impact generated by the removal of trees in advance of extraction. The most significant of these would be the removal of the tree belt that divides Pendell Quarry from the proposed extension area. This tree belt is thought to be plantation of early mature mixed broadleaved species. Removal of this tree belt is necessary to extract the mineral that lies beneath it and to enable access into the extension area. As such it is unfortunate that this tree belt would be lost as part of this proposal and development plan policy seeks to protect trees and groups of trees. However, Officers recognise that minerals can only be worked where they are found, and silica sand is a nationally scarce resource. Officers consider there is a need and a public benefit of the development that clearly outweighs this loss. The extension area is bounded to the north by ASNW and to the east and south by the Brewer Street and Place Farm Conservation Area. As such the western boundary of the extension area affords not only the ability for a continuation of mineral operations from Pendell Quarry and access to the silica sand, it ensures protection to the other boundaries of the extension area.
201. As noted above, the CLA and County Ecologist both raised concern about the loss of this tree belt. The applicant has subsequently amended the application to include the replanting of the tree belt on restoration of the site. As such, whilst the tree belt would be lost whilst mineral operations occur, the replanting of the tree belt will provide this landscape feature in the long-term ensuring no permanent loss. The detail of this planting can be secured through the restoration condition and the LEMP. Mitigation measures are also proposed in the form of new woodland planting along the northern edges of the extension area commensurate to that which is lost and to provide increased woodland provision in accordance with Policy NHE3. A condition is proposed to ensure

the root protection zones of trees and groups of trees that are to be retained in proximity to the operational area, are protected by fencing.

Air Quality and Dust

202. The proposal would involve elements that could give rise to air quality and dust issues. These include the working of silica sand, its transportation within the application site and then by HGV off site; and its processing alongside it being stockpiled. Policy DP22 of the TLP point H states that 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 dust or other forms of air pollution. Policy MC14 seeks to ensure minerals related development does not lead to a significant adverse impact with regards to air quality and dust.
203. Para 174(e) of the NPPF states that planning decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of air pollution and the development should, where possible, help to improve local environmental conditions such as air quality. Paragraph 188 states that local planning authorities should focus on whether the development itself is an acceptable use of the land and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. The para states that “*Local planning authorities should assume that these regimes will operate effectively*”.
204. Paragraph 211 of the NPPF (Chapter 17 Facilitating the sustainable use of minerals) states that when considering proposals for mineral extraction, mineral planning authorities should ensure that there are no unacceptable adverse impact on the natural and historic environment and human health, taking into account the cumulative effect of multiple impacts from individual sites and/ or from a number of sites in the locality; and ensure that any unavoidable dust and particle emissions are controlled, mitigated and removed at source.
205. The NPPG also provides guidance on air quality and dust. Para 005²¹ recognises that air quality is a consideration relevant to the development management process during the construction and operational phases and whether occupiers or users of the development could experience poor living conditions or health due to poor air quality. Paragraph 006²² goes on to say that considerations that may be relevant to determining a planning application include whether the development would: lead to changes in vehicle related emissions in the vicinity of the proposals; introduce a new point source of air pollution; expose people to harmful concentrations of air pollutants including dust; give rise to potentially unacceptable impacts (such as dust) during construction for nearby sensitive locations; and have a potential adverse effect on biodiversity.
206. Specifically, for minerals development, paragraph 023²³ of the NPPG states that where dust emissions are likely to arise, mineral operators are expected to prepare a dust assessment study to establish the baseline conditions, site activities that could lead to dust emissions without mitigation, parameters that could increase potential dust impacts, recommend mitigation measures; and propose monitoring and reporting mechanisms of dust emissions to ensure compliance with environmental standards.
207. Whilst the Tandridge Core Strategy recognises that poor air quality is not a significant issue in Tandridge, there is likely to be an issue close to the motorways. The application site does not fall within an Air Quality Management Area (AQMA). The closest AQMAs are AQMA No1 (M25) declared by Reigate and Banstead Borough Council covering the length of the M25 near Walton to a distance 30 metres either side of the carriageway

²¹ Paragraph: 005 Reference ID: 32-005-20191101

²² Paragraph: 006 Reference ID: 32-006-20191101

²³ Paragraph: 023 Reference ID: 27-023-20140306

between Junction 7 and the point to the west of Junction 8 where the motorway meets the borough boundary designated for NO₂. AQMA No.10 has been designated for NO₂ and covers the northern part of the High Street in Merstham up to the M25.

208. Policy DES9 of the RBDMP2019 states that development will only be permitted where it can be demonstrated that it will not result in a significant adverse or unacceptable impact on the natural or built environment, amenity or health and safety due to dust or other form of air pollution; and that where there would be potential adverse effects from pollution and adequate mitigation cannot be provided, development will not normally be permitted. The policy goes on to say that new development will not normally be permitted where existing air quality or dust is unacceptable and there is no reasonable prospect that this can be mitigated to satisfactory levels.

Vehicle Emissions

209. The Environmental Statement outlines that the number of vehicle movements will not exceed the level already generated by operations at NPFQ and Pendell Quarry. This is because, as explained above, vehicle movements associated with workings at these sites remove the product (be that silica sand or sports sand) via the dedicated access road to the roundabout of Junction 6 of the M25 with the A22. The extraction of sand from the application area would be taken to the processing plant and the product removed as per the current situation.
210. The Institute of Air Quality Management (IAQM) and Environmental Protection UK (EPUK) guidance "*Land Use Planning & Development Control: Planning for Air Quality*" (2017) sets out that an air quality assessment will be required to accompany a planning application where there is a change of HGV flows of more than 100 annual average daily traffic movements. As this proposal would not result in a change in HGV movements, an air quality assessment specifically for HGV movements is not required.

Dust

211. Airborne emissions from the application area have the potential to cause impacts beyond the application area boundary. The emissions of concern are fugitive emissions of dust (nuisance dust) and finer particulate matter (PM₁₀) that are related to health concerns raised within letters of representation, associated with onsite activity. The applicant as part of the EIA has carried out a qualitative assessment of the potential for significant effects to occur because of uncontrolled emissions of both nuisance dust and PM₁₀ from the application area. The assessment has considered all phases of the development: pre working, operational and decommissioning and restoration for Brewerstreet, Pendell Quarry and NPFQ and has been carried out in accordance with the IAQM guidance considering all emissions on amenity, human health and ecology.
212. There are two issues concerning airborne sand from quarries – the impact upon residential amenity by causing a nuisance; and the impact upon health. Small particles (PM₁₀) are associated with effects on human health and only make up a small proportion of the dust emitted from most mineral workings. These are deposited slowly and may travel 1000m or more from the source, but their concentration will decrease rapidly on moving away from the source due to dispersion and dilution. Larger particles (greater than 30µm (µ = microgram)) make up the greatest proportion of dust emitted from mineral working and will largely deposit within 100m of sources with intermediate particles (10 - 30µm) being likely to travel up to 200-500m. Large and intermediate particles are often referred to as *nuisance dust* and are associated with disamenity (dust deposition on windows, outside houses and cars). According to the IAQM Guidance²⁴ "*adverse dust impacts from sand and gravel extraction sites are uncommon beyond 250 metres, measured from the nearest dust generating activities*".

²⁴ EPUK and IAQM Land Use Planning and Development Control: Planning for Air Quality (2017)

213. Dust emissions, dispersion patterns and impacts are difficult to predict due to the varying activities that are carried out within quarries and the surrounding topography. Additionally, dust impacts will vary according to the scale of operations, the nature of the mineral, the length of operation and the activities undertaken at the site. The main sources listed within the ES are soil stripping, sand extraction, loading and tipping, site haulage, conveyors, and fugitive emissions from stripped areas, bunds, and stockpiles. The topography of a site and surrounding areas can influence localised wind patterns, as such the placing of dust generating activities within sheltered worked out areas of the site can therefore significantly reduce potential dust impacts offsite.
214. There are statutory standards for concentrations of suspended particulate matter (PM₁₀ and PM_{2.5}) set under the Air Quality Standards Regulations 2010. These set an objective/ limit value of 50µg/m³ measured over 24 hours which can be exceeded 35 times per calendar year with an annual average of 40µg/m³ for PM₁₀. There is a lower limit of 25µg/m³ annual average for PM_{2.5}. However, there are no UK or European statutory standards that define the point when deposited dust causes annoyance or disamenity. This is largely due to the difficulty in accurately determining human response to dust accumulation and soiling. This is also similar for frequency of dust episodes, and it is suggested that a community maybe prepared to tolerate an incident once a month but not repeated incidents at frequencies of once or twice a week²⁵. In the UK, long term deposited dust nuisance criteria have been suggested for urban/ semi-rural at, typically 200 mg/m²/day averaged over a monthly period.
215. The IAQM Guidance on the Assessment of Mineral Dust Impacts for Planning sets out guidance as to how a Dust Impact Assessment should be carried out to estimate the likely impact of the effect of dust based upon the level of dust emission from the site, the sensitivity of receptors and the effectiveness of the pathway. For example, a highly effective pathway with a high level of source emissions from site would lead to a high level of risk which when experienced by a highly sensitive receptor (a hospital) would result in a substantial adverse effect. This Guidance also recognises that the main potential effect from mineral sites is disamenity due to dust deposited on surfaces. However, the NPPG states that if there are residential properties (or other sensitive uses) near the source of emission, on the mineral site, then the dust assessment study should additionally consider the concentrations of dust particles suspended in the air (PM₁₀).
216. The IAQM Guidance recognises that one of the influencing factors for the effect dust can have is the scale and nature of the works including the activities being undertaken on site, the type of mineral involved, the size of the site, the duration and frequency of working, meteorological conditions; and mitigation measures applied to reduce or eliminate dust. For this site, the main dust generating activities are likely to be site preparation/ restoration (including soil handling); mineral extraction; loading of clay onto trucks for transporting on site; and stockpiling. As it is not possible to predict with any degree of certainty when particular work activities will take place and whether these will coincide with high-risk meteorological conditions, worst case scenario assumptions should be used in dust risk assessments when assessing the impact to generate dust from dust generating activities²⁶. The IAQM Guidance recognises that the size of mineral particle can determine whether it deposits quickly compared to those that stay suspended for length periods.

Proposed mineral working

217. As detailed above the application site includes the existing NPFQ working area which includes stockpiles of both raw and processed sand alongside the existing Pendell Quarry where mineral extraction has and is taking place; and the new extension area. However not all these areas would be operating at once. Mineral extraction in the Brewer

²⁵ IAQM Guidance on the Assessment of Mineral Dust Impacts for Planning.

²⁶ IAQM Guidance on the Assessment of Mineral Dust Impacts for Planning.

Street extension area would commence as restoration works are completed in Pendell Quarry (Phase 3A and 3B) and would move eastwards. In doing so this would keep the area open to mineral extraction to that which is necessary. Soils would be stripped and placed in screening bunds along the southern and eastern boundaries of the extension area with additional soil storage taking place in the later stages of the development in the north west of the extension area.

218. Concern has been raised with regards to the standoff distance between properties and the extraction limit due to concern about dust impact. When mineral extraction is taking place in Phase 4B, which would be the eastern most extent of working, the mineral extraction boundary would be 72m from Becks Cottage, 100m from Brewer Street Farm, 103m from White Hill Cottage; and 100m from properties 1-12 Brewer Street. The Hawthorns School buildings are some 234m to the south west (the playing fields being immediately to the south of Water Lane (bridleway 169) some 110m to the south). The closest residential properties to the proposed conveyor route and the western extent of North Park Farm Quarry are Becks Cottage and Place Farm some 120m and 140m respectively, to the south of the conveyor.
219. The principal potential sources of airborne dust associated with the proposed extension include:
- soils stripping, stockpiling and replacement,
 - sand extraction,
 - loading and tipping,
 - conveyors,
 - wind blow across stripped areas, soils bunds and stockpiles.
220. The applicant has carried an assessment of dust disamenity using a source-pathway-receptor method set out in the IAQM guidance "*Guidance on the Assessment of Mineral Dust Impacts for Planning*" (May 2016) and meteorological conditions at London Gatwick airport to be representative of the area to which the County Air Quality Consultant (CAQC) agrees with the methodology used. The effectiveness of the pathway is determined by considering factors including local meteorological conditions (wind speed, wind direction and precipitation rate), the distance of receptors from the boundary, the direction of receptors from the site, relative to the predominant wind direction and any local physical features that could influence the dispersion of emissions. As such, wind direction has a major part to play in creating nuisance dust. The CAQC agrees with the pathway effectiveness established for each receptor. For this site, as an annual average, winds blow from the south, southwest and west, for a combined total of 55% of the time. Potentially significant airborne dust emissions are generated from wind speeds greater than 10 knots (5 m/s), which blow in these directions with a combined frequency of 7%. During the summer months there is slight increase in the frequency of winds from the southwest, but with a significant reduction (50%) in the frequency of wind speeds greater than 10 knots.
221. Sibelco also operates two Osiris light scatter type particular monitors to monitor PM₁₀ and these are at Place Farm and Pendell Farm. The PM₁₀ data collected by the monitors can be compared directly with the annual mean National Air Quality of 40µg/m³ and against the objective of 35 exceedances of the daily mean limit of 50µg/m³.
222. To minimise the potential impacts on air quality, the applicant has stated that the following measures and mitigation would be in place:
- a. The phasing of works to limit the area of extraction so that the risk of dust impacts from extraction is restricted
 - b. Screen bunds along the application area
 - c. Advanced planting which is in place and the provision of additional planting
 - d. The use of water bowsers to dampen roadways and unsurfaced areas; and water sprays and cannons to dampen stockpiles and handling areas.

223. In addition to this, the applicant operates a Dust Monitoring Scheme (DMS) and Dust Action Plan (DAP) for both NPFQ and Pendell Quarry which requires the measurement of dust levels to be reported to the CPA and immediate action to be taken using appropriate measures and controls to reduce dust levels below the acceptance levels. There is a requirement to carry out periodic reviews of the effectiveness of the DAP and DMS at two yearly intervals in the first six years and then at five yearly intervals thereafter. The applicant has provided an updated and consolidated DAP and DMS as part of this application.

Disamenity Dust

224. The applicant monitors deposited dust (dust falling out of the air) and dust flux (in transit or passing over the monitor) around the quarry site. Data on deposited dust is collected by a Frisbee gauge, which monitors the amount of dust that falls out of the atmosphere from all sources averaged over each month. The results do not distinguish dust from the application process/ activities from the general quarry, local agricultural sources, or general background. Whilst there is no statutory limit for the assessment of deposited particulates, a “custom and practice” criterion of 200 mg/m²/day (based on monthly averages) is widely used as a threshold for nuisance and a point at which complaints are likely. No such general guideline applies to dust flux and its value is as a tool to assess the relative importance of dust sources in different directions.
225. Dust monitoring is carried out at nine locations around NPFQ and Pendell using Frisbee gauges to measure dust deposition at the following locations:
- a. Orpheus Centre
 - b. North Park Cottages
 - c. Place Farm
 - d. Whitehill Lane
 - e. Pendell Farm
 - f. The Hawthorns School
 - g. Spynes Mere
226. The Frisbee gauge samples are collected monthly and taken to the applicant’s UK laboratory for analysis with the data reported as mg/m²/day and can be used to assess the nuisance impact at the location. The applicant proposes to monitor a second measure of dust nuisance, known as soiling rate, which would be collected every two weeks. Horizontal sticky pad gauges will be used to collect nuisance dustfall / deposition to allow for the evaluation of soiling, expressed as a percentage Effective Area Coverage (%EAC per day– a measure of the diminution shade value or of reflectance of the sticky pad by dust). The adhesive sheets for the sticky pad gauges would be provided by and analysed by UKAS-accredited laboratory, TES Bretby. The Action Level for the horizontal sticky pads is 2% EAC per day.
227. The applicant has provided within their assessment maximum monthly deposition rates. These have shown exceedances at Pendell Farm in 2016 and 2018; and once at the Orpheus Centre, North Park Cottages, Whitehill Lane and Spynes Mere in 2017. It should be noted that the Spynes Mere location is for background however mineral workings currently take place to the south at Mercers Quarry.
228. As outlined above, dust impacts from sand and gravel extraction sites are uncommon beyond 250m from the nearest dust generating activity. There are no nationally designated sites of ecological importance within the application site or within 250m of its boundary. Quarry Hangers SSSI is located around 920m to the north of the proposed extraction area. The dust assessment concluded there was no requirement to assess the impact on statutory ecological designations.
229. The CAQC has reviewed the prediction and assessment of disamenity dust impact provided within the air quality assessment provided as part of the ES including the pathway effectiveness of dust from the extension area to sensitive receptors and agrees

that the dust generating activities have been identified correctly, that the pathway effectiveness has been established for each receptor; and that based on the source emissions and the pathway effectiveness to derive the dust impact risk, agrees with the assessment that the overall dust effects are not likely to be significant.

Dust that could affect health

230. Concern has been raised with regard to the health implications of windblown sand from the quarry and the stockpiles including the impact of the particles themselves and also the chemical make up of the sand particles. For sand particles to be respirable they have to be small and fine enough to be inhaled. Particles small enough to be inhaled into the lungs are known as PM₁₀, which is a mass concentration term that denotes the mass of particles generally less than 10µm in diameter per cubic metre of air.
231. The Air Quality Strategy (AQS) 2011 sets out health-based standards and objectives to be achieved for 10 specific air pollutants which includes PM₁₀. Particulate matter (PM) can be directly emitted from several sources into the atmosphere, and this is referred to as primary PM. However, chemical reactions in the atmosphere can result in the formation of additional (secondary) PM, which give rise to a wide variability in composition. Table 1 within the AQS sets out the main sources of PM and although there is not one dominant source, road transport accounts for 22% of the UK emissions of primary PM. The strategy does recognise that other sources can include quarrying. Table 1 also outlines that the main health impacts associated with PM are respiratory and cardiovascular illness.
232. The UK also sets Air Quality Objectives, which are levels of air pollution concentration that the Air Quality Strategy is aiming to achieve by a certain target date. Air quality objectives are normally derived from air quality standards. An air quality standard is a health based guideline concentration that, if achieved would reduce the adverse effects of air pollution to a level that is zero or negligible at a population level. The air quality Standards used in the UK, are derived from EU Limit Values and recommendations of the Expert Panel on Air Quality Standards (EPAQS). The Objectives set down in the AQS are greatly determined by what it is practicable to achieve in each timescale; some objectives lead to full compliance with the air quality Standard, whereas others give only a percentile compliance, allowing some periods when the air quality Standard is exceeded.
233. Tandridge District Council is required under the obligations of the Environment Act 1995 to periodically review and assess air quality in the District against national air quality objectives. The 2021 Air Quality Annual Status Report for Tandridge District Council comments that PM₁₀ is not monitored by the authority however Surrey Air Alliance led on modelling on key pollutants including PM₁₀ which shows that most areas in the district were compliant with the annual mean and 24 hour UK objectives and WHO guideline limit values for PM₁₀.
234. Concerns have been raised with regards to PM₁₀ within letters of representation stating there will be health implications from the working of the sand and referring to health and safety guidelines. Concern has been raised within letters of representation with regard to respirable crystalline silica (RCS) and that the HSE 8 hour silica workplace exposure limit (WEL) had already been exceeded. RCS is the respirable dust fraction of crystalline silica (quartz most common), which enters the body by inhalation. The HSE are responsible for ensuring proposals comply with workplace exposure limits and health and safety requirements to ensure operators fulfil their statutory duties regarding the control of risk and compliance with health and safety law.
235. Regarding PM₁₀, the AQS 2011 objective and the European obligation is that over a 24-hour average, a limit of 50µg m⁻³ should not be exceeded more than 35 times per calendar year and also an annual average of 40µg m⁻³ must be met. PM₁₀ is currently monitored at Place Farm and Pendell Farm by Turnkey Osiris monitor. Data obtained

from the monitor at these locations showed a total of 6 exceedances of the 24-hour mean objective of 50 $\mu\text{g}/\text{m}^3$ in 2018 alone, which is well within the permitted 35 exceedances per annum. The mean PM_{10} concentration was 10 and 10.3 $\mu\text{g}/\text{m}^3$ respectively.

236. Data (three quarterly reports April – September 2020) received in respect of the approved DMS and DAP showed that dust levels recorded in respect of PM_{10} at Place Farm showed:
- 17 exceedances but when taking the wind direction into account this would rule out the quarries as being the source as the wind direction for the dates when exceedance took place was predominately between the south and west
 - 50 exceedances but again as above, when taking the wind direction into account this is reduced to 6
 - 37 exceedances but again as above, when taking the wind direction into account this is reduced to 3.

For the monitor at Pendell, there was one exceedance over the three quarterly reports. These are all below the permitted 35 exceedances per annum.

237. With regards to human health effects associated with PM_{10} from the site activities, the IAQM minerals guidance states “based on the currently available information 17 $\mu\text{g}/\text{m}^3$ is considered to be a suitable screening value for an assessment of annual mean PM_{10} concentrations”. The air quality assessment submitted as part of the Environmental Statement presents results of the annual mean PM_{10} concentrations measured between 2016 and 2018 at the closest monitoring sites to the application site. These show the maximum annual mean PM_{10} concentration measured is 14 $\mu\text{g}/\text{m}^3$. The CAQC has commented that the Defra mapped concentration estimates for the study area²⁷ range from 15.3 $\mu\text{g}/\text{m}^3$ to 17.3 $\mu\text{g}/\text{m}^3$ e.g. marginally above the screening value at the upper end of the range. The CAQC goes on to say when then adding the PM_{10} concentration for sand and gravel (taken from the IAQM minerals guidance) the total concentration is 18.3 $\mu\text{g}/\text{m}^3$ which is well below the Air Quality Strategy objective of 40 $\mu\text{g}/\text{m}^3$. The CAQC concurs with the air quality assessment that the effect is not likely to be significant on human health.
238. With regards to crystalline dust impact, there is little relevant published data on the adverse health effects of environmental exposure to silica dusts derived from sand. The Health and Safety Executive (HSE) outline that health hazards of silica come from breathing in the dust and activities, which can expose workers, or members of the public include: stone masonry, façade renovation, blast cleaning of buildings, many demolition processes, concrete scabbing, cutting or drilling, tunnelling. The information sheet goes on to state that for other activities, exposure will depend on how confined the working space is, the presence or absence of ventilation and how near the worker’s breathing zone is to the source of the dust.
239. The main risk of adverse health effects from RCS is from occupational (i.e., worker) exposure, which is consistent with current guidance in the UK where a workplace exposure limit of 0.1 mg/m^3 (which is 1000 $\mu\text{g}/\text{m}^3$) expressed as an 8-hour average, has been set by the HSE for worker exposure. For ambient levels (i.e., non-occupational) there are no official ambient air quality standards for silica.

Dust Management Plan

240. The CAQC has commented that the air quality assessment demonstrates that the embedded mitigation should ensure no significant dust health or disamenity effects. One key component of mitigation is the use of a Dust Management Plan (DMP) which the site has had in place and operated in accordance with since planning permission TA08/0185 and RE08/0255 was granted for the processing plant and has been continued to be used

²⁷ [Modelled background pollution data - Defra, UK](#) these are background levels of air quality.

and updated following the grant of permission for Pendell Quarry. The DMP as submitted with the planning application sets out that the following mitigation would be used to control and manage dust that could arise from the whole of the application site, both routine operations and then as additional controls when required:

- a. Continued dust monitoring from equipment installed around the site with the submission of the results of the monitoring forwarded to the CPA on a quarterly basis over each calendar year. If results are seen to be approaching Action Levels these are to be reviewed
- b. Use of mobile bowsers to dampen down during dry periods – the applicant has confirmed that they have two tractor driven bowsers that operate at the site
- c. Regular maintenance of access roads
- d. Use of water sprays on top of stockpile towers
- e. Water spray system around base of main stockpiling area and conveyor
- f. Drop heights minimised
- g. Planting of bunds
- h. Use of vegetation to act as wind breaks and dust screens
- i. Automatic water spray dust suppression

241. QOG have commented that as the conveyor is not a vulnerable receptor and the western extension of North Park is now restored, the position of the vertical sticky pad gauge in NPFQ to the east of Place Farm would be better placed on the top of the bund on eastern side of the Brewer Street extension in front of the Brewer Street properties; and that the depositional dust gauge at Place Farm should also be moved to the same position so that both the level of nuisance and the direction of dust flow can be monitored. The applicant has commented that they are willing to move these dust gauges. The CAQC comments that the depositional dust gauges (frisbees and horizontal sticky pads) should be as close as possible to receptors, but the vertical sticky pads have a slightly different purpose. TGN M8²⁸ says *“Dust flux gauges have a collection device positioned in the vertical plane to intercept dust as it travels parallel to the ground. This approach is best suited for monitoring dust releases across the site boundary, i.e., what is entering and leaving the site”*. The CAQC has commented that this requirement should be covered within a revised DMP.
242. The CAQC is satisfied with the submitted DMS, as it provides sufficient details in respect of methodology, equipment type and location, sampling procedures and analysis. The CAQC recommends the DMP be updated to reflect the change in monitoring location from Place Farm.

Noise

243. Unwanted sound may have an adverse effect on the environment and on the quality of life enjoyed by individuals and communities. NPPF paragraph 174 states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of noise pollution.
244. Paragraph 185 of the NPPF adds that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life; and identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

²⁸ [M8 monitoring ambient air - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

245. Paragraph 019²⁹ of the nPPG Minerals chapter states that those making mineral development proposals should carry out a noise impact assessment which should identify all sources of noise and, for each source, take account of the noise emission, its characteristics, the proposed operating locations, procedures, schedules and duration of work for the life of the operation and its likely impact on the surrounding neighbourhood. The paragraph goes on to say that proposals for control or mitigation of noise emissions should consider the main characteristics of the production processes and its environs including the location of noise sensitive properties, assess the acoustic environment around the site of the proposed operations including background noise levels at nearby sensitive properties, estimate the future likely noise from the development, identify proposals to minimise, mitigate or remove noise emissions at source; and monitor the resulting noise to check compliance.
246. Paragraph 020³⁰ goes on to say in assessing a proposal for minerals development in line with the Explanatory Note of the Noise Policy Statement for England, identify whether the overall effect of the noise exposure would be above or below the significant observed adverse effect level and the lowest observed adverse effect level for the given situation.
247. Paragraph 021³¹ sets out the appropriate noise standard for normal mineral operations at a noise sensitive property. This comprises a noise limit that does not exceed the background noise level (LA90, 1h) by more than 10dB(A) during normal working hours (0700-1900). Where it will be difficult not to exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the mineral operator, the limit should be set as near to that level as practicable. In any event the total noise from the operations should not exceed 55 dB(A) LAeq, 1h (free field). For operations during the evening (1900-2200 hours) the noise limits should not exceed the background noise level (LA90,1h) by more than 10dB(A) and should not exceed 55dB(A) LAeq, 1h (free field). For night time noise (2200-0700 hours), these limits should be set so as to reduce to a minimum any adverse impacts, without imposing unreasonable burdens on the mineral operator, and should not exceed 42dB (A) LAeq, 1h (free field) at a noise sensitive property. Where the site noise has a significant tonal element, it may be appropriate to set specific limits to control this aspect. Peak or impulsive noise, which may include some reversing beepers, may also require separate limits that are independent of background noise.
248. At Paragraph 022³², the nPPG Minerals chapter recognises that there may be particularly noisy short term activities during site preparation and restoration work such as soil stripping, the construction and removal of soil storage mounds and aspects of site road construction and maintenance. In these cases, a temporary daytime noise limit of 70dB(A) LAeq 1h (free field) should be considered for periods of up to 8 weeks in a year at specified noise-sensitive properties to facilitate essential site preparation and restoration work.
249. SMP11 Policy MC14 seeks to ensure that mineral development does not give rise to a significant adverse impact in terms of noise. Paragraph 6.10 of the supporting text recognises that factors such as proximity of the proposed development to housing, schools or other sensitive land uses and the topography of the site and surrounding area alongside the location of plant on site, should be taken into account. Paragraph 6.15 acknowledges that whilst temporary landscape works such as bunds or earth mounds can affect the appearance of an area, they may be positive in terms of reducing local noise impacts.
250. Policy DP22 of the TLP section C states that noise generating forms of development or proposals that would affect noise sensitive development should be accompanied by a

²⁹ Paragraph: 019 Reference ID: 27-019-20140306

³⁰ Paragraph: 020 Reference ID: 27-020-20140306

³¹ Paragraph: 021 Reference ID: 27-021-20140306

³² Paragraph: 022 Reference ID: 27-022-20140306

statement detailing potential noise generation levels and any mitigation measures proposed such as containment, screening barriers or restrictive hours of operation, to ensure that noise is reduced to an acceptable level. the policy goes onto say where a development proposal can demonstrate that acceptable noise levels will be achieved, the application will be supported.

251. Policy DES9 of the RBDMP2019 states that development will only be permitted where it can be demonstrated that it will not result in a significant adverse or unacceptable impact on the natural or built environment, amenity or health and safety due to noise; and that where there would be potential adverse effects from pollution and adequate mitigation cannot be provided, development will not normally be permitted. The policy goes on to say that new development will not normally be permitted where existing noise is unacceptable and there is no reasonable prospect that this can be mitigated to satisfactory levels.
252. Surrey has produced its own 'Guidelines for Noise and Vibration Assessment and Control (the Surrey Noise Guidelines 2020). These Guidelines echo the approach set out in the NPPF and nPPG. The Guidelines include a section on clay and recognises that the use of plant and equipment can involve a range of potential noise and vibration generating activities including soil, subsoil and overburden stripping; the construction of new landforms; the extraction; and the processing and exporting of minerals. The Guidelines recognise that during site preparation, the plant normally used is large and powerful to complete the tasks in a reasonable period of time and noise levels may be quite high but noise exposure at any one location will normally be limited to a relatively short period. As outlined above, the nPPG allows for an increase in daytime noise limits for a temporary period of up to 8 weeks over a 12-month period for activities associated with site preparation.
253. The Guidelines outline that for normal mineral operations, such as silica sand extraction, the thresholds given in the nPPG as detailed above, would be relevant. The Guidelines recognise that the ambient and background noise levels can vary significantly across the county and throughout the day and night time periods. Paragraph 3.14 outlines that noise monitoring may be required under some circumstances and could be for each phase of work or for the monitoring of plant. This proposal would involve noise from the silica sand extraction phases (including site preparation and restoration) and the retention of the processing plant with continuation of noise extraction and North Park Farm Quarry. Whilst noise impacts from the working and restoration of Pendell Quarry were considered as part of TA/2014/1420; retention of the processing plant was considered as part of TA/2014/1422 and continuation of sand extraction at NPFQ was considered as part of TA/2014/1844, the submitted Noise Assessment for this proposal has covered all these activities and the proposed extension area to understand the cumulative impact of the plant and mineral extraction with regards to noise.
254. There are several sensitive noise receptors around the whole of the application site. These can be grouped as following:
- | | |
|--------------------------------------|--|
| Mercers West | Residential properties approximately 118m north of entrance
Chart Wood School and Woodfield School whose curtilages abut the boundary of Mercers West. |
| Pendell Quarry | Residential properties approximately 130m north west.
The Hawthorne School approximately 220m to the south
Residential properties approximately 30m to the south
Pendell House and residential properties |
| Extension area known as Brewerstreet | Beck Cottage, Pendell Cottages, Place Farm to the north east
Hawthorne School
Brewerstreet Farm, The Granary to the south
The Stable Block and 9 – 12 Brewer Street and New House to the east. |
| North Park | Residential properties on Place Farm Road |

Farm Quarry Residential properties on North Park Lane
Residential properties on Bletchingley Road
The Orpheus Centre
Residential properties at Taylors Hill
Several rights of way around all parts of the application area.

255. Previous planning permissions for parts of the application site have included planning conditions for the restriction of noise levels for activities at the application site. these include limiting both the daytime and night time noise levels, limiting the noise from particular plant and machinery, requiring on going noise monitoring surveys to be undertaken at intervals of six months, that plant and machinery are maintained; and noise levels when plant and machinery are used to construct noise bunds around the perimeter of Pendell Quarry; and when restoration activities take place.
256. The applicant submitted a noise assessment as part of the ES. The noise assessment outlines the noise assessments undertaken and their location. Baseline noise monitoring was carried out for the whole of the application site for a period of seven days. The noise modelling provided a worst-case assessment in terms of predicted noise levels by using the maximum extent of working area thereby reducing the distance between sensitive receptors and mineral extraction. In reality, this distance would be greater. Hours of operation would continue as at present with bund formation limited to 0800 – 1700 hours Monday – Friday and 0900 – 1300 hours on Saturdays; mineral extraction 0700 – 1800 hours Monday – Friday and 0700 – 1300 on Saturdays. The processing plant runs 24 hours a day 5 days a week. Minerals extracted from NPFQ are stockpiled in the stockpile area before transfer to the processing plant. This is all carried out by dump truck. The noise assessment has included the restoration of the haul road as well given its proximity to residential properties. The noise assessment considered the noise sensitivity of nearby receptors, the background noise levels in the vicinity of the application site based on the monitoring carried out and the magnitude of impact to ascertain the effect of the proposal with regards to noise.
257. The applicant proposes to construct perimeter bunds from soils and overburden stripped from the extension area. In doing so, these will create noise mitigation for residential properties near the extension area. The noise assessment states that even where the background noise level for the locations chosen as part of the assessment, show background noise levels greater than 55 LAeq,1hr, the proposal would still adhere to this noise level as stipulated in the NPPG: Minerals.
258. The assessment concludes that when all activities are working cumulatively and concurrently; and based on the operating hours of the proposed development, the proposal would result in a minor adverse impact at one property, Becks Cottage, which is not considered significant. Officers have checked the planning register for the relevant parish council and have not found the introduction of new consented operational developments which could result in the introduction of new long term operational noise levels.
259. Having reviewed the noise assessment, the County Noise Consultant (CNC) was satisfied with the majority of the information provided. However, the CNC sought further clarification with regards to potential noise impacts from HGVs travelling to/ from the site via the access road, why locations around Mercers West were not included in the proposed noise monitoring plan and why properties on North Park Lane were not included in the baseline. The applicant provided further information on this as follows. Sites around Mercers West have not been included within the proposed noise monitoring plan because no works are involved at Mercers West. Water for the processing plant is collected from Mercers West and processed water is delivered back there. The pump and pipeline that facilitate that do not cause noise impacts. Whilst some aftercare works are required, these too can be undertaken in accordance with paragraph 022 of the NPPG however during operations no noise emissions are expected. The CNC agrees

with these comments made and agrees that receptors around Mercers West need not be included in the noise monitoring plan.

260. In terms of HGV movements, the applicant has confirmed that the number of HGV movements are to remain at the same level as they currently are. The CNC has commented that whilst this comment from the applicant doesn't address their query, they raise no objection so long as the CPA are satisfied that noise from HGVs moving around the site has not generated any noise complaints. No noise complaints have been received by the CPA with regards to noise impacts from this site. Officers are satisfied that there is sufficient distance between the processing plant area where HGVs visit and receptors that the movement of HGVs would not cause a significant adverse impact. With regards to HGVs using the access road this matter has not changed since it was installed as part of TA08/0185 and RE08/0255 and Officers are satisfied that the haul route is of a sufficient distance not to cause significant adverse impacts on receptors at Tylers Green. Noise monitoring is proposed at Tylers Green as part of the noise management plan. The applicant carried out further noise monitoring at residential properties on North Park Lane and the CNC is satisfied with this and the results. As such the CNC raises no objection to the proposal on noise grounds and requests the imposition of conditions to limit noise emissions from the site.
261. Officers are satisfied that the applicant has provided sufficient information within the noise assessment to demonstrate that noise impacts from the proposal would not lead to significant adverse impacts. Officers recognise there would be an impact on the closest residential properties however with noise mitigation measures in place and given not all the plant and machinery would not be working at the same time, Officers are satisfied the proposal would meet the requirements of the NPPG, Policy MC14 and Policy DP22 that noise is reduced to an acceptable level. The applicant proposes to carry out noise monitoring at locations around the application site to ensure operations comply with the noise conditions which would be submitted to the CPA on a frequent basis.

Hydrology, Hydrogeology and Surface Water

262. Policy MC8 of SMP2011 specifically deals with silica sand and identifies the application site as a preferred area, which includes hydrology as one of ten key development requirements. The key requirement in respect of hydrology states that: as the site is within a major aquifer a hydrological risk assessment is required to ensure that groundwater is not contaminated; exclude working within source protection zone 1 of Brewer Street borehole; assess potential impact of working on source protection zone for Warwick Wold borehole; that a flood risk assessment be provided that covers all sources of flood risk including surface water drainage strategy covering the operational and post restoration phases of the development.
263. Policy DP21 TLPP2 seeks to ensure that development is carried out in a sustainable way to protect all natural resources for use by future generations, and to adapt against and mitigate the impacts of predicted climate change.
264. Protection of areas at risk of flooding is sought by policy CCF2 of the RBDMP2019 which states that development proposals must avoid areas at risk of flooding where possible and prioritise development in areas with the lowest risk of flooding. The policy states that sites in Flood Zone1 which are greater than 1ha in area will be required to carry out a site specific Flood Risk Assessment (FRA) appropriate to the scale of the development. Where a FRA is require it should take account of the impacts of climate change over the lifetime of the development, demonstrate the development will be safe for its lifetime taking account of the vulnerability of the proposed use; and take account of the Strategic Risk Assessment. The policy goes on to say that proposals must not increase the existing and future risk of flooding elsewhere and use Sustainable Drainage systems.
265. The North Park Quarry area lies on the boundary of two surface water catchments (Thames and Southern Regions of the Environment Agency). The Brewer Street site lies

in the Mole catchment of the Thames region, while the existing North Park Quarry site is in the headwaters of the Medway catchment (Southern region). For both catchments, surface water is sourced from the scarp slope of the North Downs. There are two headwater streams, fed by springs from the base of the Chalk outcrop, which run through the application site: Redhill Brook which runs along the north-western boundary of Pendell Quarry; and Pendell Brook which runs between Pendell Quarry and the Brewerstreet extension. The application quarry site is located within Flood Zone 1, which is land with less than 1-in-1000 year tidal or fluvial flood risk, considered to be at low risk of fluvial flooding.

266. Mineral extraction is currently undertaken above the water table and this proposal would do the same, with no active dewatering and working limited to 2m above the maximum watertable. A condition to this effect has been imposed on planning permission for mineral working at Pendell Quarry and NPFQ which the requirement that should this happen, backfilling of indigenous material should take place to bring the quarry floor level up. Water for mineral washing and dust suppression is abstracted from Mercers West and is piped to North Park Farm processing plant by pipes which were permitted as part of TA02/0183 and RE02/0268. Wastewater from mineral processing is temporarily held in a lagoon at NPFQ after which it is then pumped back via a pipe to Mercers West before the water is discharged at the licenced discharge point at Spynes Mere.
267. The applicant has submitted a Hydrogeological Impact Assessment (HIA) and a Flood Risk Assessment (FRA) with the ES. This explains that the Lower Greensand is designed as a Principal Aquifer with the most important aquifer units being the Folkestone Formation and the Hythe Beds which are separated by the less productive Sandgate Beds. The Chalk and Upper Greensand to the north are also principal aquifers but are hydraulically separated from the Lower Greensand Aquifer by intervening Gault Clay. The HIA assessed the magnitude of impact against the sensitivity of the receptors for both the proposed working of the extension area and the continuation of development at NPFQ and the processing plant. The HIA outlines typical mitigation measures that can be used to safeguard groundwater quality including wet working, use of settlement lagoons, bunding of fuel tanks and appropriate spill response, retention of an unsaturated thickness to offer protection, a controlled discharge consent.
268. Much of the application site lies in Flood Zone 1 with Mercers West lying in Flood Zone 2 and 3. The submitted FRA states that there are some areas of the application area that are at risk from surface water including low lying areas around watercourses such as Pendell Brook and Redhill Brook. The FRA states that the majority of the site lies within an area where there is a risk of groundwater flooding to subsurface and surface assets however, as outlined below, the applicant intends to leave 2m of unsaturated zone in place at the base of the development to offer protection to the aquifer. The FRA says there is low risk of flooding from sewers and no risk from reservoirs.
269. Officers have carried out a sequential test in accordance with the criteria set out in paragraphs 019, 033 and 034 of the NPPG³³. The aim of the sequential test is to keep development out of Flood Zone 2 and 3. Paragraph 018³⁴ outlines the sequential approach saying a sequential test should be applied for minerals related development although it is recognised that mineral deposits can only be worked where they are found. However, mineral working should not increase flood risk elsewhere and needs to be designed, worked and restored accordingly. Mineral workings can be large and may afford opportunities for applying the sequential approach at the site level. It may be possible to locate ancillary facilities such as processing plant and offices in areas at lowest flood risk. Sand and gravel working is described as water compatible development with regards to flooding in Table 2 of the NPPG³⁵. In accordance with Table

³³ Reference ID: 7-019-20140306, 7-033-20140306 and 7-034-20140306

³⁴ Paragraph: 018 Reference ID: 7-018-20140306

³⁵ Table 2: Flood risk vulnerability classification Paragraph: 066 Reference ID: 7-066-20140306

3³⁶ Flood risk vulnerability and flood zone 'compatibility', water compatible development such as this proposal is acceptable in Flood Zones 1, 2 and 3 therefore the development is appropriate in this regard.

270. There is no new built development proposed so the impact on flood risk to the surrounding area would remain unchanged. There is no dewatering proposed either. As rainfall within the quarry void infiltrates to ground the quarry voids are unlikely to increase risks of flooding in areas outside the site. The submitted FRA reviewed the previous FRA for Pendell Quarry which included a 20% climate change allowance and concluded this to still be valid. For Mercers West the impact on flood risk in the FRA is deemed low as the waterbody provides plenty of storage for additional rainwater. Information is also included in the FRA with regards to surface water drainage for the conveyor, track and associated culverts and found these did not increase flood risk.

271. The FRA sets out that water compatible development will be considered a suitable location for development provided it: remains safe in times of flooding, there is no net loss of floodplain storage, it does not impede flood water flows; and does not increase the volume and rate of surface water runoff leaving the site. The FRA has assessed each of these and found the proposal to be compatible with these requirements.

The Lead Local Flood Authority have reviewed the FRA and raise no objection subject to the imposition of a condition for a surface water drainage scheme and management plan to be submitted before any works take place within the extension area to provide details of how this would be managed. The County Geological Consultant (CGC) raises no objection to this information be provided as a condition.

272. Groundwater levels are monitored within the Brewerstreet extension site in nine piezometers installed around the perimeter. There are a further seven at Pendell Quarry and fourteen at NPFQ. Historical water level data shows that groundwater levels collected in the piezometers is roughly between 75 and 100m AOD and rose by 5m between 2008 to 2017 and previously dropped between 2002 and 2008; but have stabilised since 2017. Groundwater quality is monitored at up to seven standpipes within the application site with groundwater quality being of good quality with a few exceedances when compared against Drinking Water Standards. Surface water quality is monitored quarterly with this being good when compared against Environmental Quality Standards. A condition on this matter was imposed on both the Pendell Quarry and NPFQ permissions at the request of the Environment Agency.

273. There are a number of public water supply boreholes in the vicinity of the application site operated by Sutton and East Surrey Water (SES). The Brewer Street abstraction is located some 230m to the north of the Brewerstreet extension area with the extension area lying within Zone 2 outer protection area. Groundwater flow is to the north and north west.

274. It is the applicant's intention that excavations would not occur lower than 2m above the seasonal groundwater level and therefore dewatering of groundwater would not be required. On this basis, the HIA states that the proposal would not have a negative impact upon neighbouring abstractions, sensitive sites, pond and lakes in connection with the aquifer or drains and watercourses. The applicant proposes to continue to monitor groundwater quarterly and submit a topographical survey no less than 2 in a year with an annual review of groundwater levels to generate groundwater contours.

275. The County Geological Consultant (CGC) reviewed the HIA submitted with the original Environmental Statement and raised concerns with regards to the information submitted. The CGC commented that as there are groundwater monitoring schemes in place under the extant permissions, these should be reviewed and consolidated into a single overarching groundwater monitoring plan for the entire application area. The

³⁶ [Table 3 - Flood risk vulnerability and flood zone compatibility .pdf \(publishing.service.gov.uk\)](#)

groundwater monitoring plan would include the collection of data in terms of groundwater levels so that a seasonal level can be ascertained, and the inclusion of trigger levels and a contingency plan should one be required. A Technical Note³⁷ was then provided by the applicant to address this concern detailing that seven new monitoring wells would be installed both up and down gradient to provide spatial coverage to ensure the 2m unsaturated zone is maintained. These boreholes would also monitor the quality of the groundwater as an early warning for the public water supply.

276. The CGC reviewed this document and commented that there are shortcomings with the Plan that would require addressing for example when the new wells would be installed, when the monitoring would commence, the period and frequency of the monitoring, reviewing the monitoring wells and the position of the wells. The CGC comments that the Plan states that groundwater level monitoring will be conducted every six months and he considers this insufficient, and he recommends monthly monitoring of the groundwater levels surrounding the extension site. The CGC recommended that the monitoring plan be amended as suggested by him before consent is granted or be the subject of a pre-extraction condition that should be submitted and approved before extraction within the extension area commences. The applicant has agreed to the submission of this monitoring plan as a condition. Until this groundwater monitoring plan is submitted and approved, Pendell Quarry and NPFQ will continue to operate in accordance with the current scheme for the site. Officers note that the Environment Agency requested previous groundwater monitoring conditions be brought forward with this application. However, Officers consider, based on the CGC advice, that the proposed pre-extraction condition should look to ensure a more frequent level of monitoring.
277. As the application site lies within Zone 2 the Outer Protection Zone of a source protection zone for drinking water, there is a risk of contamination to the groundwater and water quality from the proposal due to potential chemical spillages or mobilisation of suspended solids. As such mitigation measures are required. These include bunding, an unsaturated zone above the aquifer and using wet working. The HIA recognises that removing the mineral this would reduce the time for water to go through the unsaturated zone before reaching the groundwater. Given the groundwater is a high value receptor, it is imperative that mitigation measures are in place for the protection of this through bunding and spillage response action.
278. The CGC had raised queries with regards to the impact on groundwater from recharge to the Folkestone Formation resulting from the development. The applicant provided a response on this matter³⁸ including calculations for the change to recharge during and post development. The CGC has reviewed this information and states the calculations appear reasonable. The CGC has commented that on the basis that the planning consent stipulates that a minimum 2m thickness of unsaturated zone will be maintained at all times and provided that monthly groundwater level monitoring is conducted as detailed above, the CGC has no further comments to make.
279. SES have commented that the boreholes at Brewer Street contain nitrate concentrations that are close to breaching the drinking water standard. The source of nitrate pollution is unknown, but SES say they are likely to arise from both agricultural and non-agricultural sources. SES have commented that the proposal could potentially release and remobilise historic nitrate pollution from the aquifer and provide a fast route into the aquifer for any ongoing sources of nitrate pollution. SES comment that it is reassuring that nitrate features in the proposed monitoring suite and if quarterly sampling, as a minimum, is undertaken for nitrate, as opposed to biannual monitoring, this would help identify more quickly if the quarry activities are remobilising historic pollution.
280. The LLFA have reviewed the documentation and have commented that the HIA details embedded mitigation in section H4.11 of that document and those relevant conditions of

³⁷ Technical Note: North Park Quarry: Groundwater Monitoring Plan November 2020

³⁸ Letter dated 30 November 2020

planning permission TA/2014/1420³⁹ should be carried forward. The Environment Agency request all previous conditions that were imposed for Pendell Quarry also be imposed for this planning application and as detailed above, this will be the case albeit some are modified.

281. With regards to groundwater for the remaining parts of the application site, the CGC has commented that although the application site is extensive the majority of the site is proposed to remain as proposed in previous consented applications and operationally the same, albeit with an extension of time to allow for the extraction processing and restoration associated with the increased mineral reserves being extracted and that aspects of flood risk were considered as part of those previous applications.

Diversion of Pendell Brook

282. Pendell Brook currently runs within the woodland that divides Pendell Quarry from the Brewerstreet extension area. It is a ditch which drains land to the south of the M25 and has a limited catchment with low flows and being ephemeral it is typically dry for most of the summer. The applicant installed flow gauges on Pendell Brook (one upstream and one downstream) to monitor low rates which confirmed this. The stream bed is above groundwater levels. The submitted FRA details that the new diversion route is to the north of the Brewerstreet extension area and would drain a small catchment of farmland and woodland. Part of this catchment is in the current Redhill Brook catchment so the destination for surface water runoff and interflow is unchanged. Only a small part of the upper most reach of the Pendell Brook catchment would be diverted to Redhill Brook. The rest of the Pendell Brook catchment would drain to the depression created by the excavations.
283. The proposal seeks the diversion of Pendell Brook to allow for the extraction of sand from the extension area. The diversion would require an Ordinary Watercourse Consent and this would need to be obtained from the Lead Local Flood Authority (LLFA) before any works take place in connection with this watercourse. The LLFA have confirmed this would be the case and that an Informative can be placed on any permission granted for this. Officers did query whether this should be a suitably worded condition, however the LLFA have confirmed that because Ordinary Watercourse Consent is a separate legislative regime, the requirement cannot be recommended as a condition. The LLFA have said that the applicant could have chosen to run this requirement concurrently with this planning application if they had wanted to.
284. The CGC has said that the principle of the proposal to divert Pendell Brook is satisfactory however further details are required of the size and route of the channel. It is suggested in the submitted FRA that further details in the form of 'detailed method statements' would be provided, and that construction of the diversion route would be done before removal of the stream bed. The CGC recommends that the details of the diversion are requested as a condition to allow this aspect to remain in the control of the CPA with hydraulic modelling to facilitate the design. Officers concur with the CGC comments that further detail should be provided as to the specification of the diverted channel.
285. Highways England raised concerns that the diversion could impact upon the M25 in terms of safety and environmental implications due to its proximity to the M25 carriageway. The applicant has confirmed that the Pendell Brook does not cross the M25 as the stream north of the M25 that once fed the Pendell Brook was re-routed when the M25 was constructed. Therefore, the diversion of Pendell Brook would not affect the M25. The applicant provided information requested by Highways England to outline that the diversion would have no impact on the strategic road network and Highways England have responded that based on this information they are satisfied the proposals would not materially affect the safety, reliability and/ or operation of the strategic road network.

³⁹ Pendell Quarry

Soil Handling and Agriculture

286. The proposal would involve the movement of large volumes of soil both during the site preparation stage and then the restoration phase. Paragraph 174 of the NPPF seeks to protect and enhance soils within decision making. Because the proposal seeks to work 13.5ha of 'best and most versatile' (BMV) agricultural land within 22ha in the Agricultural Land Classification (ALC) system, consideration of Footnote 58 of the NPPF, which states that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality, should be considered. This is echoed in Policy MC14 of the SMP. There are no policies on the protection or handling of soils within the TDCS, TLP, RBCS or RBDMP. Soils are an important and finite natural resource with care being given to them both when they are handled during stripping and storage, in transport but also during the restoration process.
287. Paragraph 040⁴⁰ of the NPPG states that detail should be provided in planning applications on soil resources and how the topsoil/ subsoil/ overburden/ soil making materials are to be handled whilst extraction is taking place and where the land is agricultural land, an assessment of the agricultural land classification grade. Where working is proposed on the best and most versatile agricultural land the outline strategy should show, where practicable, how the methods used in the restoration and aftercare enable the land to retain its longer term capability, though the proposed after-use need not always be for agriculture. Restoration may, in some cases, need to be undertaken in phases so as to minimise local disturbance and impacts.
288. Natural England's "Guide to assessing development on agricultural land" seek to protect the best and most versatile (BMV) agricultural and from significant inappropriate or unsustainable development proposals and protect soils by managing them in a sustainable way. BMV divides soils into five categories, Grades 1-5, with category 3 being subdivided into 3a and 3b. The guide states that a planning application should include information on how soils would be managed in a sustainable way during construction and reclaim the land after mineral working.
289. The Institute of Quarrying has produced a Good Practice Guide for Handling Soils in Mineral Workings (2021) which replaces the former MAFF guide on this matter, with the primary aim to minimise the compaction of soils as they are handled with the minimal reliance on the need for remedial treatment of compaction caused by the machinery and handling practices. The Guide outlines that one of the best ways in doing this is the provision of a Soil Resource Management Plan (SRMP) as part of a planning application which details the type of earth moving machinery, specify the handling, storage, and remedial practices to be deployed to achieve the intended after use. The SRMP should show where the access and haul routes and soil storage areas are to be located throughout the development alongside any deviation from good soil handling practices. The Guide then provides several Sheets for each soil stripping method that could be carried out at a mineral site.
290. Of the 13.5ha BMV land that is proposed to be worked, 4.09ha is Grade 2 and 9.41ha of subgrade 3a. A soils and agricultural assessment (October 2020) accompanies the planning application including an Agricultural Land Classification Report. The report outlines the different types of soils that are present at the application site due to the underlying geology and that soils would be handled in accordance with the MAFF/ Defra guidelines⁴¹ using excavators and dump trucks in a method which does not cause compaction in the replaced soils. Soils would be stripped and stored initially along the southern and south eastern corner of the extension area to provide screening to residential properties in those locations alongside some soils being stored within Pendell

⁴⁰ Paragraph: 040 Reference ID: 27-040-20140306

⁴¹ Now superseded by IQ Guidance.

Quarry base whilst progressive restoration continues there. Soils would be stored like upon like, i.e., soils of a similar nature (topsoil/ subsoil) stored together, to ensure their integrity. Soils placed along the southern boundary would not be placed along the pipeline that runs along the southern boundary the application site.

291. As mineral extraction progresses in the extension area and further soil is stripped, the soil bunds along the southern and south eastern boundaries would be increased in width to accommodate this soil, and soil stockpiles would be created on the quarry floor in the western part of the extension area as quarrying progresses eastwards. Both soil bunds and stockpiles would be limited to 2.5m in height. As with Pendell Quarry, the Brewer Street extension would undergo progressive restoration such that soils would be returned to the slopes of the restored profile as the site is worked. The only soils that would be held back to the end of working would be those for the base of the quarry to ensure it is at a level suitable to return that area as much as possible to BMV agricultural land and to avoid compaction of the soils in that area. The soils and agricultural assessment recognises that the proposal would result in the loss of 13.5ha of BMV agricultural land in the extension area but the proposed restoration scheme would provide 8.11ha of Grade 2 and 3a land in the form of grassland on the floor of the restored landform. This would result in an overall loss of 5.39ha BMV agricultural land due to the steep side gradients proposed as a result of the bowl shaped low level restoration landform. However, the applicant states this would be replaced with alternative habitat improving biodiversity of the site.
292. Natural England are the relevant consultee with regards to the protection of soils and have reviewed the proposal. Natural England have commented that they are satisfied the soils and agricultural assessment constitutes a record of the pre-working ALC grading and physical characteristics of the land within the application site boundary. Natural England had originally commented that the soils assessment submitted with the ES required more information on soil handling alongside further calculations were required to reflect the soils that would be handled in the extension area. The applicant revised the soil and agricultural assessment to address Natural England's concerns including volumes of soils to be stripped and stored face and then which stockpile that soil would be stored in whilst awaiting placement. The applicant states that the intention is for the maximum placement of material and restoration.
293. The applicant has provided further information with regards to the reinstatement the soil where soil storage would take place along the southern and south eastern corner of the site to address Natural England's concerns about these areas due to their BMV agricultural land classification. For areas where topsoil would be placed, the applicant states that any compaction in these areas would be relieved by normal cultivation practices. For subsoil areas these would be decompacted using a sub soiler prior to the respreading of the original topsoil which would have been stripped and stored according to the soil assessment calculations.
294. Natural England have commented that they are satisfied that that the information provided with regards to site working and reclamation proposals meet the requirements for sustainable minerals development set out in the NPPF and the NPPG with regards to restoration and aftercare of mineral sites. They go on to comment that whilst the restoration proposals on some of the BMV land are for non-agricultural purposes, they consider the proposed reclamation to a biodiversity, amenity and recreational afteruse acceptable, provided the methods used in the restoration and aftercare would enable the land to retain its longer-term capability to be farmed to its land classification potential. Natural England consider the revised soils and agricultural land assessment are sufficient to demonstrate that a substantial area of the BMV land disturbed because of the development would be reinstated to a similar quality. As such, Natural England do not object to the proposal subject to the imposition of conditions that ensure the safeguarding of soil resources and promote a satisfactory standard of reclamation appropriate to the proposed afteruses.

- 295. Natural England comment that in accordance with Schedule 5, Part 1, Para 4(1) of the TCPA 1990 Act, that it would be appropriate for land to be reclaimed in accordance with Para 3(1) of that Act; namely that the physical characteristics of the land to be restored, so far as practicable, to what they were when last used for agriculture.
- 296. The applicant states that an Aftercare Plan would be provided and implemented for all the restored areas of the land thereby ensuring the long-term use of the land for agriculture. The applicant states that the Aftercare Plan would include details of vegetation establishment, cultivation practices, secondary treatment and any drainage requirements and the management of soil fertility and weed control. No plan has been provided and Natural England have requested that an outline aftercare scheme should be submitted for approval of the County Planning Authority.
- 297. The County Enhancement Officer has commented that whilst the site is in the BMV agricultural land, which leads us to automatically seek to protect that resource, he acknowledges that due to the proposed restored landform, it would be difficult to cultivate the steep slopes and that achievement of BMV for the whole of the application site would not be achievable because of the proposed restoration topography. The County Enhancement Officer does go on to say the applicant is proposing acid grassland, which is nature conservation end use and forms part of the biodiversity contribution. The County Enhancement Officer does not object to the proposal but does highlight the BMV land would be lost/ compromised due to the proposed restoration design and the proposed biodiversity afteruse for the site.
- 298. Officers recognise that the proposal would result in the permanent loss of 5.39ha of BMV agricultural land that is in current use. However, Officers are equally aware that the proposal is for the extraction of a nationally scarce mineral resource and that the applicant proposes in the restoration scheme to restore the land to agricultural grassland able to achieve BMV Grade 2 and 3a alongside areas for biodiversity benefit. Officers are aware the applicant has provided further detail with regards to how areas where soil stockpiling would take place on BMV agricultural land would be reinstated as required by Natural England. Therefore, Officers are of the opinion that the provision of a nationally scarce mineral resource carries great weight when balanced against the loss of 5.39ha of BMV agricultural land. Officers are satisfied that conditions can be imposed with regards to soil management and given an Aftercare Strategy has not been provided, that a condition be imposed requiring the submission of one in accordance with paragraphs 057 and 058⁴² of the NPPG.

Contamination

- 299. Policy DP22 of the TLP2014 deals with development proposals on contaminated land which is not the case here. However, the policy does say that where there is evidence of a high risk from residual contamination the applicant will be required to show as part of the application how decontamination will be undertaken. Policy DES9 of the RBDMP2019 also focuses on sites where there is known contamination, or where there is a reasonable possibility of contamination, appropriate investigation and where necessary, mitigation and/ or remediation will be required.
- 300. The County Geological Consultant (CGC) reviewed information with regards to procedures that would be undertaken at the site should a spill occur and for when the processing plant is decommissioned and the plant and equipment associated with this is removed. The CGC recommends that the decommissioning should include any below ground structure, pipeline or cabling. The applicant provided further information within the Planning Statement Addendum and commented that the information sought by the CGC would normally be provided closer to the time of decommissioning to enable the proposals to be appropriate to the nature of the use of the land at that time and to ensure compliance with the most recent guidelines and procedures. The applicant is willing to

⁴² Paragraph: 057 Reference ID: 27-057-20140306 and 058 Reference ID: 27-058-20140306

accept a condition to ensuring the processing plant site does not leave a land contamination legacy. The CGC states this is acceptable. Officers are satisfied that the imposition of such a condition will ensure all buildings and infrastructure, alongside any underground elements, do not leave potentially hazardous materials or pollutants remaining; and are satisfied that this detail is better suited to be submitted prior the decommissioning of the plant. In doing so, the submitted scheme can ensure mitigation and remediation measures are provided as required in accordance with Policies DP22 and DES9 of the Development Plan.

Stability

301. The application proposes to work silica sand to some 86m AOD which is the same depth as Pendell Quarry; and then to restore the extension area to a lower level with semi-improved grassland with sloping sides of the quarry down to the base. No materials would be imported. Soils and overburden that would be stored around the perimeter of the site and within the site would be used. The upper quarry faces would be cut to a slope of 1 in 3 and the lower faces within the Folkestone Sand to 1 in 0.75. The County Geological Consultant (CGC) commented that the submitted Stability Report provides information to show an adequate factor of safety where the slopes are cut in weather Gault Clay. However, the CGC went on to say that the analysis in the report has assumed that the Folkestone Beds are cemented throughout their entire depth which is generally acceptable but there should be recognition that the deposit may have bands of material which have a lesser degree of particle interlocking/ cementation. The CGC says that this could result in the slopes having localised slumping or localised wedge failures.
302. However, the CGC recognises that during the operational phase the provisions of the Quarry Regulation apply and that regular inspections and geotechnical assessments by a specialist will be undertaken in accordance with the requirements of those regulations. There is a presumption against duplication of regulatory regimes. The CGC also comments that during this operational phase members of the public and the public highway are located some distance from the quarry faces and as such, security measures will be maintained at the site boundary to prevent unauthorised access to the quarry both at the crest and base of the quarry workings. On cessation of working and following restoration, responsibility reverts to the landowner, and it is for the CPA to ensure that the site is a suitable use of the land from a stability perspective. The QRs require that the operator shall ensure that in the event of abandonment of or ceasing of operations at a quarry, it is left in a safe condition.
303. The primary responsibility for the safety and stability of a surface mineral working such as NPFQ, Pendell Quarry and the extension, is that of the operator, defined in the QRs as “the person in overall control of the working of the quarry”. Under the Quarries Regulations 1999 a quarry may be taken as including any excavation or system of excavations made for the purpose of, or in connection with, the getting of minerals not being a mine, borehole or well and therefore includes all surface mines and tips used in connection or conjunction with the operation of a quarry. However geotechnical stability does need to be considered in the planning regime when the QRs do not apply, such as any areas of the site not within the QRs at any point time, or in respect of the long-term stability of the restored slopes after the QRs cease to apply. Parts of the quarry not in use or already restored, could fall outside the QRs.
304. The NPPF para 174(e) states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of land instability. Paragraph 001⁴³ of the NPPG recognises the effects of land instability could result in landslides or subsidence; and failing to deal with this issue could cause harm to human health, property and associated infrastructure and the wider environment. The paragraph recognises that there are different circumstances

⁴³ 001 Reference ID: 45-001-20190722

that would cause or lead to instability but sets out that the planning system has an important role in considering land stability and that it is a material planning consideration in so far as:

- Minimising the risk and effects of land stability on property, infrastructure, and the public
- Helping ensure that various types of development should not be placed in unstable locations without various precautions; and
- To bring unstable land, wherever possible, back into productive use.

305. Policy MC14 of the SMP2011 states that mineral development will be permitted where the applicant has provided information sufficient for the CPA to be satisfied that there would be no significant adverse impacts arising from the development with regards to land stability and the integrity of adjoining transport infrastructure (criteria vii). There are no policies on stability within the TLP, TDCS or RBCS.
306. With regards to the restoration phase, it is proposed the upper faces of the final restoration slopes would remain at the original cut 1 in 3 profile and the lower sand faces would be buttressed by emplacement of an embankment slope with a 1 in 3 profile. The CGC raises no concern with regards to the slope angles in the restoration profile but did note that the Stability Report was unclear as to the material that would be used to buttress the lower slopes – whether this would be sandy overburden or reworked Gault Clay and sought clarification on this.
307. The applicant provided more information with regards information on stability analysis for the operational and restored faces and the CGC has confirmed that this information confirms there is unlikely to be any long-term land instability hazard for neighbouring landowners or public infrastructure. The applicant has confirmed that the highest faces would be buttressed with weathered Folkestone Bed Sands and this is reflected in the stability assessment with a factor of safety. The CGC confirms this is satisfactory and raises not further concerns with regards to this matter.
308. Slippages have occurred in NPFQ which are associated with inadequate compaction in the restoration material being used. The applicant has clarified that where the two slippages have occurred, it was found that material was placed in thick layers and not compacted resulting in a gradual deterioration of this facet of the slope. These slippages are being addressed by excavation of this material and the replacement of granular overburden material in thin layers to ensure slippages do not occur in this location again.
309. Based on the information provided with regards to the operational and restoration phases, Officers are satisfied that information has been provided to demonstrate no significant adverse impact with regards to stability for this proposal in accordance with Policy MC14.

Climate Change

310. In 2020, Surrey County Council adopted Surrey’s Climate Change Strategy which adopted a target for achieving ‘net zero’ carbon emissions by 2050. Paragraph 154 of the NPPF states that new development should be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures and that development can help to reduce greenhouse gas emissions such as through its location, orientation and design. Paragraph 157 states in determining planning applications, local planning authorities should expect new development to comply with any development plan policies on local requirements for decentralised energy supplies and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

311. There are no specific Development Plan policies on climate change in the TDC2008 or TLP2014. Policy CS10 of the RBCS requires development to reflect the need to adapt to the impacts of climate change for example flooding and increased pressure on water resources, impacts on ecology and ground conditions). Policy CCF1 of the RBDMP2019 states that new non residential developments of 1,000m² or more of gross floorspace to provide renewable or low carbon energy generation. This proposal does not seek planning permission for new floorspace but retention of existing plant already on the site. The policy goes on to say the design of buildings should maximise opportunities for energy saving and use of sustainable construction methods will be encouraged. The processing plant is a plant built for a specific purpose and design to process silica sand in to specific grades and is already in situ.
312. The ES included a section on climate change stating that Sibelco have entered into a climate change agreement at all its UK sites committing the company to a 6.1% overall energy reduction target over eight years. Sibelco are part of the Energy Saving Opportunity Scheme which requires them to carry out assessments every four years to audit energy use in buildings, industrial processes and transport to identify cost effective energy saving measures. All electricity for the company's quarrying and processing operations are from renewable sources.
313. The FRA provided as part of the ES includes an allowance for climate change in terms of vulnerability and this concludes that the proposed development will remain safe in times of flooding whilst taking climate change into account. The proposal includes enhanced planting on restoration of the site for biodiversity benefit. Officers are satisfied that the application meets the requirements of Development Plan policy in this regard and the NPPF with regards to mitigation and adaptation for climate change.

HIGHWAYS AND ACCESS

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

Policy MC15 - Transport for minerals

Tandridge District Core Strategy 2008 (TDCS2008)

Policy CSP12 - Managing Travel Demand

Policy CSP13 – Community, Sport and Recreation Facilities and Services

Tandridge Local Plan Part 2, 2014 (TLP2014): Detailed Policies 2014 – 2029

Policy DP5 – Highway Safety & Design

Reigate and Banstead Development Management Plan 2019 (RBDMP2019)

Policy NHE4 – Green and blue infrastructure

314. This section considers the traffic generation and access arrangements, the impact on the highway network and the relative accessibility of the site. The application is accompanied by a Transport Assessment (TA), which addresses the environmental impact of the proposals in terms of highways and transport. The TA considers the options for transferring the material from the extension area (known as Pendell) to North Park Quarry, assesses the potential traffic generation of the proposal and the traffic implications of the generated traffic on the safe operation of the highway network.
315. SMP2011 Policy MC15 requires that mineral development applications include a transport assessment of potential impacts on highway safety, congestion and demand management, and show explore how the movement of minerals within and outside the site will address issues of emissions control, energy efficiency and amenity. SMP2011 Policy MC15 is clear that applicants will be expected to address alternatives to road-based methods of transport, especially where these can use existing rail sidings, and that mineral development involving transportation by road will only be permitted 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.

316. Policy CSP12 of the TDCS2018 states that the Council will require new development to make improvements, where appropriate, to the existing infrastructure network and have regard to adopted highway design standards and vehicle and parking standards. As the highway element of this proposal sits within the borough of Tandridge, Officers do not consider it relevant to consider highway policies within the RBCS2014 or the RBDMP2019.
317. Paragraph 110 of the NPPF states that in assessing applications for development, it should be ensured that: appropriate opportunities to promote sustainable transport modes can be taken up given the type of development and its location, safe and suitable access to the site can be achieved, the design of transport elements reflects current national guidance; 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 degree. Paragraph 111 states development should only be prevented or refused on highway grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 113 requires all developments that generate significant amounts of movement to provide a travel plan and be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
318. Traffic and transport policies are included within the Surrey Hills AONB Management Plan including ensuring the impact of development proposals on the surrounding Surrey Hills road network will be given great weight when assessing the acceptability of the development (Policy TT2).
319. The proposal would involve the removal of silica sand and lower grade sand by HGV via a dedicated haul route which leaves NPFQ and joins the public highway just before Junction 6 of the M25. This dedicated haul route was constructed for the processing plant and is well maintained and is only for use by HGVs for the application site. There are no practicable alternatives to the use of road based transport. The application site is not located close to alternative forms of transport such as railway or waterway as minerals can only be dug where they are found. As such, Officers are satisfied that the proposal meets Policy MC15(i) and NPPF para 110(a). As minerals can be dug only where found and for the reasons outlined above there are minimal opportunities for sustainable transport for the transport of brick and tile products and sand imports.
320. NPFQ is currently serviced by a purpose-built haul route which was granted planning permission under TA02.0183 and RE02/0268, removing site generated HGV vehicle movements from the A25 and Godstone village. The haul route starts from the quarry site entrance on North Park Lane and runs across fields to the B2235 Godstone Hill at Junction 6 of the M25 motorway. The access onto the B2235 is a priority T-junction which has been constructed in accordance with the County Highway Authority specification, details were approved under ref: TA04/1388 & RE04/2104 in December 2004. Further improvements were added including replacement barriers and CCTV at the crossing point with North Park Lane, approved in 2009. Whilst the majority of HGVs currently use this dedicated haul route, a small number of HGVs travelling west to Redhill use North Park Lane as the appropriate access road. The key development requirement in terms of access for the preferred area of Brewer Street identified in the SMP2011, states that a transport assessment would be required to establish that development would have no greater impact than existing working; use internal haul routes to north park Quarry and existing access from there to Junction 6 of M25.
321. The application is accompanied by a Transport Statement (TS). The minerals extracted from Brewer Street would be transferred via the existing conveyor to the processing plant site at NPFQ. The conveyor currently runs to Pendell Farm and this proposal would see

the conveyor line moved to that it runs into Brewer Street. This would allow for ongoing distribution from NPFQ utilising the existing approved dedicated private haul route up to Junction 6 of the M25. Aside from small numbers of local deliveries no other HGVs travel on the public highway network.

322. Sand from the quarry face would be loaded into the existing conveyor that serves Pendell Quarry and would be transported to the processing plant site at NPFQ as per the current arrangement from Pendell Quarry. The conveyor belt would be realigned so that it goes into the extension area. The applicant states that there would be no increase in output from the processing plant over current levels with the working (approximately 400,000 to 600,000 tonnes per year) of the proposed extension site continuing production levels than increasing it. As such, there would be no increase in the average number of daily HGV movements associated with NPFQ (216 two-way HGV movements). The TS has therefore considered the implications of this extension to quarrying operations. The applicant concluded that in view of the existing permission at NPFQ for the transportation of mineral off site, there would be no additional road safety or highway capacity issues associated with the extension to the quarrying operations.
323. Highways England have reviewed the proposal given the access road enters onto Junction 6 of the M25. Highways England commented that they are interested in whether there would be any adverse safety implications or material increase in queues and delays on the strategic road network as a result of the development. Having reviewed the Transport Statement for the proposal, Highways England are satisfied that the proposal would not affect the safety, reliability and/ or the operation of the strategic road network during the peak times and does not object to the proposal (check the original processing plant application is Highways England wanted elements retained or something signed).
324. The County Highway Authority (CHA) have reviewed the planning application and comment that having undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision they are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway because there would be no increase in vehicle movements associated with the extraction or haulage operations. The CHA have no highway requirements but do recognise that the proposal would be over a longer duration.

Rights of Way

325. Policy CSP 13 (TDCS2008) seeks to protect the Rights of Way network from developments that would adversely affect the enjoyment of users of the network and encourages improvements to the network. Policy DP5 (TLP2014) adds further detail to the above core strategy policy, by seeking to retain or enhance existing footpaths and cycleway links. Policy NHE4 of the RBDMP2019 part 2 of the policy requires development proposals to protect and enhance public rights of way and National Trails. MC14 also recognises that minerals development should not have a significant adverse impact on the rights of way network. These draft policies echo the Surrey Rights of Way Plan 2014 which looks to upgrade existing routes to create new multiuser routes and seeking a more coherent network. There are a number of rights of way (RoW) that would be affected by this proposal as follows. It should be recognised that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path. In the event that planning permission is granted for this development it is necessary to divert the rights of way by obtaining an Order under Section 257 of the Town and Country Planning Act 1990 as follows:

“Where a competent authority within the meaning of section 257 are satisfied–

- (a) That an order made by them under that section for the stopping up or diversion of a footpath [bridleway or restricted byway] is required for the purpose of enabling minerals to be worked by surface working; and*
- (b) That the footpath [bridleway or restricted byway] can be restored, after the minerals have been worked, to a condition not substantially less convenient to the public, the*

other may provide for the stopping up or diversion of the footpath [bridleway or restricted byway] during such period as may be prescribed by or under the order and for its restoration at the expiration of that period”.

326. North Park Farm Quarry: Footpaths 121 and 143 are temporarily stopped up and bridleways 142 and 148 are temporarily diverted around the perimeter of the quarry. This was carried out as part of planning permission TA00/326 which granted planning permission for physical extensions to NPFQ. All of these would need to remain temporarily stopped up and diverted until the processing plant and activities at North Park Farm Quarry cease. This is the basis of the Countryside Access Forum’s objection
327. Pendell Quarry: Pendell Quarry was crossed by a number of footpaths including footpaths 160, 161, 162 and 163. These have all been temporarily diverted around the perimeter of the extraction limit during the period of extraction operations. Condition 11 of TA/2014/1420 requires these rights of way to be reinstated on completion of restoration. On restoration footpaths 160 and 161 would be permanently diverted to follow a partly combined route around the north of the extraction area and footpaths 162 and 163 would form a partly combined route south of the extraction area. A new route would be created for footpath 162 running through the site.
328. Brewerstreet: footpath 163 crosses the centre of the Brewerstreet extension area from Becks Cottage meeting with footpath 160 which runs in a north/ south manner from Black Bushes to Water Lane. Should this proposal gain planning permission, footpath 160 would be temporarily stopped and footpath 163 would be diverted up to allow for mineral working to take place. Views from footpath 163 across the application site can be seen in the attached photos to this report. The Countryside Access Forum object to this on the basis the ambience of the area will be ruined for users of these RoW.
329. Concerns have been raised about the deliverability, location of and retention of rights of way around North Park Farm Quarry, Pendell Quarry, and the proposed new site at Brewerstreet. Consultees have cited concerns that previously promised rights of way networks that were to be provided some time ago as part of earlier planning applications have not been delivered and it is unclear why not. Conditions were imposed on planning permissions for North Park Farm Quarry and Pendell Quarry for the provision of additional rights of way however the conditions say that these additional routes are to be provided on completion of restoration and not before.
330. Officers and the Countryside Access Team have entered into dialogue with the applicant with regards to the provision of additional rights of way during the operational phases at NPFQ, Pendell and the proposed extension to identify if any routes can be provided immediately to address the concerns of consultees. The following sets this out.

Proposed right of way link between footpath 162 and Whitehill Lane

331. Consultees have also commented that the proposed right of way route around the northern perimeter of Pendell Quarry has not been delivered during the operational phase of this site. As detailed in the Officer report for TA09/1536 (then superseded by TA14/1420), a proposed new bridleway route to the north of Pendell Quarry running parallel to the M25 and linking to bridleway 165 to Whitehill Lane, is to be created upon final restoration of the site. Again, dialogue has taken place with the applicant on this matter and the applicant suggests that a condition be imposed that would require the provision of this new right within 12 months of the date of any permission is reasonable. The Countryside Access Team do not object to this, and a condition is proposed that requires a Permissive Path Agreement to be entered into for this right of way. The Ramblers Association have commented that while this right of way is a positive, it is a shame that it is not routed to come off Whitehill Lane immediately opposite where footpath 149 meets the road from the east as this would avoid the need for walkers to use Whitehill Lane to get between the two paths. This matter was investigated by Officers in consultation with the applicant however moving the exit point of the proposed

right of way on to Whitehill Lane northwards was not considered feasible as the land at this point is not in the applicant's ownership and also the land falls away from Whitehill Lane to the west which made the ability to create this connection impractical.

Proposed right of way from North Park Lane to bridleway 148

332. A permissive footpath is proposed to be provided within 12 months of the date of this permission. A route is in place on the ground and some minor works would be required such a vegetation clearance to deliver this. It is understood that this route had previously been offered as a bridleway link. However, there are issues with the steepness of the ground at North Park Lane that would make the deliverability of a bridleway at this point difficult to achieve. The applicant has said that this route can be provided as a permissive path during operational development because of the proximity to the processing plant but that on restoration, the path can be dedicated. The Ramblers Association, QOG and the Countryside Access Team welcome this provision however given the concern about when the path would be delivered, even though the applicant has said this would be within 12 months, Officers consider a condition should be imposed that sets out this requirement.

Footpath 121

333. The Ramblers Association have requested that footpath 121 is reopened before quarrying at the Brewerstreet extension area commences. Footpath 121's alignment (before it was temporarily stopped up) runs diagonally across NPFQ from the north eastern corner of that site, through the middle of the quarry and through the processing plant location before turning southwards where it would run for approximately 173m before meeting bridleway 142 and footpath 143 (before they were diverted/ stopped up). Because footpath 121 runs through the centre of NPFQ where the processing plant is located, footpath 121 cannot be reinstated until the processing plant is no longer required and is removed. Officers recognise there is no other direct route on the ground that replaces footpath 121 in terms of meterage. However, the provision of the permissive path around the northern boundary of NPFQ to join up with bridleway 148 would provide an alternative link from North Park Lane to Church Lane to the current arrangement of walking along North Park Lane to the diverted bridleway 142.

Footpaths 160 and 163

334. Footpath 160 would need to be temporarily stopped up and footpath 163 diverted should planning permission be granted for this proposal on commencement of Phase 3A as part of the Brewerstreet extension works. Users of footpath 163 would enter from Whitehill Lane as they currently do but would then head northwards on the diverted route (mentioned above) going underneath the conveyor belt (which is housed in a structure above the ground so to clear Whitehill Lane) before meeting the proposed permissive bridleway. Diverted footpath 163 would then follow along the same line as the proposed permissive bridleway. The temporary diverted footpath route would be removed upon restoration of the Brewerstreet extension and footpaths 160 and 163 reinstated to their original alignment. This would act as a temporary diversion route and would be delivered through a Temporary Diversion Order.

Right of Way between diverted Bridleway 148 and footpath 149

335. QOG commented that given there is land adjacent to the track which runs from NPFQ to Whitehill Lane between the diverted bridleway 148 and footpath 149, whether this land could also be provided as a permissive path given it is within the applicant's landownership. The applicant has agreed to this and this is now shown on phasing plans to be delivered immediately.

Other rights of way matters

336. A rights of way route was proposed to connect footpath 149 and bridleway 148. This would have run through Kitchen Copse which is ASNW and SNCI. Its delivery would have involved an impact on this. Following dialogue with the applicant, the Countryside Access Team and the County Restoration Officer, this proposed right of way was removed from the proposal given the potential impact on Kitchen Copse and that a route exists, albeit for walkers, from footpath 149 to bridleway 148.
337. Officers recognise that the proposal would involve the temporary stopping up of footpath 160 and 163 whilst mineral extraction takes place. Footpath 163 would be diverted on to a route heading north to connect with a permissive path the applicant has committed to open within 12 months. Officers note that this would increase the length of footpath for users however the Rights of Way Team do not object to the temporary stopping up of these footpaths or this increase in length. Officers are proposing a condition that the permissive path around the north of Pendell Quarry should be in place within 12 months of any decision to ensure a route is in place before any stopping up of footpaths 160 and 163 occur. Officers recognise that the proposal would lead to a further delay in the reinstatement of rights of way network around this application site for a further period of 16 years but that alternative rights of way routes have been provided as diversions, albeit Officers do recognise that these are on different alignments and can increase distance for walking and horse riding. Officers equally recognise that stopped up/ diverted rights of way cannot be reinstated whilst quarry operations take place and that this mineral resource of national importance.

AREA OF OUTSTANDING NATURAL BEAUTY, LANDSCAPE CHARACTER AND VISUAL IMPACT

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

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

Reigate and Banstead Local Plan: Core Strategy 2014 (RBLPCS2014)

Policy CS2 – Valued landscapes and the natural environment

Reigate and Banstead Development Management Plan 2019 (RBDMP2019)

Policy NHE1 – Landscape Protection

Tandridge District Core Strategy 2008 (TDCS2008)

Policy CSP20 – Areas of Outstanding Natural Beauty

Policy CSP21 – Landscape and Countryside

338. SMP2011 Policy MC2 gives protection to key environmental interests in Surrey and sets out the information and assessments required for mineral development in to be permitted that may have a direct or indirect impact on areas of national designation including Area of Outstanding Natural Beauty (AONB's). It will have to be demonstrated that the development is in the public interest, and that the applicant can establish that development and restoration can be carried out to the highest standard and in a manner consistent with safeguarding the specific relevant interests.
339. This proposal involves potential impact on the landscape character from silica sand working and the subsequent restoration scheme alongside visual impact of these alongside its impact on the AONB. This part of the report will cover these points. The northern parts of the application site, broadly north of the line of existing Footpath 163, are located within the nationally designated Surrey Hills Area of Outstanding Natural Beauty (AONB). This area constitutes a significant proportion of the overall site area of some 178ha. In addition, the application site is almost wholly within the locally designated Area of Great Landscape Value (AGLV). Therefore, the site can be considered part of a valued landscape for the purposes of paragraph 174 of the NPPF, albeit that existing permitted quarrying operations are also ongoing within it.
340. A formal AONB boundary review is currently underway by Natural England which will consider the case for extending the existing AONB and comments are being invited on this. The process of reviewing the boundary is still at an early stage therefore Officers do

not attribute any weight to the possibility that this site might in the future be included in the AONB.

341. The applicant has submitted a Landscape and Visual Impact Assessment (LVIA) and an addendum to the LVIA to assess the impacts of the proposal on the landscape character and the visual impact of the proposal. The LVIA has been produced in accordance with the Guidelines for Landscape and Visual Impact Assessment third edition. The LVIA recognises that key landscape features within or very close to the application site that would be directly affected by the development. The LVIA considered the likely impacts arising from the following:
- a. The phasing working of the Brewerstreet extension area including the removal of an area of woodland followed by replacement of existing agricultural land initially with quarrying and then a partial return to agriculture alongside nature conservation use
 - b. The continued mineral extraction and restoration of Pendell Quarry and NPFQ
 - c. The retention of the processing plant
 - d. Changes to relative timescales of extraction and restoration
 - e. The presence of the unprocessed sand stockpiling area in NPFQ
 - f. Restoration of the whole application area
 - g. Cumulative effects that may arise
342. Paragraph 174 (a) and (b) of the NPPF seeks to protect valued landscapes stating that planning decisions should recognise the intrinsic character and beauty of the countryside. Whilst half of the application site is within the AONB, it is important to assess whether there would be any impact on the setting of the AONB. Policy RT3 of the Surrey Hills AONB Management Plan states that significant viewpoints and vistas will be identified, conserved, and enhanced. Policy P1 goes on to say that development will respect the special landscape character of the locality, giving attention to potential impacts on ridgelines, public views, and tranquillity. The policy refers to the colour of external building materials being controlled, and light pollution being resisted. Policy P3 requires development proposals to be of high-quality design, respecting local distinctiveness and complementary in form, setting, and scale with their surroundings, and should take any opportunities to enhance their setting. Policy P6 states that development that would spoil the setting of the AONB by harming public views into or from the AONB will be resisted.

Visual Impact

343. The Brewerstreet extension is currently an agricultural field with open views across it gained from bridleway 169 (Water Lane) to the south and the footpaths that run across the site. The eastern boundary of the extension site is formed by a high hedge which reduces in height and cover during the winter months but does provide some screening into the site from White Hill and Place Farm Road. There is no hedge along bridleway 169.
344. In terms of immediate visual impact, there are several residential properties that surround the Brewerstreet extension area, and these are detailed in paragraph 15 above. Footpath 163 currently runs through the centre of the extension area whilst footpath 160 runs along the extension areas western boundary. Both would be diverted for the duration of the proposal. Bridleway 169 runs in an east/ west manner along the southern boundary of the extension area. With regard to long distance views of the application site, these can be gained from a limited number of viewpoints to the north along the North Downs Way, and limited views to the south on the Greensand Way.
345. Beck Cottage, White Hill Cottage, The Barn and numbers 1 – 12 Brewer Street are all the closest properties to the eastern boundary of the Brewerstreet extension. Whilst properties 1 – 5 Brewer Street are in close proximity, there are no windows on the elevation facing towards the extension area. As outlined above the extension area eastern boundary is formed by a hedge which during the summer months provides

screening to the agricultural field from ground floors of these properties. Officers recognise that views from first floor windows at these properties would gain a view across the open field. The CLA requested further information on the screening the hedge would provide during the winter months as some of these properties are raised above the level of the road and would have clear views over the hedgerow. The LVIA addendum responded to these concerns and acknowledges that the potential for glimpses of bund creation and topsoil stripping during the winter months. The application now includes circa 10m of advance woodland planting to the rear of the hedge to increase the height and density of screening including during the winter months. The soil bunds would also provide screening of operational activities.

346. Views from Brewerstreet Farm, The Studio and The Granary would also be obtained of the extension area. Again, the applicant is proposing advanced planting along the southern boundary alongside bunds formed from soils stripped to mitigate any visual impact from the operations. A standoff distance of 100m to the mineral operations is also provided. Officers recognise that bund construction can be intrusive however it is limited in duration. Officers recognise that the bunds would be in situ for a period of 10 years alongside the progressive restoration that would take place. After which the bunds and the advanced planting would be removed and the open views across the extension area would return, albeit with woodland planting and a change in landscape profile.
347. Public views from bridleway 169 will be affected during the bund construction and mineral extraction as currently users of the bridleway which is also part of the national cycle route 21, enjoy views across the open field. As the footpaths crossing the site would be temporarily stopped up and diverted, there would be no direct view from those. The applicant proposes that the footpath diversion for footpath 163 runs from Becks Cottage as it currently does so but then turns immediately north and then goes through an area of woodland away from the extraction area. There would be no significant adverse impact on users of that diverted footpath because of this. In terms of bridleway 169, the LVIA Addendum has changed its assessment of the visual effects to 'substantial' (significant) instead of 'major' (more significant) adverse effect during the site preparation and operational phases due to the provision of c.10m deep advance tree planting to existing ground levels along the boundaries with Brewer Street and Water Lane (in part). This is intended to screen the substantial soil stockpiles and extraction areas beyond. Officers recognise users of bridleway 169 would be affected by the construction of the bunds and the operational phase of the proposal. The CLA concurs with this revised assessment, provided the mitigation proposed in the form of advance planting gains prior approval from the CPA and takes place as soon as is feasible following any grant of planning permission. Officers propose a condition to that effect to ensure its delivery given its key role in providing screening. Officers recognise that given the proximity of the bridleway to the application site and the current baseline, that there would be an impact on users of the rights of way from this proposal but are satisfied that with mitigation measures this would reduce the harm.
348. With regards to the long distant views, the main view is that of woodland and parcels of agricultural land. The CLA raised concerns with regards to potential visual impact from the Quarry Hangers viewpoint that in combination with the removal of the tree/ woodland belt, which is visible from this view, this would result in a much larger continuous area of exposed mineral workings than at present. The CLA commented that although the site forms part of a wider panorama within the view, he sought more information on the judgment made about the magnitude of visual effects from this viewpoint during the site preparation and operational phases. The LVIA addendum addresses this matter explaining that the progressive restoration and vegetation that would be undertaken at Pendell Quarry would ensure there is no overall increase in the visibility of such areas in the panoramic view at any one time. The LVIA addendum states that the proposal would remain broadly similar to the current situation as opposed to any addition or cumulative effect. The CLA reviewed this information concurs with the overall significance of visual effects from this high sensitivity viewpoint of 'moderate adverse' and raises no further concerns with the comments made within the LVIA addendum. Officers consider that

while the proposal would be noticeable at some viewpoints, the proposed Brewerstreet extension and the retention of the processing plant for a further period of time would not be sufficiently prominent within the wider visual panorama of distant views of the application site to disrupt views or be detrimental to public viewpoints.

349. Officers recognise the proposal will have visual effects on residential properties and users of public rights of way. This is the form of bund construction and then the operational activities alongside the presence of the bunds themselves in the landscape. However, Officers recognise that the applicant has provided mitigation to offset this visual impact in the form of advanced planting in front of the bunds to soften their appearance and to provide additional screening. The bunds themselves will also provide a visual screen. Officers also recognise that the proposal is temporary after which the bunds and planting would be removed and views across the field would be restored. Officers recognise that parts of the extension area and the application site as a whole are visible in the wider landscape from vantage points, but that there is no one vantage point where the site can be seen as a whole and with progressive restoration and viewed in the wider context, there would be no significant adverse impact. Officers recognise that the proposal would extend the life of the operational life of North Park Farm Quarry and the processing plant there but recognise the need to retain the plant in this location forms part of the balancing exercise.
350. With regard to the proposed sand stockpiles, these are visible at various distances from a number of viewpoints around the application area. They are visible in the background from Gravelly Hill, with some filtering of the view by intervening vegetation. The overall significance of visual effect is assessed as moderate adverse during the operational phase which the CLA agrees with. There is also visibility of the stockpiles from the Orpheus Centre, North Park Lane, but with some filtering of the view by an intervening tree belt and boundary vegetation. The overall significance of visual effect is assessed as minor adverse during the operational phase, which the CLA agrees with. The stockpiles are also clearly visible, within the context of the processing plant site, from diverted Bridleway 148, and to a lesser extent from diverted Bridleway 142). As the stockpiles are positioned on slightly elevated ground they are higher and more prominent than other consented stockpiles. The overall significance of visual effect is assessed as minor adverse during the operational phase. Whilst the proposed stockpiles have varying visual prominence from the surrounding area, they are generally more prominent than other consented stockpiles, and do contribute to some localised adverse visual effects. Consequently, the CLA requests a condition to limit the height limit of the proposed stockpiles.
351. With regards to lighting, the only lighting that would be required is for mobile and static planting working during operational hours as necessary (0700 – 1800 Monday – Friday and 0700 – 1300 Saturday) i.e., during the earlier and later hours in winter months as has taken place in Pendell Quarry. This would be behind bunds and below surrounding ground levels. As such the proposal would result in no material change with regards to lighting.

Landscape Character

352. With regards to landscape character, the RBLPCS2014 seeks to protect valued landscapes within the borough, and this is reflected in Policy CS2 which states that all areas of the countryside have their own distinctive landscape character, and this will be protected and enhanced through criteria-based policies. The RBDMP2019 Policy NHE1 states that development proposals must:
- respect the landscape character and landscape features of the locality,
 - have particular regard to potential impacts on ridgelines, public views and tranquillity and the effects of light pollution,
 - be of a design, siting and scale that is complementary to the landscape and its surroundings,

- demonstrate how opportunities have been taken to enhance the immediate and wider setting of the development; and
- seek to protect the best and most versatile agricultural land.

353. Policy CSP21 of the TDCS2008 seeks protection of the character and distinctiveness of the district's landscapes and countryside for their own sake with new development being required to conserve and enhance landscape character.

354. The application site lies within the Wealden Greensand National Character Area (NCA)⁴⁴ which is characterised by the outcrops of Upper Greensand, Gault Clay and Lower Greensand. There are extensive areas of ancient woodland of hazel, oak and birch with semi natural habitats including lowland heathland and unimproved acid grasslands. Fields are predominately small or medium in irregular patterns with boundaries formed by hedgerows and shaws with agricultural land comprising a mosaic of mixed farming with pasture and arable land. 51% of the LCA is designated as protected and panoramic views across adjoining NACs are frequent and extensive from the Greensand ridge above the scarp face. Besides the woodland, the Surrey Greensand is characterised by open rolling farmland.

355. This is echoed in the Surrey Landscape Assessment (LCA) where much of the application site is in the Merstham to Clacket Lane Greensand Valley LCA (GV4). The western edge of the application site is located within the Holmethorpe Pits and Mercer's Park LCA (UE9). The key characteristics of GV4 is:

- Undulating landform, rising up to meet the chalk ridge scarp to the north and wooded greensand hills to the south
- Medium – large scale, open arable fields which a mixture of other uses including smaller pastoral fields, large scale sand quarry workings, golf courses, road and motorway corridors and settlement
- Blocks of woodland and hedgerows line field boundaries. There is ancient woodland the size and occurrence increasing at the eastern end of the character area
- Northerly views from the character area include the chalk ridge scarp
- A comprehensive network of public rights of way
- A number of Conservation Areas and small woodland areas designated as SNCIs with a few larger blocks of woodland designated as SSSI.
- Relatively rural landscape with tranquillity and remoteness varying across the character area due to the degree of urban influence
- Publicly accessible elevated views south over the application site include Quarry Hangers SSSI, which is open access land, and the promoted viewpoint at Gravelly Hill. The ridge is heavily wooded in parts, including areas of ancient woodland, and also supports nationally important areas of chalk grassland.

Whereas the key characteristics of UE9 is:

- Original undulating landform significantly altered by human intervention
- Large areas quarries for sand at various stages of restoration, a number of pits form lakes providing recreation and nature reserves.
- Areas of arable and pastoral fields are interspersed between the pits. Some areas of woodland.
- Mounding and planting designed to screen quarry working enclose views in places but elsewhere views across lakes and open fields.

356. The application site is also to the south of LCA CR3 Box Hill to Tatsfield Chalk Ridge which runs in an east/ west manner north of the M25, overlooking the application site. Open views from the Downs in this LCA are one of the important and valued characteristics of this LCA although these views often include ongoing extraction as part of wide panoramas.

⁴⁴ Natural England NCA Profile: 120 Wealden Greensand (NE465)

357. Land at North Park Farm Quarry and Pendell Quarry is characterised by existing silica sand extraction activities and processing. In the case of North Park Farm Quarry, this activity has been ongoing since the late 1970s, and some areas have been restored. Between these sites lies land to the north-west of Brewerstreet Farm, comprising an arable field extending to circa 22ha gently rising to the north-east, which is proposed as a physical extension of and a continuation of progressive working of, sand from Pendell Quarry. These two sites are currently separated by an historic field boundary running broadly north to south, characterised by a brook flowing southwards, and a belt of woodland which may have developed from a hedgerow, and has been augmented by recent tree planting.
358. Other notable landscape features and elements surrounding the Brewerstreet Farm site include a cluster of historic buildings, some of which are listed, within the Brewer Street Conservation Area, which runs along Water Lane, Brewer Street and White Hill. There is also designated ancient woodland running along the northern boundary of the agricultural land north-west of Brewerstreet Farm, and several public rights of way crossing or running alongside the site, some of which are proposed to be diverted. The County Landscape Architect (CLA) having reviewed the submitted LVIA comments that the LVIA accurately describes the baseline landscape character, with reference to the site specific landscape assessment carried out for the application are and the wider 2km study area.
359. The CLA goes on to comment that whilst he generally agrees with the LVIA (as originally submitted in 2020) judgements on the value of the landscape and component landscape receptors, he considers that the influence of the AONB designation on the value was underplayed and required a more thorough analysis because, even though there is existing mineral extraction in the locality and the M25, the area itself provides the wider setting for the neighbouring key AONB features such as the North Downs ridge and public rights of way network with clear intervisibility with the North Downs ridge. Further assessment work was sought from the applicant on this matter and a LVIA addendum was submitted in 2021 to address the CLA concerns.
360. Impact on landscape character for this proposal can be broken into two elements: the wider landscape character that the site sits within; and the immediate landscape character of the Brewerstreet extension. In terms of the wider landscape character, the LVIA has assessed the overall landscape value of the whole application site as low. This is because much of the application site consists of mineral workings but also because the wider landscape character of the area consists of small-scale fields with woodland and hedgerow. Officers accept that there would be a change in the landscape character of the proposed extension area and that the proposal would extend the duration of the activities within the landscape. The silica sand extraction and associated activities would have an impact on the landscape character however, Officers consider this impact would be localised to the immediate area around the Brewerstreet extension area which will be discussed below. However, with regards to the wider landscape character Officers are of the opinion that the silica sand working and the extended period of time sought would not have a wider impact on the landscape character.
361. With regards to the immediate and localised landscape character of the extension area, the LVIA acknowledges that the proposed extension site, as undeveloped farmland with hedged and wooded boundaries (including ancient woodland which could experience indirect effects, subject to mitigation), would have a higher susceptibility at the site preparation and operational phases than the consented mineral workings within the remainder of the application area; and that *'the indirect influence of these [extraction] activities on the proposed extension site are limited by screening'*. The CLA has commented that for the extension area, particular qualities including diverse views a degree of tranquillity in arts and a degree of scene quality contribute positively to the scenic and perceptual qualities of the landscape and that, in the CLA's opinion the extension site has a medium landscape value. The CLA notes that this is compatible with comments made in the LVIA that says that the Brewerstreet extension area has an

elevated value for each factor under consideration in comparison to the remainder of the application site; and is consistent with Table E3 of the LVIA which outlines that a medium value landscape receptor is likely to be valued at a local level only.

362. Turning to the likely magnitude of change, the LVIA states that the magnitude of landscape effects at the site preparation phase, which will be restricted to the proposed extension site, would be medium. This means there would be '*substantial loss or damage to existing character or distinctive features and elements, and/or the addition of new but uncharacteristic noticeable features and elements and/or effects of medium term duration or only partially reversible*'. Effects from this phase include the removal of the c.430m long woodland belt running north-south, closure of footpaths, diversion of the watercourse, stripping of topsoil and creation of new bunds. Given these effects of varying duration but including the permanent change to the topography of the majority of the field through extraction activities, the CLA has commented that he considers the magnitude of change to the proposed Brewerstreet extension is at least medium, and at the higher end of this category.
363. The CLA comments that he is in broad agreement with the LVIA predicted landscape effects for the wider application area when considered in its entirety. However, when taking the Brewerstreet extension area on its own as a landscape receptor, the CLA states in his opinion the proposed development would be likely to result in an overall moderate adverse significance of effect on this area at the site preparation and operational phases of a short to medium term duration, with partially reversible effects. This is based upon the medium landscape sensitivity combined with the medium magnitude of landscape effect and needs to be weighed against any long-term benefits identified from the proposed restoration.
364. In terms of landscape character on restoration, Officers recognise the proposed restoration scheme would result in a permanent change in the landscape character from an arable field to partly arable with nature conservation and woodland planting. What would remain consistent is that the open views across the Brewerstreet extension area would be reinstated once perimeter bunds are removed. The applicant has revised the restoration scheme following the CLA comments and this includes the reinstatement of the central woodland belt between Pendell Quarry and the Brewerstreet extension with further tree planting to enhance this woodland belt. In doing so, this would have the effect of maintaining the current scale of the landscape in this part of the application site, which would otherwise be significantly increased post restoration due to the amalgamation of the two extraction areas. The CLA comments this is a significant enhancement to the original restoration scheme. Other measures include additional tree planting blocks to the north of the former conveyor route during restoration to link isolated woodland blocks with new planting and change from improved grassland to semi-improved grassland in the base of the quarry and acid grassland on the slopes. These are all enhancements to the original restoration scheme and would have the effect of increasing biodiversity and disguising the profile of the northern slopes of the former extraction area at Brewer Street.
365. Clearly, with proposals of this nature, there will be a degree of harm arising to the identified landscape and visual receptors, particularly through the short-medium term operational extraction phases. The CLA has identified a moderate adverse effect on the landscape of the Brewerstreet extension site through the site preparation and operational phases, and there are also short-medium term moderate adverse visual effects identified at some viewpoint locations as outlined above; and one substantial adverse (significant) visual effect at the close range Water Lane viewpoint. However, this harm is mitigated to an extent by proposed screening planting and is also counterbalanced by the long-term benefits accruing from the proposed site restoration. The CLA recommends that should planning permission be granted a Landscape and Ecological Management Plan (LEMP) be provided covering the entirety of the application site for a 25 year period, details of advanced screen planting for the Brewerstreet extension site be provided, details of all restoration planting to be provided, the development should be time limited and there

should be a maximum height limit on the soil stockpiles to be created around the boundaries of the site.

Area of Outstanding Natural Beauty

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366. As described above, the AONB designation encompasses around 45% of the main site and around 40% of the proposed Brewerstreet extension area. All of the site is within the AGLV. The special qualities of natural beauty of the Surrey Hills AONB include its diverse and often panoramic views, its tranquillity and scenic landscape mosaic of woodland, heathland, commons, chalk grassland, country lanes, farmland, historic buildings and parkland. The applicant's submitted LVIA Addendum recognises that the application site has AONB characteristics such as woodland and country lanes but the dominant characteristic of the application site is that of mineral extraction which does not make a positive contribution to factors that inform judgements on landscape value. The NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by, *inter alia*; protecting and enhancing valued landscapes (in a manner commensurate with their statutory status or identified quality in the development plan); recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services; and minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures (paragraph 170).
367. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:
- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
 - b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
 - c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated (paragraph 172).
368. Under the Countryside and Rights of Way Act 2000, the council also has a duty of regard to the purpose of conserving and enhancing the natural beauty of AONBs.
369. Government guidance set out within the NPPG states that land within the setting of AONBs often makes an important contribution to maintaining their natural beauty, and where poorly located or designed development can do significant harm. This is especially the case where long views from or to the designated landscape are identified as important, or where the landscape character of land within and adjoining the designated area is complementary. Development within the settings of these areas will therefore need sensitive handling that takes these potential impacts into account (paragraph 42).
370. Policies MC2 and MC14 of the SMP2011 are detailed above and the requirement for minerals development proposals to be in the public interest and that development and restoration be carried out to the highest standard. Paragraph 3.31 of the SMP2011 is explicit in stating that the primary purpose of the AONB designation is to conserve and enhance natural beauty. The paragraph recognises that this is not only what the landscape looks like but also includes the features, habitats and heritage that contribute to the distinctiveness of the area. The paragraph goes on to state that public bodies have a duty to take account of the need to conserve and enhance the natural beauty of landscapes designated as AONBs. Major minerals development in these areas are to be subject to the most rigorous examination in accordance with the public interest test.

Paragraph 3.33 recognises the importance of the AGLV saying this setting should also be safeguarded.

371. Paragraph 3.34 states that there are significant silica sand and soft sand deposits occurring in the Surrey Hills AONB. Whilst paragraph 3.34 recognises that soft sand can be met by working outside the designated area, there is, however, a recognised national scarcity of silica sand, an essential raw material in a number of UK manufacturing industries, for which there is no suitable alternative. The paragraph says it is sparsely distributed and working in the south east is concentrated in Kent and Surrey.
372. Policies CSP 20 and 21 of the TDCS2008 require that new development must conserve and enhance landscape character and the special qualities of the AONB, including important viewpoints and protecting the setting of the AONB. The same principles for protecting the AONB will apply in the AGLV. Policy CS2 of the RBLPCS2014 states that the AONB is a landscape of national importance and therefore will be provided with the highest level of protection. The policy says the same principles will be applied to the AGLV as an important buffer to the AONB and to protect views from and into the AONB until there has been a boundary review.
373. The RBDMP2019 Policy NHE1 states that with regard to the AONB, great weight will be attached to the impact that development proposals would have on the landscape and scenic beauty of the AONB, that proposals for major development within the AONB will only be supported in exceptional circumstances where it is demonstrated as being in the public interest, proposals must conserve and enhance the landscape and scenic beauty of the AONB and development proposals outside its boundaries must have regard to protecting its setting; and proposals should have regard to the Surrey Hills AONB Management Plan. The policy goes on to say that these principals also apply to the AGLV until such time as the AONB boundary review is completed.
374. The test within para 177 removes the presumption in favour of sustainable development as set out in para 11 footnote 7 of the NPPF. The test in para 177 is more restrictive if a proposal in the AONB is defined as 'major'.
375. No definition of 'major development' is defined in the NPPF and case law establishes that the decision as to whether or not a development was 'major development' was a matter of planning judgement. Case law also establishes that the NPPF militates against importing the definition of 'major development' in the Development Management Procedure Order but to take a common sense approach. Whilst the Development Management Procedure Order 2015⁴⁵ is useful in providing some guidance as to the meaning of 'major development' ("*the winning and working of minerals or the use of land for mineral working deposits*" and also "*development carried out on a site having an area of 1 hectare or more*") when taking a common sense approach Officers consider that given the length of time the proposal would be operational, the spatial scale of the proposal and the nature of the proposal, that this proposal falls into the category of major development.
376. The Surrey Hills AONB Management Plan 2020-2025 includes a number of land use planning management policies. Policy P1 states that in balancing different considerations associated with determining planning applications and development plan land allocations, great weight will be attached to any adverse impact that a development proposal would have on the amenity, landscape and scenic beauty of the AONB. Policy P2 states, *inter alia*, that development will respect the special landscape character of the locality, giving particular attention to potential impacts on ridgelines, public views, tranquility and light pollution. Policy P5 states that development that would spoil the setting of the AONB, by harming public views into or from the AONB, will be resisted.

⁴⁵ 2015 SI 595 The Town and Country Planning (Development Management Procedure) (England) Order 2015

377. The County AONB Officer has reviewed the proposal and comments that whilst the proposal would cause short term harm to the AONB it would provide for an enhancement to the landscape and scenic beauty, public access and enjoyment of the area in the longer term. Considers that exceptional circumstances relating to major development in an AONB have been demonstrated and that the workings are in the national interest.
378. The character of the AONB centres not only on the visual qualities of the landscape but also reflects its relative peace and quiet. Officers recognise that the value of designated landscapes such as the Surrey Hills AONB is that the public can enjoy the relative tranquillity and that its public rights of way and other paths provide the public the opportunity to enjoy the relative peace and quiet of largely unspoilt and attractive countryside. The application site is currently an arable field which is surrounded on the eastern boundary by a hedge and the southern boundary by a bridleway with limited vegetation. The field contributes to the overall setting of the area which is arable in nature interspersed with woodland. Immediate views of the extension area can be gained from rights of way and along Brewer Street. Long distance views can be gained from a limited number of viewpoints to the north on the North Downs Way. The applicant proposes advance tree planting to restrict views into the site. Given the extension area's position in the landscape and the rights of way network within and around the extension area Officers recognise that there would be a direct adverse impact to the AONB during the operational phase of the development which should be considered in the balancing exercise.

NPPF Required Assessment for Proposals in the AONB

379. As referred to above, the NPPF at paragraph 177 sets out criteria for assessment for major development proposals in the AONB. This assessment is set out below.
380. **Point (i)** covers the need for the development and national considerations. These issues are discussed above within the 'Need' chapter. As outlined above, there is a requirement in the NPPF (footnote 74) for mineral planning authorities to plan for a steady and adequate supply of industrial minerals being at least 10 years for individual silica sand sites. NPFQ and Pendell Quarry do not meet this landbank and the silica sand resources within the extension area would meet this. As discussed above silica sand is recognised as a nationally scarce resource which has particular properties which cannot be met from other mineral resources. These properties mean silica sand is used in particular markets which silica sand at NPFQ has low iron and alumina content meaning this deposit is quite different to that at another silica sand quarry. Based on this being a nationally scarce resource and the need to maintain a landbank in accordance with national planning policy, there is a need for the development which would therefore be in the public interest nationally.
381. **Point (i)** also refers to the impact of permitting or refusing the application to the local economy. The applicant has provided a Socio-Economic chapter as part of the planning application. This states that Sibelco directly employs 9 people from within the district with 5 more living in the wider area within Surrey. A further 8 are employed on site indirectly and there are many more employed in contracted roles such as road transport and downstream activities roles including repairs, maintenance estate management, earthworks, surveying and sales. The Socio-Economic chapter also states that the site contributes substantially to the economy at least £2.3 million annually in terms of wages, purchase of goods and services, business rates and investment. The numbers involved directly at the site would not be large nevertheless it could be described as potentially positive in terms of the local economy. No shift in population would result from the proposal and therefore it should not lead to any impacts on housing structure or increased burden on local public services. The socio-economic effects of permitting the development are therefore potentially positive in terms of further economic support for local services. The effect of refusing the application would be that mineral resources would be exhausted and the site would be restored however this would result in the loss

of a site which provides a nationally scarce resource supplying a range of products to the glass manufacturing sector and the wider contribution to the national economy.

382. **Point (ii)** the mineral can only be worked where it is found therefore there is no other scope for developing/ extracting outside the designated area. In terms of meeting the need for silica sand in some other way, as set out above silica sand meets very specific needs for certain industries such as glass making. Whilst recycled glass (cullet) can be used for some products, because of its chemical properties virgin mineral is still required. This cannot be met from construction sand because of the higher iron content. Equally individual silica sand sites have different chemical qualities in the sand therefore silica sand at one site may not be directly interchangeable with another site.
383. **Point (iii)** covers any detrimental effect on the environment, landscape and recreational opportunities and the extent to which that could be moderated. With regard to any detrimental effects on the environment, sections of historic assets, noise, dust, contamination, hydrogeology and flooding, traffic and ecology are covered above. Each subject has been considered in terms of the potential for detrimental impact from the construction, operational and restoration phases and the extent to which that could be moderated through design and/ or conditions. Each subject has concluded that with mitigation measures there should be no significant adverse impact on these environmental considerations from the proposal.
384. With regard to landscape character and visual impact this is also covered above. The proposal now includes advance planting along the eastern and southern boundaries of the extension site to provide a visual buffer to the site and the site would be progressively restored. With regard to recreational opportunities, two footpaths would need to be stopped up during the operational phase with footpath 163 diverted northwards to join with a permissive path to run along the northern boundary of Pendell Quarry and the extension area. Officers are proposing conditions that require the provision of a permissive path both north of NPFQ and then one at Pendell Quarry to be accessible to the public within 12 months of the date of this permission.

Conclusion

385. The above paragraphs identify the harm to the AONB. Officers recognise that the development would have some detrimental effect on the landscape during the construction and operational phases and that rights of way would be diverted which may reduce their enjoyment. Officers recognise that advance planting is proposed to limit views into the site which would restrict longer views across the site and views from Bridleway 169. Nevertheless, Officers recognise the proposal is for a temporary period and progressive restoration of the extension site would take place thereby the natural beauty of the AONB would be conserved in the long term. Officers are satisfied the applicant has demonstrated elsewhere at NPFQ that development and restoration can be carried out to the highest standard and in a manner consistent with safeguarding the specific relevant interests in accordance with Policy MC2(ii). Officers are satisfied that the proposal has been considered in accordance with the NPPF para 177, specifically that: the need for a nationally scarce resource and maintaining its landbank alongside the need for this resource to be distributed nationally to a wide range of markets to which there are limited alternative resources and this carries significant weight; and that minerals can only be worked where they are found and this proposal is for extraction to which there is no alternative to extracting this mineral from outside the Surrey Hill AONB. Therefore, Officers consider the proposal has been demonstrated to be in the public interest in accordance with Policy MC2(i) and that exceptional circumstances have been demonstrated in compliance with NPPF para 177 and policy NHE1.

GREEN BELT

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

Policy MC3 – Spatial strategy – mineral development in the Green Belt

Tandridge Local Plan: Detailed Policies 2014-2029

DP10 – Green Belt

Reigate and Banstead Local Plan: Core Strategy 2014 (RBLPCS2014)

Policy CS3 – Green Belt

Reigate and Banstead Local Plan Development Management Plan 2019

Policy NHE5 – Development within the Green Belt

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386. Nearly three quarters of Surrey is designated as Metropolitan Green Belt. The fundamental purpose of the Green Belt is to maintain the openness of the countryside, but it can also make a valuable contribution to local character and quality of life for the surrounding communities. Paragraph 3.45 of the SMP recognises that almost all workable mineral deposits in Surrey are within the Green Belt. Paragraph 3.47 states that land in the Green Belt can make a positive contribution to providing opportunities for access to open countryside, recreation, retaining and enhancing attractive landscapes, securing nature conservation interest and restoration of mineral workings should have regard to these objectives. 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 land restored to beneficial after uses consistent with Green Belt objectives within agreed time limits.
387. Policy DP10 of the TLP states that the Green Belt boundary will be altered only in exceptional circumstances and that inappropriate development in the Green Belt will normally be refused and will only be permitted where very special circumstances exist which clearly outweigh any potential harm to the Green Belt by reason of inappropriateness and any other harm.
388. Policy CS3 of the RBLPCS seeks to protect the coherence of the green fabric of the Green Belt with future growth being accommodated in a sustainable manner. the policy stats that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances clearly outweigh the potential harm to the Green Belt. Policy NHE5 of the RBLPDMP2019 focuses on development in the Green Belt including extensions or alterations to buildings, replacement buildings, alterations to the Green Belt boundary, housing site, traveller sites and sites at the edge of urban areas. The policy does not cover matters relating to development outside of these parameters.
389. The NPPF states that the Government attaches great importance to Green Belts. Paragraph 137 states the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 138 states Green Belt serves five purposes:
- a) To check the unrestricted sprawl of large built up areas;
 - b) To prevent neighbouring towns merging into one another;
 - c) To assist in safeguarding the countryside from encroachment;
 - d) To preserve the setting and special character of historic towns; and
 - e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Of these purposes, purpose c) is the most relevant to this proposal.

390. Paragraph 150 of the NPPF defines that certain other forms of development are also not inappropriate development in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. This includes mineral extraction.
391. The application seeks planning permission for a physical extension of 22ha known as Brewerstreet. Pendell Quarry is circa 20ha and currently approximately three quarters of the site has been worked for mineral with progressive restoration following behind and

soils being placed on the western slopes. The final quarter has recently been subject to archaeological trial pitting. North Park Farm Quarry is circa 60ha (this is without the haul road and conveyor belt line and land that has come out of aftercare). Of this, some 7ha of land around Place Farm has been restored and was signed into aftercare in July 2020 by the Restoration and Enhancement Officer. As outlined above an area to the north of the haul road has historically been signed into aftercare demonstrating the practicality of the proposed restoration and the applicant's ability to achieve such restoration which accords with Policy MC17. The area known as The Horseshoe east of Kitchen Copse) has been undergoing restoration and it is anticipated this would be signed into aftercare this summer. The processing plant and stockpile areas cannot be restored until mineral extraction ceases.

392. Restoration of the extension area would result in a changed landform extending the basic valley feature. Work on the proposed extension area would follow directly on from Pendell Quarry. Despite progressive working and restoration, the proposal would involve visual disruption to a larger area over a longer period of time. In the short term, the applicant intends to mitigate the visual impact by soil bunds and landscape planting around the eastern and southern boundaries of the extension area. However, given the site's size and location between the North Downs Escarpment and the Greensand Ridge, the mineral working cannot be completely screened.
393. The applicant has put forward a comprehensive set of phasing plans and restoration scheme to a mix of agricultural and nature conservation after use. As discussed above, despite the site containing BMV land, in Natural England's view is that the proposal would not have an adverse effect on the integrity of BMV land and has no objection. Restoration would also involve the planting of new woodland adjacent to an area of ASNW to and replacement of the woodland belt that currently divides Pendell Quarry from the extension area, and the provision of acid grassland on the slopes with woodland blocks and semi-improved grassland on the quarry base. The applicant states the new woodland would provide links to isolated woodland and the grassland would be in keeping with the overall restoration aims of the application area and reflect the requests made by the County Enhancement and Restoration Officer. As discussed above the restoration scheme would result in a change in the landscape character of the extension area but it would also provide nature conservation benefits and BNG. The submitted phasing plans show that as mineral extraction moves towards the extension area, further restoration of Pendell Quarry would have taken place alongside an area around the Amber Hole.
394. Concern has been raised by QOG as to the ongoing delays to restoration of NPFQ and Pendell Quarry and that the area known as the 'Amber Hole' should have been restored some time ago. The Amber Hole was permitted as part of TA00/326 with extraction entering that area in 2012 and extraction ceasing in 2014. An extension of time was sought in 2014 (TA14/1884) for completion of workings of this area and the retention of NPFQ until 2020 with restoration complete by December 2022. The applicant at the time said this extension was required due to economic conditions with lower sales in sand and to align with the processing plant planning permission which was for the same timescale. Officers recognise that the Amber Hole has been subject to a time delay already and this proposal would seek a further delay in completing sand extraction in this part of NPFQ. The submitted phasing plans shown that the Amber Hole would be restored by Phase 4B which the applicant states would be Year 11.
395. The applicant has stated that due to the nature of the mineral extracted within the application area, it is necessary to blend the unprocessed sand from each quarry area before processing. This is to ensure the feed has the necessary characteristics to create the various sand products made at the site. As such, to make best use of the mineral extracted, there is a need to extract mineral from all of the mineral extraction areas concurrently, rather than working the extraction areas sequentially. The phasing plans show that during the working of the extension area, a limited area of the application area would be under active mineral extraction demonstrating a strong commitment to

progressive restoration. Officers recognise that the proposed physical extension would also require the continued retention of the processing plant and associated infrastructure within the Green Belt.

396. When considering applications within the Green Belt, in accordance with the NPPF, it is necessary to consider whether the proposed development will firstly preserve the openness of the Green Belt and secondly ensure that it does not conflict with the purposes of including land within the Green Belt. Consideration is given to purpose and the duration of development, restoration and the reversibility of its effects. Another is the fact that mineral extraction can only take place where they are found. Visual quality of the landscape is not in itself an essential part of the 'openness' for which Green Belt is protected⁴⁶. The potential visual impact of the development in the landscape does not mean openness is adversely affected and it remains preserved.
397. It is considered that the proposed development preserves the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt. It is not considered that the proposed development would undermine the objective of safeguarding the countryside from encroachment as it should be considered that the site is in conjunction with an operational quarry which will be restored. The proposed development is a temporary use of land and would also be restored upon completion of the mining operations through an agreed restoration plan. The purposes of including land within the Green Belt to prevent merging of neighbouring towns, to check unrestricted sprawl of large built-up areas and to assist in urban regeneration are not relevant to this site. In terms of the purpose to preserve the setting and special character of historic towns, whilst the application is not near to an historic town, it should be noted that the extension area is adjacent to a conservation area and a number of heritage assets. Given the assessment undertaken within the Heritage chapter of this report and the fact that minerals can only be worked where they are found, it is considered that the site would not undermine this purpose of the Green Belt.
398. Openness is not defined in the NPPF but its underlying aim is "to prevent urban sprawl by keeping land permanently open". Whilst mineral operations take place they will be noticeable in the landscape. Officers recognise there would be an alteration in the landscape character of the extension area on restoration and that bunds and landscaping would be in place during mineral extraction. However, given minerals can only be extracted where they are found, and the impact is temporary and subject to restoration and is reversible in its effects, Officers are of the opinion the proposal would preserve the openness of the Green Belt.

Restoration

399. SMP2011 Policy MC17 requires mineral working proposals to provide for restoration and post restoration management to a high standard. Sites should be progressively restored or restored at the earliest opportunity with the restoration sympathetic to the character and setting of the wider area and capable of sustaining an appropriate afteruse. For mineral working in the Green Belt afteruses should be appropriate to that designation, these include agriculture, forestry, recreation and nature conservation. For nature conservation afteruses longer term management beyond the standard five year aftercare advised in national policy would be necessary, which the authority would look to secure through legal agreements. A key objective is for enhancement as well as restoration and through SMP2011 Policy MC18, the mineral planning authority will work with operators and landowners to deliver benefits including enhancement of biodiversity interests at the site, improved public access and provision of climate change mitigation, and where appropriate as part of a wider area enhancement approach.

⁴⁶ R (on the application of Samuel Smith Old Brewery (Tadcaster) and others) (Respondents) v North Yorkshire County Council (Appellant) [2020] UKSC 3

400. The applicant proposes to restore the extension site to a mix of nature conservation and agriculture with a similar topography to Pendell Quarry to continue the valley feature. Since the application was originally submitted, changes have been made to the restoration scheme following comments from the County Restoration and Enhancement Officer including advance planting on the northern boundary approximately 260m in length to extend adjacent to the ASNW to provide an additional layer of embedded mitigation to protect and enhance the ASNW. There has been an amendment to the grassland types proposed on restoration to semi-improved grassland on the base and acid grassland on the slopes. The tree belt between Pendell Quarry and the extension area would also be reinstated prior to final restoration of the site. No further concerns have been received with regards to these amendments.
401. Officers note that a Landscape and Ecological Management Plan (LEMP) has been submitted with the application at the request of the County Restoration and Enhancement Officer. This covers the full extent of the application site and breaks the application site into a number of compartments based on geographical location. The LEMP includes details on management measures, planting detail and schedules, operational timescales and aftercare timescales and management measures for each compartment. It makes the provision for the establishment of a Restoration Steering Group to meet a minimum of once a year and assist in the actions taken forward. It is understood that the LEMP would be a 'living document' that could be subject to revisions and change for example to planting specifications.
402. Officers note that the applicant has provided phasing plans for the whole of the application site which shows where restoration would be taking place during a phase. Officers recognise that restoration by the applicant is taking place to a high standard and continue liaison between the applicant and the CPA with regards to areas that are to be restored is ongoing.
403. One area of concern that has arisen from the County Restoration and Enhancement Officer is the placement of silt tailings in to Mercers West. Silt tailing had historically been deposited into Spynes Mere. The Management Plan for Spynes Mere required a 2m high freeboard and Condition 5 of TA/2014/1422 requires water levels and silt deposition to be regularly monitored and surveyed. Silt deposition within Spynes Mere has resulted in the silt not depositing as intended and consequently the 2m freeboard is currently not in place. Officers, in consultation with the County Restoration and Enhancement Officer, consider that a management plan should be submitted for approval for both Spynes Mere and Mercers West to provide details on how silt tailing deposition will be monitored and management which is the subject of a condition.

Human Rights Implications

404. 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 paragraphs.
405. The proposal involves the extraction of silica sand as a physical extension to the existing Pendell Quarry and for the silica sand to be transported by conveyor to the existing processing plant at NPFQ. It also involves the retention of the processing plant and an extension of time for working mineral at NPFQ and Pendell Quarry and associated stockpiling of mineral at NPFQ, the continued abstraction of water from Mercers West and deposit of tailings; and progressive restoration across the whole application area with decommissioning of the processing plant. The proposal will involve the temporary stopping up of footpath 160 and the temporary diversion of footpath 163 within the extension site alongside the continued diversion and temporary stopping up of other rights of way which cross Pendell Quarry and NPFQ which were temporarily stopped up/diverted as part of previous planning permissions.

406. It is recognised that the development has the potential to impact on the local environment and local amenity in terms of heritage assets, the Surrey Hills AONB, landscape character and visual amenity, noise, dust, Rights of Way, hydrogeology and surface water drainage. Issues and concerns have been raised by objectors on these matters concerned about impacts on residents, users of bridleway 169 and footpaths 160 and 163. These issues are acknowledged and have been assessed and discussed in the body of the report. The proposal is for a period of 16 years therefore there would be a short term and medium impact during the construction and operational phases. It is recognised that there would be short term impacts in terms of noise and dust and visual amenity during sand extraction. The scale of the impacts is not considered sufficient to engage Article 8 or Article 1 of Protocol 1 and, if planning permission were to be granted any impact is capable of being controlled or mitigated by measures incorporated in the planning application proposal and planning conditions and controls available through other regulatory regimes.
407. In considering this application and framing the recommendation Officers have considered both individual interests of objectors and those in the wider community. Having taken account of all the facts Officers consider that the wider community needs and benefits that would result from extraction of a nationally scarce resource of silica sand outweighs any impact on individuals.

Conclusion

408. The proposal involves the extraction of a silica sand as a physical extension to Pendell Quarry and for the silica sand to be transported by conveyor to the existing processing plant at NPFQ. It also involves the retention of the processing plant and an extension of time for working mineral at NPFQ and Pendell Quarry and associated stockpiling of mineral at NPFQ, the continued abstraction of water from Mercers West and deposit of tailings; and progressive restoration across the whole application area with decommissioning of the processing plant. The proposal will involve the temporary stopping up of footpath 160 and the temporary diversion of footpath 163 within the extension site alongside the continued diversion and temporary stopping up of other rights of way which cross Pendell Quarry and NPFQ which were temporarily stopped up/diverted as part of previous planning permissions. An environmental assessment has been undertaken and an Environmental Statement has been submitted with the application including updates and an addendum.
409. The application site lies adjacent to the Brewer Street and Place Farm Conservation Area and heritage assets which are of high significance. Historic England and the County Historic Officer have said that the proposal would lead to less than substantial harm (albeit on the lower end) to the significance of the designated heritage assets and the NPPF states less than substantial this harm should be weighed against the public benefits of the proposal. Half of the application site lies within the AONB and wholly in the AGLV where the NPPF states that permission for major development should be refused for major development other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest. Development plan policy seeks to protect and enhance this landscape designation alongside protection of the landscape character. The proposal would involve the temporary stopping up of footpath 160 and temporary diversion of footpath 163 and the loss of 13.5ha of BMV agricultural land.
410. The proposed extension area is identified as part of Preferred Area S in the SMP2011 for silica sand working. Silica sand is a nationally scarce resource and is essential for the glass manufacturing sector for clear containers and float glass (windows) of which this site is one of the most important resources. Unlike other minerals, which generally travel relatively short distances, specialist sands from this site serve a wide range of specific companies in industries both inside and outside the region. The silica sand is also used in the chemicals, filtration and construction industries and the production of sports sands. The mineral deposit within the application site contained proven, high grade specialist

sand of the type required to meet strict specifications. NPPF paragraph 81 states that planning decisions should help create the conditions in which businesses can invest, expand and adapt and significant weight should be placed on the need to support economic growth and productivity taking into account both local business needs and wider opportunities for development. Paragraph 209 of the NPPF states it is essential that there is a sufficient supply of minerals to provide the infrastructure, building, energy and goods that the country needs and recognises that minerals can only be worked where they are found. Paragraph 211 states that in determining planning applications great weight should be given to the benefits of mineral extraction including to the economy.

411. The implications of the proposed development have been assessed in terms of impacts on the local environment and amenity. Issues assessed include noise, dust and visual impact, ecology and biodiversity, hydrology including impact on groundwater and flood risk, agriculture, stability, highways and Rights of Way. Issues raised on these matters by objectors have been taken into consideration. No objections have been received from technical consultees. Consideration has been given to whether any adverse environmental impacts can be suitably mitigated and Officers consider that the planning conditions recommend relating to the protection of the environment are suitable.
412. The extension site provides open views across an arable field contributing to the setting of the AONB in this location. Officers recognise that the construction and operational phase of this proposal would affect the AONB in terms of character, visual intrusion and infringement of the prevailing tranquillity. This reflects the high level of policy protection evidenced in the NPPF and Development Plan policy and AONB management plan. However, the restoration of the site, the reinstatement of the tree belt and the views across the extension area being restored this will assist in conserving the setting of the AONB in this location. Officers are satisfied that there is a need for the development in the context that the mineral is a nationally scarce resource, and that significant weight can be attached to this point. Officers accept that minerals can only be worked where they are found. The extension area forms part of a Preferred Area site within the SMP2011 of which no other sites have been identified. The proposal cannot be developed outside the designated area and given the properties of silica sand its need cannot be replaced by construction sand extracted outside of this designation. Officers therefore conclude that the proposal meets the exceptional circumstances test set out within paragraph 177 of the NPPF and consider the proposal meets the requirements of being in the public interest.
413. The development has been assessed as leading to a less than substantial harm to the significance of designated heritage assets in close proximity to the Brewerstreet extension area. These are Brewer Street Farmhouse (Grade I), Place Farm House (Grade II*), Place Farm Barn (Grade II), Becks Cottage (Grade II), White Hill Cottage (Grade II) and Brewer Street and Place Farm Conservation Area. Great weight has been applied to the conservation of these heritage assets and greater weight applied owing to the importance of Brewer Street Farmhouse and Place Farm House. Paragraph 202 of the NPPF requires in such circumstances that this harm should be weighed against the public benefits of the proposal. The proposal is for a nationally scarce mineral which is distributed on both inside and outside the region. The applicant has provided evidence to show the mineral from the proposed extension area would meet the strict chemical requirements for the glass making industry. Silica sand from the application site already serves a wide market for glass making, chemicals, filtration and the production of sports sands. This sand is a high-grade specialist sand and the silica sand from the proposed extension area would fulfil these markets also. Officers are satisfied that for this particular planning application, there are public benefits that will arise from the extraction of silica sand to provide a national source of supply for high quality glass making sands and other specific industries. Officers are content the retention of the existing processing plant and quarrying at NPFQ and Pendell Quarry would have no harmful impact on heritage assets.

414. Due to the temporary nature and reversibility of the proposal and that the Brewerstreet extension site and the application site as a whole will be restored in accordance with a restoration Officers are satisfied the proposal would not harm but preserve the openness of the Green Belt and would not conflict with the purposes of including land within it.
415. Based on the information obtained from the applicant and the consultation responses, Officers are satisfied that potential cumulative effects have been appropriately assessed within the ES and the ES Addendum. It is considered that should permission be granted for this planning application, there will be no cumulative impact between the existing quarry site and the development site. The proposal meets the requirements of the EIA Regulations and paragraph 26 thereof and adequate monitoring measures can be imposed. The proposed development would be in accordance with the aims of Development Plan policies and the NPPF. The application would sustain the contribution of mineral related employment to the local economy whilst preventing potential sterilisation of existing mineral resources.

Recommendation

The recommendation is to PERMIT subject to the following conditions and informatives.

Draft conditions

Drawings

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

60471763-001 Site Location November 2019

60471763-002 LARGE A1 Location Plan, Application and Ownership Boundaries December 2019

60471763-002 Location Plan, Application and Ownership Boundaries January 2020

60471763-003 Consolidation of Existing Permissions January 2020

60471763-004 Rev A Designated Sites and Receptors December 2020

NP.051211 B Proposed Conveyor Bridge and Road Crossing at Whitehill Lane 5 December 2011

NP.190308 Proposed Sub Station Location and Services Plan 19 March 2008

NP.130308 Replacement Rejects Bay and Grits Conveyor 13 March 2008

NP.040208 Proposed Sub-Stations Foundation Details 4 February 2008

NP.010208 rev 1 New Sub-stations Plan and Elevations 21 January 2008

NP.221008 Proposed Quarry Entrance Traffic Barriers and Security Camera October 2008

NP.240707 Plant Effluent and Fresh Water Pipelines Diversion 7 July 2007

R01_P34_001 GRP Pump and Switch House with pole mounted antenna at Sibelco Mercers Quarry, Surrey 2 October 2018

R01_P34_002 North Park Farm Quarry Plant Water Supply Pump Installation 2 October 2018

R01/P22/001 Redhill – North Park Quarry – Planning application for CCTV Pole and Camera 18 December 2008

47059139-500-001 rev C Access Track and Conveyor Proposed Drainage (sheet 1 of 3) 13 January 2012

47059139-500-002 rev C Access Track and Conveyor Proposed Drainage (sheet 2 of 3) 13 January 2012

47059139-500-003 rev C Access Track and Conveyor Proposed Drainage (sheet 3 of 3) 13 January 2012

47059139-500-101 rev B Access Track and Conveyor Drainage Details (sheet 1 or 2) 13 January 2012

47059139-500-102 rev B Access Track and Conveyor Drainage Details (sheet 2 or 2) 13
January 2012
RH160505Q Proposed Sand Stockpile Area Drainage Layout 18 May 2005
TSP/WBB/P1083/08/C Proposed Haul Road Junction with Godstone Hill Road General
Layout Plan S278 Highway Agreement Plan December 2002
TSP/WBB/P1083/02/B Signing and Lining Plan Proposed Junction with North Park Lane
and Haul Road December 2002
60471763-BSP-005 Rev A Pendell and Brewer Street Existing Situation and Proposed
Phasing November 2020
60471763-BSP-006 rev C Pendell and Brewer Street Phase 1 November 2021
60471763-BSP-007 rev C Pendell and Brewer Street Phase 2 November 2021
60471763-BSP-008 rev C Pendell and Brewer Street Phase 3 November 2021
60471763-BSP-009 rev C Pendell and Brewer Street Phase 4 November 2021
60471763-BSP-010 rev C Pendell and Brewer Street Phase 5 December 2021
60471763-BSP-011 rev C Pendell and Brewer Street Sections December 2021
60471763-BSP-035 rev A Additional Sections (A&B) July 2021
60471763-BSP-036 rev A Additional Sections (C&D) July 2021
60471763-PPS-017 rev B North Park Quarry Processing Plant Site Layout July 2021
60471763-PPS-018 A North Park Farm Quarry Processing Plant Site Sections
November 2020
60471763-PPS-037 Additional Stockpiling Area Cross Sections dated November 2020
60471763-PR-019 rev C PROW Existing Situation 16 August 2021
60471763-PR-020 rev E PROW Proposed Restoration 6 December 2021
60471763-R-021 rev D Composite Restoration Plan (Mercers to Godstone)
60471763-R-021 rev D (skewed) 6 December 2021 Composite Restoration Plan
(Mercers to Godstone) dated December 2021
60471763-R-022 rev C Composite Restoration Plan (Mercers to Pendell) dated
December 2021
60471763-R-023 rev D Composite Restoration Plan (Pendell to Godstone) dated
December 2021
NTS-001 Location Plan, Application and Ownership Boundaries January 2020
NTS-002 Rev A Composite Phasing Plan 1 – Existing Situation July 2021
NTS-003 rev C Composite Phasing Plan 2 Pendell and Brewer Street Phase 1 North
Park Phase 1 January 2022
NTS-004 rev C Composite Phasing Plan 3 Pendell and Brewer Street Phase 2 North
Park Phase 2 January 2022
NTS-005 rev C Composite Phasing Plan 4 Pendell and Brewer Street Phase 3A North
Park Phase 3 January 2022
NTS-006 rev C Composite Phasing Plan 5 Pendell and Brewer Street Phase 3B North
Park Phase 4 January 2022
NTS-007 rev C Composite Phasing Plan 6 Pendell and Brewer Street Phase 4A North
Park Phase 5 January 2022
NTS-008 rev C Composite Phasing Plan 7 Pendell and Brewer Street Phase 4B North
Park Restoration January 2022
NTS-009 rev D Composite Restoration Plan (Mercers to Godstone) December 2021
60471763-NP-013 Rev A North Park Quarry Existing Situation November 2020
60471763-NP-014 North Park Quarry Continued Excavation January 2020
60471763-NP-14.1 rev C North Park Quarry Phase 1 dated January 2022
60471763-NP-14.2 rev C North Park Quarry Phase 2 dated January 2022
60471763-NP-14.3 rev C North Park Quarry Phase 3 dated January 2022
60471763-NP-14.4 rev C North Park Quarry Phase 4 dated January 2022
60471763-NP-14.5 rev C North Park Quarry Phase 5 dated January 2022
60471763-NP-14.6 rev C North Park Farm Quarry Restoration January 2022
60471763-NP-015 rev C North Park Quarry Restoration December 2021
60471763-NP-16 rev B North Park Quarry Sections July 2021
60471763-COMP-028 Composite Phasing Plan 1 Existing Situation November 2020
60471763-COMP-029 rev C Composite Phasing Plan 2 Pendell and Brewer Street
Phase 1 North Park Phase 1 January 2022

60471763-COMP-030 rev C Composite Phasing Plan 3 Pendell and Brewer Street Phase 2 North Park Phase 2 January 2022
 60471763-COMP-031 rev C Composite Phase Plan 4 Pendell and Brewer Street Phase 3A North Park Phase 3 dated January 2022
 160471763-COMP-32 rev C Composite Phase Plan 5 Pendell and Brewer Street Phase 3B North Park Phase 4 dated January 2022
 160471763-COMP-033 rev C Composite Phase Plan 6 Pendell and Brewer Street Phase 4A North Park Phase 5 dated January 2022
 60471763-COMP-034 rev C Composite Phase Plan 7 Pendell and Brewer Street Phase 4B North Park Restoration dated January 2022
 60471763-PR-038 rev C PROW Operational Situation 10 January 2021
 60471763-MW-012 Rev A Mercers West Restoration December 2020
 47059139-500-102 rev B Access Track and Conveyor Drainage Details (sheet 2 of 2) dated October 2011
 NP.110111 Proposed Conveyor and Access Track to North Park Quarry Extension dated January 2011
 CE-BS1182-DW15-Final Compiled Tree Constraints, Arboricultural Implications Assessment and Tree Protection Plan dated 16 December 2019

Commencement

2. The development hereby permitted shall be commenced no later than the expiration of three years beginning with the date of this permission.

Time Limits

3. Mineral extraction shall cease no later than the expiration of 14 years beginning with the date of this permission or upon the exhaustion of minerals whichever the sooner. The County Planning Authority shall be notified within five working days of the cessation of mineral extraction. Thereafter the transport of minerals shall cease and the application site shall be cleared of all buildings, plant and machinery both fixed and otherwise, conveyor belts, internal access road, engineering works, works ancillary to the parking of vehicles together with their bases and equipment; and the haul road removed, and restored within two years in accordance with drawings 60471763-R-021 rev C Composite Restoration Plan (Mercers to Godstone) and 60471763-R-022 rev C Composite Restoration Plan (Mercers to Pendell) dated December 2021 and the restoration scheme detailed in Condition 61 and any subsequently approved restoration scheme.

Hours of Operation

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

Mineral Extraction and Sand Soils Blending
 0700 - 1800 hours Monday to Friday
 0700 - 1300 hours Saturdays

Soil and overburden handling including bund construction and other restoration works
 0800 – 1700 hours Monday to Friday
 0900 – 1300 hours Saturdays

Except in the vicinity of the Hawthorns School, Becks Cottage and Brewer Street Farm where works shall be carried out only between 0830 – 1700 hours Monday to Friday.

There shall be no working on Sundays, Bank Holidays or National Holidays.

Notwithstanding the operation of the processing plant and the loading and unloading of HGVs associated with the processing plant shall take place 24 hours per day, 7 days per week.

Limitations

5. Notwithstanding any provision to the contrary under Part 17 Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and/or reenacting that Order with or without modification), no plant, buildings, structures or machinery (other than those expressly authorised by this permission), whether fixed or moveable, shall be stationed, erected, or constructed on the application site.
6. All sand workings, excavations and phasing shall be confined within the planning consent boundary and the working of the site shall be carried out in accordance with the quarry phasing drawings 60471763-004-COMP-029 rev B Composite Phasing Plan 2 Pendell and Brewerstreet Phase 1 North Park Phase 1 dated November 2021; 60471763-004-COMP-030 rev B Composite Phasing Plan 3 Pendell and Brewerstreet Phase 2 North Park Phase 2 dated November 2021; 60471763-004-COMP-031 rev B Composite Phasing Plan 4 Pendell and Brewerstreet Phase 3A North Park Phase 3 dated November 2021; 60471763-004-COMP-032 rev B Composite Phasing Plan 5 Pendell and Brewerstreet Phase 3B North Park Phase 4 dated November 2021; 60471763-004-COMP-033 rev B Composite Phasing Plan 6 Pendell and Brewerstreet Phase 4A North Park Phase 5 dated November 2021; and 60471763-004-COMP-034 rev B Composite Phasing Plan 7 Pendell and Brewerstreet Phase 4B North Park Phase Restoration dated November 2021 and as described in the Accompanying Planning Statement dated December 2019 and the Environmental Statement dated December 2019 and amending/ amplifying information. Prior to the commencement of each working phase written notification shall be made giving the County Planning Authority five clear working days notice of the intention to start stripping soils.
7. No mineral extraction shall take place lower than 2 metres above the level of the highest seasonal ground table.
8. All raw sand stockpiles as shown on drawing 60471763-PPS-037 Additional Stockpiling Area dated November 2020 shall be confined within the area as shown on the drawing and its extent shall be demarked with pegs. The raw sand stockpiles shall not to extend beyond that shown on this plan. The pegs shall remain in place for the duration of the development. The height of the raw sand stockpiles shall not exceed 112.5mAOD as shown on drawing 60471763-PPS-037 Additional Stockpiling Area Cross Sections November 2020. Topographical surveys showing the height of the raw sand stockpiles shall be submitted to the County Planning Authority on request.

Spynes Mere and Mercers West

9. Within six months of the date of this permission, a management and monitoring plan for the handling and deposition of silt at Mercers West shall be submitted to and approved in writing by the County Planning Authority. The management and monitoring plan shall include:
 - Details of how silt deposition will be monitored and on what frequency
 - Details of how void space and capacity will be monitored
 - Details of the provision for the monthly bathymetric surveys to be submitted to the County Planning Authority
 - Details of what remedial measures and actions may need to be carried out and a timescale for their implementation, should they be required
 - Details of how water levels within Mercers West will be monitored and what frequency
 - Details of what the freeboard level would be and how this would be achieved for the duration of the development permitted

The handling and deposition of silt at Mercers West shall be carried out in accordance with the approved plan.

10. Within six months of date of this permission, a scheme detailing how a 2m freeboard will be achieved at Spynes Mere or the provision of an alternative restoration solution that satisfies the sites nature conservation designation shall be submitted to the County Planning Authority for approval in writing.
11. The water levels at Spynes Mere shall be regularly monitored and surveyed, with details reported to the County Planning Authority at 6 monthly intervals. This shall include any works necessary, in order to maintain a 2m freeboard as described in Condition 10.

Highways

12. The haul route from North Park Lane to the B2235 Godstone Hill Road shall be maintained as constructed, for the duration of the operation of the sand processing plant, to the satisfaction of the County Planning Authority. Visibility zones at the point at which the haul route crosses North Park Lane shall be maintained as shown on Drawing No. TSP/WBB/P1083/02/B and kept permanently clear of any obstructions. The haul road junction with B2235 Godstone Hill Road adjacent to M25 Junction 6 shall be maintained as shown on Drawing No. TSP/WBB/P1083/08/C. the use of the haul route from North Park Lane to the B2235 Godstone Hill Road shall be limited to vehicles accessing and egressing the site and associated landowners on legitimate business only.
13. The means of access for heavy goods vehicles approaching and exiting the site from the north, east or south shall be via the haul route from the B2235 Godstone Hill only. There shall be no means of access to and from North Park Lane and A25 Bletchingley Road for vehicles leaving and approaching to and from these directions. Goods vehicles associated with the site should at no time travel through the centre of Godstone Village.
14. The public highway shall be kept clean of any extraneous material originating from the site.
15. The modified access to Whitehill Lane and the access track crossing shall be maintained as constructed in all respects strictly in accordance with the following plans / drawings approved under reference: TA/2012/560 dated 23 July 2012:
 - Proposed Conveyor Bridge & Road Crossing at Whitehill Lane, Drawing Number: NP.051211B, dated 05 December 2011
 - General Arrangement & Construction Details, Drawing Number: 101, Revision C, dated August 2011
 - The access track crossing visibility zones of 4.5m x 120m to the north and 4.5m x a minimum of 60m to the south, shall all be maintained in accordance with the approved specification and shall be kept clear of any obstruction for the duration of the works.
 - The modified access shall be used by mobile plant, machinery and vehicles used in connection with the operation of the site only. Access between North Park Quarry and Pendell Quarry and the extension area known as Brewerstreet shall be made via the modified access only. No vehicles using the modified access shall turn right or left onto Whitehill Lane.
16. All minerals extracted from Pendell Quarry and the Brewer Street extension site shall be exported via the conveyor to the existing processing plant area at North Park Quarry. There shall be no material removed direct from Pendell Quarry and the Brewer Street extension site via HGV or other vehicle. The access track crossing shall be permanently removed after the site has been restored and any kerbs, verge, footway fully re-instated.

Surface Water

17. Prior to the commencement of soil stripping of land known as Brewerstreet as shown on drawing 60471763-COM-031 rev C Composite Phasing Plan 4 dated January 2022, details of an Operations Phase Surface Water Plan shall be submitted to and approved in writing by the County Planning Authority. The SWMP shall include details of how any drainage system component will be managed and protected during operations and how runoff (including any pollutants) from the development site will be managed during extraction and restoration of the site. The SWMP shall satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required post restoration drainage scheme shall include Details of post restoration drainage scheme management responsibilities and maintenance regimes for the drainage system.
18. Prior to the commencement of mineral extraction of land known as Brewerstreet as shown on drawing 60471763-COM-031 rev C Composite Phasing Plan 4 dated January 2022 details of the design of post restoration drainage scheme be submitted to and approved in writing to the County Planning Authority. The drainage design shall satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required post restoration drainage scheme shall include Details of post restoration drainage scheme management responsibilities and maintenance regimes for the drainage system.

The post restoration drainage scheme shall be implemented in accordance with the approved details.

19. Prior to the commencement of mineral extraction in Phase 3 as shown on drawing 60471763-BSP-008 rev C dated November 2021, details of the diversion of the Pendell Brook shall be submitted to and approved in writing by the County Planning Authority. The details shall include (but not be limited to):
- (a) Updated post diversion hydraulic modelling of the flow rates, flood levels and flood extents within Pendell Brook and Redhill Brook for a range of return periods up to the 1% annual probability event with an appropriate allowance for the impact of climate change
 - (b) Full details of the proposed diversion channel including alignment, levels and cross sections, design and construction details, and timing of the works

The diversion of Pendell Brook shall be carried out in accordance with the approved details.

Ground Water

20. No dewatering or pumping of water from the sub-strata in Pendell Quarry, North Park Farm Quarry and the extension area known as Brewer Street shall take place without the prior permission of the County Planning Authority.
21. Prior to the commencement of mineral extraction within Phase 3 of Pendell and the Brewer Street Extension Site as shown on drawing 60471763-BSP-008 rev C dated November 2021 and 60471763-COM-031 rev C dated January 2022 an Updated Groundwater Monitoring Plan (GMP) shall be submitted to and approved by the County Planning Authority. The GMP shall include:
- (a) A review and assessment of all the groundwater level and groundwater sampling and testing data available at that time,
 - (b) Details of where and when additional groundwater monitoring boreholes will be installed to provide an early warning scheme in respect of pollution or derogation for the Brewer Street PWS;
 - (c) Details of the period and frequency of baseline (before commencement of soil stripping in Phase 3) groundwater level monitoring from the new boreholes set out in (b) and selected wells.

- (d) Details of the period and frequency of baseline (before commencement of soil stripping) groundwater sampling and testing from the new boreholes set out in (a) and selected wells.
- (e) Details of the period and frequency of operational phase and restoration and aftercare phases groundwater level monitoring from the new boreholes set out in (a) and selected wells.
- (f) Details of the period and frequency of operational phase and restoration and aftercare phases groundwater sampling and testing from the new boreholes set out in (a) and selected wells.
- (g) Measurements should include the depth to the base of the standpipe to show the depth of water in the standpipe,
- (h) Details of when groundwater monitoring will cease or the criteria used to determine when monitoring can cease;
- (i) Details for derivation and use of groundwater level and groundwater chemistry Trigger and Control Levels or Concentrations against which the site monitoring data will be assessed including appropriate key indicator constituents for groundwater quality;
- (j) Details of the period and frequency of topographic surveys to be undertaken of the mineral extraction areas relative to the rate and depth of extraction but no less than two per calendar year;
- (k) Details of the series of actions/ steps (Contingency Action Plan) that will be taken if there is an exceedance/ breach of the Control Level set out in (i); and
- (l) Details of the action that will be undertaken if any monitoring borehole is lost or damaged such that it cannot be monitored and sampled.
- (m) Details of the frequency of review and submission of the above (a – l) to the County Planning Authority and Environment Agency.

The scheme shall be implemented as approved. Until the scheme is approved condition 10 of planning permission ref: TA/2014/1884 and condition 13 of planning permission ref: TA/ 2014/1420 shall apply.

- 22. Prior to the commencement of soil stripping from Phase 3 of Pendell Quarry and the Brewerstreet extension as shown on drawing 60471763-BSP-008 rev C dated November 2021 and 60471763-COM-031 rev C dated January 2022, the Applicant shall undertake a review of all groundwater level monitoring data from the Site and its surrounding area and prepare an assessment of the most probable likely highest seasonal groundwater level from which the depth of mineral extraction shall be determined. This assessment shall take into account the likely effects of cessation of groundwater abstraction from all abstractions in the surrounding area. Interpolation across the site between standpipes is acceptable in setting the maximum depth of extraction. The outcome of the assessment and the maximum depth of extraction proposed by the Applicant shall be submitted to the County Planning Authority for approval in writing before commencement of soil stripping.
- 23. If at any time during the course of mineral excavation the Applicant excavates nearer to the level of the highest seasonal groundwater table than 2 metres, or, is likely to do so based on monitoring data, then the Applicant shall undertake a revised assessment of the likely highest seasonal groundwater table and submit that to the CPA for approval in writing. The Applicant shall forthwith use such indigenous material as may be available on the site to bring the level of the quarry floor back to 2 metres above the level of the highest seasonal water table based on the revised prediction. The method of working to the depth stipulated above shall be such as to maintain an even sloping pit floor. To control the maximum depth of excavation topographic surveys shall be undertaken and submitted to the County Planning Authority and the Environment Agency at an appropriate frequency relative to the rate and depth of extraction but no less than two per calendar year.

24. Groundwater samples are to be taken twice per year from at least four boreholes at each of the North Park Farm and Pendell Quarries selecting two up-gradient wells and two down-gradient wells at each quarry. Routine groundwater samples are to be taken monthly for the Brewer Street extension area from boreholes RH2017 17, RH2017 17a, BH2020 020, the additional wells mentioned in Condition 21 (a) above, RH2017 18, RH2017 19, R28009, RH2017 020, RH2017 021 and RH2017 022 in accordance with the Groundwater Monitoring Plan referred to in Condition 21. The determinands for each sample shall be set out in the approved Monitoring Plan submitted and approved under Condition 21. Where the analysis shows an anomaly or change in chemistry, the sampling frequency shall be increased, and if necessary additional sampling boreholes installed, and /or the Contingency Action Plan enacted, in consultation with the County Planning Authority and Environment Agency. This monitoring shall continue until restoration works have been completed.
25. The data collected from the groundwater level and quality monitoring shall be submitted to the County Planning Authority and the Environment Agency on a biannual basis, unless: a) there is a breach of the 2m unsaturated thickness of strata stipulated in Condition 22, or b) an exceedance of the Trigger and Control Levels determined under Condition 21(i). Any breaches or exceedances shall immediately be notified to the Environment Agency and the County Planning Authority. The locations of the boreholes are to be identified on a plan to be submitted alongside the data collected.
26. Prior to the commencement mineral extraction in Phase 4 as shown on drawings 60471763-BSP-009 rev C Pendell and Brewer Street Phase 4 dated November 2021 and 60471763-COMP-033 rev B dated November 2021, the Applicant shall undertake a further review of:
 - the groundwater level monitoring data to determine whether any change to the maximum depth of excavation determined under Condition 2 is necessary.
 - the groundwater sampling and laboratory testing data to determine whether any changes are required to the Trigger and Control Concentrations determined under Condition 21 and the Contingency Action Plan

The results of the review shall be submitted to the County Planning Authority for verification with the Environment Agency and written approval of any changes proposed.

27. There shall be no discharge of foul or contaminated drainage from the site into either the groundwater or any surface waters, whether direct or via soakaways. This is with the exception of authorised discharges.
28. Tanks and associated pipe work containing substances included in List 1 of the EC Groundwater Directive (80/68/EC) should be of double skinned construction and be provided with intermediate leak detection equipment.

Noise – Processing Plant

29. 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:
 - (a) 55 LAeq or 60 L01 for any 0.5 hour period during 0700 to 1800 hours Monday to Friday and 0700 to 1300 hours Saturdays;
 - (b) 50 LAeq or 55 L01 for any 0.5 hour period during 1800 to 2300 hours Monday to Friday, 1300 to 2300 hours Saturdays and 0700 to 2300 hours Sundays;
 - (c) 36 LAeq or 40 L01 for any 0.5 hour period during 2300 to 0700 hours on any day.
30. The Chieftan Powerscreen (and any other powerscreen used for the screening of construction sands for the production of sports soils) authorised or required by this permission shall only be carried out during the following hours:
 - 0700 to 1800 hours Monday to Friday; and
 - 0700 to 1300 hours on a Saturday

Neither shall any servicing, maintenance or testing of plant be carried out between 1800 and 0700 hours, nor shall the operation of the Chieftan Powerscreen or any similar activity take place on Sundays or Bank and National Holidays. This shall not prevent the use of the processing plant and use of the haul route; and the carrying out of emergency operations, but these emergency operations should be notified in writing to the County Planning Authority.

Noise – mineral extraction

31. 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
- 53 LAeq for any 0.5 hour period between the hours of 0700 – 1800 Monday – Friday and 0700 - 1300 hours Saturdays at Tayton Drive, Woodfield School, Chart Wood School; and Pendell Farm; and
 - 55 LAeq for any 0.5 hour period between the hours of 0700 – 1800 Monday -Friday and 0700 - 1300 hours Saturdays at all other locations.

Noise – bund construction

32. During the period of bund construction, the level of noise arising from such construction, when measured or recalculated at a height of 1.2 metres and at least 3.6 m from any noise sensitive property shall not exceed 70 dB LAeq, 1h between 0800 to 1700 hours Monday to Friday and 0900 to 1300 on Saturdays.

Noise – Pump House and Telemetry Station at Mercers West

33. The Rating Level, L_A,T_r, of the noise emitted from all plant, equipment and machinery associated with the application site shall not exceed 25dB at any time when measured or recalculated at the nearest noise sensitive receptor (NSR). The assessment shall be carried out in accordance with British Standard (BS) 4142: 2014 'Methods for rating and assessing industrial and commercial sound'.

Noise Monitoring

34. Noise Monitoring Surveys shall be undertaken in accordance with Annex D the Consolidated Environmental Noise Monitoring Scheme of Appendix D Noise (December 2019) of the Environmental Statement or other subsequent versions as approved in writing by the County Planning Authority. The noise monitoring shall be carried out six months after the development commences and subsequently every six months or as required by the County Planning Authority following the receipt of a substantiated complaint. The results shall be submitted to the County Planning Authority within six weeks of the date of each survey for the duration of the development and shall make provision for:
- a) Survey date;
 - b) Survey personnel;
 - c) Survey instrumentation;
 - d) Measured sound pressure levels;
 - e) Locations of noise sources;
 - f) Source-receiver distances;
 - g) Calculated sound power levels;
 - h) Distance and screening / soft ground attenuation calculations;
 - i) Received noise levels;
 - j) Survey weather conditions;
 - k) Prediction of maximum noise levels from operations in following 12 month period;
 - l) Comment on measured sound power levels in comparison to manufacturers rated sound power levels (where stated).

Received noise levels shall be calculated for the following properties:

- Pendell Farm
- Becks Cottage (west side of Whitehill Lane)
- Brewer Street Farm
- The Hawthorns School
- North Park Cottage
- The Orpheus Centre
- No.17 Tylers Close
- Knights Way
- Tayton Drive (during works taking place in the Mercers West part of the site).

Noise Plant and Machinery

35. All vehicles and mobile plant operating at the site under the control of the operator, which shall include plant and equipment hired by the operator or used by contractors, must be fitted with white noise broadband reversing alarms that shall be used at all times.
36. All plant and machinery shall be adequately maintained and silenced in accordance with the manufacturer's recommendations at all times

Dust

37. The development hereby permitted shall be carried out in accordance with the submitted Dust Management Plan (DMP) version 2 revised October 2020, and any subsequently approved versions, including the measures, controls and actions contained therein. Dust monitoring shall be carried out strictly in accordance with Section 4 of the DMP with results of this monitoring submitted to the County Planning Authority in April, July, October and January in a calendar year for the previous quarter with an annual report summarising the Osiris data over each calendar year. Should any measured dust levels exceed the action levels contained therein, action will immediately be taken using all appropriate measures and controls (including suspension of activities) to reduce dust levels below the acceptance limits.
38. For the duration of this planning permission, the operator will carry out periodic reviews of the effectiveness of the DMP, which shall be submitted to the County Planning Authority. The reviews shall be at a minimum frequency of two year intervals in the first six years and five year intervals thereafter, unless there have been complaints or relevant changes to operations or infrastructure that the County Planning Authority deems significant enough to require shorter intervals. The reviews will take into account the effectiveness of the DMP to date, changes in guidance and accepted good practice, and any relevant requirements of Surrey County Council. Revisions to the DMP shall be submitted to and approved by the County Planning Authority.
39. Twelve months prior to soil stripping or removal; and bund construction taking place in Phase 3 and 4 of Pendell and Brewer Street Quarry in accordance with drawing 60471763-BSP-008 rev C Pendell and Brewer Street Phase 3 dated November 2020 and drawing 60471763-BSP-009 rev C Pendell and Brewer Street Phase 4 dated November 2020. Prior to the working of Phase 3 and 4 a revised Dust Management Plan shall be submitted and approved in writing by the County Planning Authority providing additional details of the locations of the Dust Monitoring Equipment to be located at the Brewer Street extension area.

Rights of Way

40. Safe public access must be maintained along the public footpaths at all times. There are to be no obstructions on the public right of way including those that are temporarily diverted at any time, this is to include vehicles, plant, scaffolding or the temporary storage of materials and/or chemicals.

41. On completion of the restoration of the application site footpaths no.s 121, 143, 160, 162, 163 and 629 and bridleways no.s 142 and 148 shall be reinstated to their original alignment and in accordance with drawing 60471763-R-023 rev D Composite Restoration Plan (Pendell to Godstone) December 2021 to an appropriate standard and specification to be submitted to and approved in writing by the County Planning Authority 12 months before completion of restoration.
42. Within 12 months of the date of this permission, the permissive footpath between North Park Lane and bridleway 148 and the permissive bridleway between footpath 162 and Whitehill Lane, shown as Additional Mitigation Measure on drawing 60471763-PR-020 Rev C PROW Operational Situation dated 10 January 22 and as shown on drawings 60471763-004-COMP-029 rev C, 60471763-COMP-030 rev C, 60471763-COMP-031 rev C, 60471763-COMP-032 rev C, 60471763-COMP-033 rev C and 60471763-COMP-034 rev C all dated January 2022 shall be opened to public access and be of a specification to be agreed in writing with the County Planning Authority.
43. The proposed diverted footpath route for footpath 163 as shown on drawings 60471763-COMP-031 rev C, 60471763-COMP-032 rev C, 60471763-COMP-033 rev C and 60471763-COMP-034 rev C shall have a minimum width of 3.6 metre with a surfaced width within that of a minimum of 1.5 metres and be of a specification to be agreed in writing with the County Planning Authority.

Archaeology

44. No soil stripping or removal, bund construction or machine movements shall take place within Phase 3 or 4 of Pendell and Brewer Street Quarry as shown on plans 60471763-BSP-008 rev C Pendell and Brewer Street Phase 3 dated November 2020 and 60471763-BSP-009 rev C Pendell and Brewer Street Phase 4 dated November 2020 or within other areas that have not been previously extracted until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, to be conducted in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the County Planning Authority.
45. All outstanding post-excitation archaeological work deriving from previous Phases of extraction shall be completed in conformity with the Written Scheme of Investigation attached to the permission under which the extraction was approved.

Ecology

46. Prior to soil stripping of land known as Brewerstreet as shown on drawing 60471763-COMP-030 rev C Composite Phasing Plan 3 dated January 2022, Traditional Population Site Class Assessment surveys for Pond 5 as detailed in Table 1 of the Environmental Statement Addendum Appendix 5 dated January 2021 shall be carried out and the results submitted and approved in writing by the County Planning Authority.
47. Prior to soil stripping and/ or vegetation clearance of land known as Brewerstreet as shown on drawing 60471763-COMP-030 rev C Composite Phasing Plan 3 dated January 2022, reptile presence/ likely absence surveys as detailed in Table 1 of the Environmental Statement Addendum Appendix 5 dated January 2021 shall be undertaken throughout the land known as Brewerstreet and the results and any mitigation measures submitted to and approved in writing by the County Planning Authority.
48. Prior to soil stripping and/ or vegetation clearance of land known as Brewerstreet as shown on drawing 60471763-COMP-030 rev C Composite Phasing Plan 3 dated January 2022, a bat roost assessment of the trees/ areas of woodland to be removed as detailed in Table 1 of the Environmental Statement Addendum Appendix 5 dated January 2021 shall be undertaken within Pendell Quarry, land known as Brewerstreet

and the main area of North Park Farm Quarry and the results and any proposed mitigation measures submitted to and approved in writing by the County Planning Authority.

49. Prior to soil stripping and/ or vegetation clearance of land known as Brewerstreet as shown on drawing 60471763-COMP-030 rev C Composite Phasing Plan 3 dated January 2022, Dormouse surveys as detailed in Table 1 of the Environmental Statement Addendum Appendix 5 dated January 2021 shall be undertaken within the broadleaved woodland north and west of the land known as Brewerstreet and the results and any proposed mitigation measures submitted to and approved in writing by the County Planning Authority.
50. Prior to soil stripping and/ or vegetation clearance of land known as Brewerstreet as shown on drawing 60471763-COMP-030 rev C Composite Phasing Plan 3 dated January 2022, a nesting bird check as detailed in Table 1 of the Environmental Statement Addendum Appendix 5 dated January 2021 shall be undertaken for the application area as shown on drawing 60471763-002 LARGE A1 Location Plan, Application and Ownership Boundaries dated December 2019 and the results and any mitigation measures submitted to and approved in writing by the County Planning Authority.
51. Within 12 months of the date of this permission, a scheme shall be submitted to the County Planning Authority for approval in writing detailing how any soil stockpiling areas and screening bunds that are seeded will be managed during their retention and removal to make the habitat less attractive to reptiles and to be carried out in a way to ensure any harm to reptiles is minimised. All works to the preparation of moving soil stockpiles shall be carried out in accordance with the details approved.
52. Prior to the commencement of soil stripping of any phase as shown on drawings 60471763-BSP-008 rev C Pendell and Brewer Street Phase 3 dated November 2021 and 60471763-BSP-009 rev C Pendell and Brewer Street Phase 4 dated November 2021; updated badger surveys as detailed in Table 1 of the Environmental Statement Addendum Appendix 5 dated January 2021 including details of suitable mitigation measures including a plan of the location of any badger protection fencing if necessary, shall be submitted to the County Planning Authority for approval in writing.
53. Prior to soil stripping and/ or vegetation clearance of land known as Brewerstreet as shown on drawing 60471763-COMP-030 rev C Composite Phasing Plan 3 dated January 2022, badger proof fencing shall be erected in accordance with Section G6.1.3 of the Confidential Badger Report dated December 2019 and retained and maintained for the duration of the development hereby permitted.
54. Prior to soil stripping and/ or vegetation clearance of land known as Brewerstreet as shown on drawing 60471763-COMP-030 rev C Composite Phasing Plan 3 dated January 2022 a search of the Surrey Biodiversity Information Centre records shall be carried out to check records for the presence of otters or watervoles in the locality of the application site over the previous four years. Should otters and watervoles be recorded, an updated survey for both species shall be carried out and submitted to the County Planning Authority for approval in writing.
55. The fence constructed on the southern boundary of the haul route through Godstone Corner Wood shall be maintained in a good condition in order to prevent damage to the remaining ancient semi natural woodland.

Advance Planting

56. The temporary advance screening planting as shown on drawing 60471763-BSP-006 Rev C Pendell and Brewer Street Phase 1 dated November 2021 and detailed in Table 13.1 Compartment H – Pendell and Brewer Street of the Landscape and Ecological

Management Plan July 2021 (and any subsequently approved versions) shall be planted across the full width and length of the planting area to the densities/spacings specified, and shall be planted within the next available planting season following the date of this decision and before commencement of soil stripping in Phase 3A as shown on plan 60471763-COMP-031 rev C Composite Phase Plan 4 Pendell and Brewer Street Phase 3A North Park Phase 3 dated January 2022. The screen planting (as approved) to the Brewer Street and Water Lane boundaries shall be retained until restoration of the Brewer Street extension area is completed. Any planting that is removed, dies or becomes seriously damaged or defective during this period shall be replaced with other species, size and number as originally approved, by the end of the first available planting season thereafter.

57. All existing hedges, trees, saplings and shrubs along the boundaries shall be retained and protected from damage during the process of extraction and subsequent restoration. Any roots, which protrude beyond the margin shall be cleanly cut and treated with an approved preservative.

Trees

58. Prior to the commencement of Phase 3 at land known as Brewerstreet as shown on drawing 60471763-BSP-008 rev C dated January 2022, tree protection fencing shall be installed in accordance with drawing CE-BS1182-DW15-Final Compiled Tree Constraints, Arboricultural Implications Assessment and Tree Protection Plan dated 16 December 2019. The tree protection fencing shall remain in place for the duration of the development and restoration phase. The tree protection fencing shall be either stock mesh and barbed wire or 1.8 – 2 metre high deer mesh fence. There shall be no storage of materials (including soils), no ground disturbance and no construction access between the tree protection fencing and the trees to which it is protecting.

Landscape Ecological Management Plan

59. The development hereby permitted shall be carried out strictly in accordance with the Landscape and Ecological Management Plan (LEMP) Rev A dated December 2021. The LEMP shall be subject to review within 12 months of the date of this permission and thereafter periodically reviewed on a five year programme or following the annual review as set out in paragraphs 5.4.2 – 5.4.6 should this necessitate amendments until the site is restored. There shall be annual Restoration Steering Group site meetings as set out in paragraphs 5.3.3 – 5.3.7. The review shall include:
- The effectiveness of the LEMP in achieving its overarching strategy and management aims for each compartment;
 - Changes in guidance and accepted best practice; and
 - Any relevant requirements of the County Planning Authority.

Restoration

60. The restoration of the application site and all landscape planting shall be carried out in accordance with the phasing as shown on plans 60471763-COMP-029 rev C Composite Phasing Plan 2 Pendell and Brewer Street Phase 1 North Park Phase 1 January 2022, 60471763-COMP-030 rev C Composite Phasing Plan 3 Pendell and Brewer Street Phase 2 North Park Phase 2 January 2022, 60471763-COMP-031 rev C Composite Phasing Plan 4 Pendell and Brewer Street Phasing 3A North Park Phase 3 dated January 2022, 60471763-COMP-32 rev C Composite Phasing Plan 5 Pendell and Brewer Street Phasing 3B North Park Phase 4 dated January 2022, 60471763-COMP-033 rev C Composite Phasing Plan 6 Pendell and Brewer Street Phase 4A North Park Phasing 5 dated January 2022, 60471763-COMP-034 rev C Composite Phasing Plan 7 Pendell and Brewer Street Phase 4B North Park Restoration dated January 2022, 60471763-R-022 rev C Composite Restoration Plan (Mercers to Pendell) dated December 2021 and 60471763-R-023 rev D Composite Restoration Plan (Pendell to Godstone) dated December 2021.

61. Within six months from the date of this permission a scheme of restoration for the Brewer Street extension area in accordance with plans 60471763-R-022 rev C Composite Restoration Plan (Mercers to Pendell) dated December 2021 and 60471763-R-023 rev D Composite Restoration Plan (Pendell to Godstone) dated December 2021 shall be submitted to by the County Planning Authority for approval in writing to enable the site to be restored to amenity, nature conservation and agricultural grazing. The scheme shall include:

- a) Timescales for delivery
- b) contribution to biodiversity
- c) details of grassland including the seed mix, application rates, weed control and other necessary maintenance
- d) top soil and sub soil depths and units for acid grassland and semi improved grassland, where the soils are to be placed within the Brewer Street extension area and how
- e) ground preparation and cultivation works, including the removal of any hard surfaces
- f) Proposed finished ground levels or contours and sections
- g) tree and shrub planting with a schedule of plants, noting species, plant or stock size, and proposed spacing, numbers or planting densities, notes on cultivation, and timing of planting, tree pit size, protection, staking/guying. Biosecurity including the sourcing of new trees and shrub stock
- h) the location and type of fencing and gates

The scheme shall be carried out and maintained strictly in accordance with the approved details.

Aftercare

62. Within 12 months from the date of this permission, an Aftercare Scheme for the application site shall be submitted to the County Planning Authority for approval in writing The Aftercare Scheme shall include:

- a) the Strategic Aims and Objectives for the Site and the identified land use within it for the Aftercare period
- b) details of how habitats, including areas of acid grassland, unimproved grassland, bare ground, long grass and trees and scrub will be and managed together with a plan showing the management compartments
- c) Means of enclosure; fences and boundary treatments.
- d) Protection measures for existing and new planting.
- e) Implementation timetables.
- f) details of field drainage where required
- g) details for the provision of an annual meeting between the applicant and the County Planning Authority
- h) details of an annual report to be no later than one month prior to the annual Aftercare meeting.

The scheme shall be carried out and maintained strictly in accordance with the approved details.

63. The management and maintenance of the restoration and aftercare to nature conservation and woodland for the site shall be for a period of 20 years post the five year aftercare period from compliance with the restoration condition in respect of any part of the site.

Soils

64. All soil stripping, handling, storage and placement shall be carried out in accordance with the Soils and Agricultural Revised Report October 2020 and its accompanying appendices and drawings 60471763-BSP-008 rev C Pendell and Brewer Street Phase 3 dated November 2020, 60471763-BSP-009 rev C Pendell and Brewer Street Phase 4 dated November 2020; and 60471763-BSP-010 rev C Pendell and Brewer Street

Restoration dated November 2020 and The Institute of Quarrying Good Practice Guide for Handling Soils in Mineral Workings, using the 'Bed/strip' excavator and dump truck' methods contained in Sheets A–D and Sheet K, where the modified method of topsoil replacement using low ground pressure bulldozers is being used. Written notification shall be made to the County Planning Authority five clear working days' notice of the intention to start stripping soils. Soils shall not at any time be stripped, stockpiled nor used for the purposes of restoration unless they are in a suitably dry and friable condition to prevent compaction; neither shall any of these operations be undertaken during the months of November to March.

65. All topsoil, subsoil and overburden stockpiles and bunds intended to remain in situ for more than 6 months or over the winter period, are to be grassed over and weed controlled and other necessary maintenance carried out to the satisfaction of the County Planning Authority. The seed mixture and the application rates shall be in accordance with the details to be submitted and approved in writing by the County Planning Authority prior to the commencement of Phase 3 at land known as Brewerstreet as shown on drawing 60471763-BSP-008 rev C dated January 2022.
66. Soils shall not be imported to the site for restoration purposes unless a detailed scheme has been submitted to and approved in writing by the County Planning Authority. The scheme shall specify the quantities of the imported soils (top and sub soils), the source, evidence that the soils would be suitable for the restoration proposed; and duration by which these soils are imported. The deposit of imported soils shall only take place in strict accordance with the scheme as approved.
67. No topsoil or subsoil shall be removed from the application site nor used for any purposes other than site restoration of the site.
68. All soil stockpiles as shown on plans 60471763-COMP-031 rev C Composite Phase Plan 4 Pendell and Brewer Street Phase 3A North Park Phase 3 dated January 2022, 160471763-COMP-32 rev C Composite Phase Plan 5 Pendell and Brewer Street Phase 3B North Park Phase 4 dated January 2022, 160471763-COMP-033 rev C Composite Phase Plan 6 Pendell and Brewer Street Phase 4A North Park Phase 5 dated January 2022 and 60471763-COMP-034 rev C Composite Phase Plan 7 Pendell and Brewer Street Phase 4B North Park Restoration dated January 2022 shall be no greater than 2.5 meters in height.

Contamination

69. Any facilities for the storage of oils, fuels, chemicals or other pollutant within the land shown edged with a solid red line on drawing 60471763-002 Location Plan, Application and Ownership Boundaries dated December 2019 shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and site glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank/ vessels overflow pipe outlets shall be detailed to discharge downwards into the bund.
70. Adequate drip trays shall be provided for static plant and machinery and any materials accidentally contaminated by oil spillage shall be removed immediately. A parking area for all moveable plant and machinery shall be in accordance with Drawing No.NP110111 (Proposed route of conveyor / access track), where precautions shall be taken to prevent oil drippings contaminating the soil or subsoil. All moveable plant and machinery shall be parked within this area outside the normal working day.

Lighting

71. No external lighting shall be installed without the prior written consent of the County Planning Authority. All external lights shall be directed downwards in order to avoid any upward glare of light from the external lighting installed to minimise light spill outside the boundary of the site.

Reasons

1. To ensure the permission is implemented in accordance with the terms of the application and to enable the County Planning Authority to exercise planning control over the development pursuant to Surrey Minerals Plan 2011 Policies MC2, MC14 and MC15; and Tandridge Local Plan Part 2 2014 Policies DP5 and DP7.
2. To comply with Section 91 (1)(a) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
3. To enable the County Planning Authority to exercise planning control over the operation so as to minimise the impact on local amenity and to ensure the prompt and effective restoration to comply with Schedule 5 paragraph 1 of the Town and Country Planning Act 1990 and Surrey Minerals Plan 2011 Core Strategy Policy MC17.
4. To comply with the terms of the application and ensure minimum disturbance and avoid nuisance to the locality in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC14, Reigate and Banstead Development Management Plan 2019 Policy DES9, and Tandridge Local Plan Part 2 2014 Policies DP7 and DP22.
5. To maintain planning control over the development hereby permitted in an Area of Outstanding Natural Beauty and the Green Belt in accordance with the National Planning Policy Framework, Surrey Minerals Plan 2011 Core Strategy Policies MC2, MC3 and MC14; Reigate and Banstead Development Management Plan 2019 Policies NHE1 and NHE5, Reigate and Banstead Local Plan: Core Strategy 2014 Policies CS2 and CS3; Tandridge Local Plan Part 2 2014 Policy DP10; and Tandridge District Core Strategy 2008 Policy CSP20.
6. To enable the County Planning Authority to exercise control over the site for the development hereby permitted in an Area of Outstanding Natural Beauty and the Green Belt in accordance with the National Planning Policy Framework, Surrey Minerals Plan 2011 Core Strategy Policies MC2, MC3 and MC14; Reigate and Banstead Development Management Plan 2019 Policies NHE1 and NHE5, Reigate and Banstead Local Plan: Core Strategy 2014 Policies CS2 and CS3; Tandridge Local Plan Part 2 2014 Policy DP10; and Tandridge District Core Strategy 2008 Policy CSP20.
7. To protect groundwater quality and the Source Protection Zone in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC14; Reigate and Banstead Development Management Plan 2019 Policy DES9 and Tandridge District Local Plan Part 2 2014 Policy DP21 Sustainable Water Management.
8. To enable the County Planning Authority to exercise control over the site for the development hereby permitted in the Green Belt in accordance with the National Planning Policy Framework, Surrey Minerals Plan 2011 Core Strategy Policies MC3 and MC14; Reigate and Banstead Development Management Plan 2019 Policy NHE5, Reigate and Banstead Local Plan: Core Strategy 2014 Policy CS3; and Tandridge Local Plan Part 2 2014 Policy DP10.
9. To enable the County Planning Authority to exercise control over the site for the development hereby permitted in the Green Belt and a Site of Nature Conservation Importance in accordance with Surrey Minerals Plan 2011 Core Strategy Policies MC3

and MC14; Reigate and Banstead Development Management Plan 2019 Policies NHE2 and NHE5, Tandridge Local Plan Part 2 Policy DP10 and Tandridge District Core Strategy 2008 Policy CSP17.

10. To safeguard the environment and protect the amenities of the locality in accordance with the terms of the Surrey Minerals Plan 2011 Policies MC3 and MC14; Reigate and Banstead Development Management Plan 2019 Policies NHE2 and NHE5, Tandridge Local Plan Part 2 Policy DP10 and Tandridge District Core Strategy 2008 Policy CSP17.
11. To safeguard the environment and protect the amenities of the locality in accordance with the terms of the Surrey Minerals Plan 2011 Policies MC3 and MC14; Reigate and Banstead Development Management Plan 2019 Policies NHE2 and NHE5, Tandridge Local Plan Part 2 Policy DP10 and Tandridge District Core Strategy 2008 Policy CSP17.
12. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users and safeguard the local environment, in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15, Tandridge District Core Strategy 2008 Policy CSP12 and Tandridge Local Plan Part 2 2014 Policy DP5.
13. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users and safeguard the local environment, in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15, Tandridge District Core Strategy 2008 Policy CSP12 and Tandridge Local Plan Part 2 2014 Policy DP5.
14. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users and safeguard the local environment, in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15, Tandridge District Core Strategy 2008 Policy CSP12 and Tandridge Local Plan Part 2 2014 Policy DP5.
15. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users and safeguard the local environment, in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15, Tandridge District Core Strategy 2008 Policy CSP12 and Tandridge Local Plan Part 2 2014 Policy DP5.
16. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users and safeguard the local environment, in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15, Tandridge District Core Strategy 2008 Policy CSP12 and Tandridge Local Plan Part 2 2014 Policy DP5.
17. To prevent the increased risk of flooding and to ensure the design meets the national non-statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site in accordance with the Surrey Minerals Plan 2011 Core Strategy Policy MC14; Tandridge Local Plan Part 2 2014 Policy DP21; Reigate and Banstead Development Management Plan 2019 Policy CCF2, and Reigate and Banstead Local Plan: Core Strategy 2014 Policy CS10.
18. To prevent the increased risk of flooding and to ensure the design meets the national non-statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site in accordance with the Surrey Minerals Plan 2011 Core Strategy Policy MC14; Tandridge Local Plan Part 2 2014 Policy DP21; Reigate and Banstead Development Management Plan 2019 Policy CCF2, and Reigate and Banstead Local Plan: Core Strategy 2014 Policy CS10.

19. To ensure the design does not increase flood risk on or off site and is suitably maintained throughout its lifetime in accordance with the Surrey Minerals Plan 2011 Core Strategy Policy MC14; Tandridge Local Plan Part 2 2014 Policy DP21; Reigate and Banstead Development Management Plan 2019 Policy CCF2, and Reigate and Banstead Local Plan: Core Strategy 2014 Policy CS10.
20. To protect groundwater quality and the Source Protection Zone in accordance with Surrey Minerals Plan 2011 Policy MC14 and Tandridge District Local Plan Part 2 2014 Policy DP21 and Reigate and Banstead Local Plan: Core Strategy 2014 Policy CS10.
21. To protect groundwater quality and the Source Protection Zone in accordance with Surrey Minerals Plan 2011 Policy MC14 and Tandridge District Local Plan Part 2 2014 Policy DP21 and Reigate and Banstead Local Plan: Core Strategy 2014 Policy CS10.
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26. To protect groundwater quality and the Source Protection Zone in accordance with Surrey Minerals Plan 2011 Policy MC14 and Tandridge District Local Plan Part 2 2014 Policy DP21 and Reigate and Banstead Local Plan: Core Strategy 2014 Policy CS10.
27. To protect groundwater quality and the Source Protection Zone in accordance with Surrey Minerals Plan 2011 Policy MC14 and Tandridge District Local Plan Part 2 2014 Policy DP21 and Reigate and Banstead Local Plan: Core Strategy 2014 Policy CS10.
28. To protect groundwater quality and the Source Protection Zone in accordance with Surrey Minerals Plan 2011 Policy MC14 and Tandridge District Local Plan Part 2 2014 Policy DP21 and Reigate and Banstead Local Plan: Core Strategy 2014 Policy CS10.
29. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14; Reigate and Banstead Development Management Plan 2019 Policy DES9 and Tandridge Local Plan Part 2 2013 Policy DP22.
30. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14; Reigate and Banstead Development Management Plan 2019 Policy DES9 and Tandridge Local Plan Part 2 2013 Policy DP22.
31. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14; Reigate and Banstead Development Management Plan 2019 Policy DES9 and Tandridge Local Plan Part 2 2013 Policy DP22.
32. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14; Reigate and Banstead

Development Management Plan 2019 Policy DES9 and Tandridge Local Plan Part 2 2013 Policy DP22.

33. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14; Reigate and Banstead Development Management Plan 2019 Policy DES9 and Tandridge Local Plan Part 2 2013 Policy DP22.
34. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14; Reigate and Banstead Development Management Plan 2019 Policy DES9 and Tandridge Local Plan Part 2 2013 Policy DP22.
35. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14; Reigate and Banstead Development Management Plan 2019 Policy DES9 and Tandridge Local Plan Part 2 2013 Policy DP22.
36. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14; Reigate and Banstead Development Management Plan 2019 Policy DES9 and Tandridge Local Plan Part 2 2013 Policy DP22.
37. 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 Surrey Minerals Plan 2011 Policy MC14; and Tandridge Dandridge Local Plan Part 2 2014 Policy DP22 and Reigate and Banstead Development Management Plan DES9.
38. 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 Surrey Minerals Plan 2011 Policy MC14; and Tandridge Dandridge Local Plan Part 2 2014 Policy DP22 and Reigate and Banstead Development Management Plan DES9.
39. 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 Surrey Minerals Plan 2011 Policy MC14; and Tandridge Dandridge Local Plan Part 2 2014 Policy DP22 and Reigate and Banstead Development Management Plan DES9.
40. To protect the users of Rights of Way in accordance with the Surrey Minerals Plan 2011 Core Strategy Policies MC14, Reigate and Banstead Development Management Plan 2019 Policy NHE4 and Tandridge Core Strategy 2008 Policy CSP13.
41. To protect the users of Rights of Way in accordance with the Surrey Minerals Plan 2011 Core Strategy Policies MC14, Reigate and Banstead Development Management Plan 2019 Policy NHE4 and Tandridge Core Strategy 2008 Policy CSP13.
42. To protect the users of Rights of Way in accordance with the Surrey Minerals Plan 2011 Core Strategy Policies MC14, Reigate and Banstead Development Management Plan 2019 Policy NHE4, Tandridge Local Plan Part 2, 2014 Policy DP5 and Tandridge Core Strategy 2008 Policy CSP13.
43. To protect the users of Rights of Way in accordance with the Surrey Minerals Plan 2011 Core Strategy Policies MC14, Reigate and Banstead Development Management Plan

2019 Policy NHE4, Tandridge Local Plan Part 2, 2014 Policy DP5 and Tandridge Core Strategy 2008 Policy CSP13.

44. 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 Surrey Minerals Plan Core Strategy 2011.
45. 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 Surrey Minerals Plan Core Strategy 2011.
46. To protect Priority Species in accordance with the Surrey Minerals Plan Core Strategy 2011 Policy MC14, Tandridge Local Plan Part 2, 2014 Policy DP19; and Reigate and Banstead Development Plan 2019 Policy NHE2.
47. To protect Priority Species in accordance with the Surrey Minerals Plan Core Strategy 2011 Policy MC14, Tandridge Local Plan Part 2, 2014 Policy DP19; and Reigate and Banstead Development Plan 2019 Policy NHE2.
48. To protect Priority Species in accordance with the Surrey Minerals Plan Core Strategy 2011 Policy MC14, Tandridge Local Plan Part 2, 2014 Policy DP19; and Reigate and Banstead Development Plan 2019 Policy NHE2.
49. To protect Priority Species in accordance with the Surrey Minerals Plan Core Strategy 2011 Policy MC14, Tandridge Local Plan Part 2, 2014 Policy DP19; and Reigate and Banstead Development Plan 2019 Policy NHE2.
50. To protect Priority Species in accordance with the Surrey Minerals Plan Core Strategy 2011 Policy MC14, Tandridge Local Plan Part 2, 2014 Policy DP19; and Reigate and Banstead Development Plan 2019 Policy NHE2.
51. To protect Priority Species in accordance with the Surrey Minerals Plan Core Strategy 2011 Policy MC14, Tandridge Local Plan Part 2, 2014 Policy DP19; and Reigate and Banstead Development Plan 2019 Policy NHE2.
52. To protect Priority Species in accordance with the Surrey Minerals Plan Core Strategy 2011 Policy MC14, Tandridge Local Plan Part 2, 2014 Policy DP19; and Reigate and Banstead Development Plan 2019 Policy NHE2.
53. To protect Priority Species in accordance with the Surrey Minerals Plan Core Strategy 2011 Policy MC14, Tandridge Local Plan Part 2, 2014 Policy DP19; and Reigate and Banstead Development Plan 2019 Policy NHE2.
54. To protect Priority Species in accordance with the Surrey Minerals Plan Core Strategy 2011 Policy MC14, Tandridge Local Plan Part 2, 2014 Policy DP19; and Reigate and Banstead Development Plan 2019 Policy NHE2.
55. To ensure the continued protection of trees and hedgerows of interest to comply with the Surrey Minerals Plan 2011 Policy MC14 and Tandridge District Core Strategy 2008 Policy CSP17.
56. To safeguard visual amenities and screen the site in accordance with Surrey Minerals Plan 2011 Policy MC14.
57. To ensure the continued protection of trees and hedgerows of interest to comply with Surrey Minerals Plan 2011 Policy MC14 and Tandridge District Core Strategy 2008 Policy CSP17.

58. To ensure an adequate buffer zone and exclusion area is defined and is clearly indicated on the site to ensure protection of the areas of Ancient Woodland and trees being retained in accordance with the NPPF Paragraph 180(c), the Surrey Minerals Plan 2011 Core Strategy Policies MC2 and MC14.
59. To secure restoration to the required standard and enhance biodiversity in accordance with Surrey Minerals Plan 2011 Policies MC17 and MC18; and Tandridge District Core Strategy 2008 Policy CSP17.
60. To secure restoration to the required standard and enhance biodiversity in accordance with Surrey Minerals Plan 2011 Policies MC17 and MC18; and Tandridge District Core Strategy 2008 Policy CSP17.
61. To secure restoration to the required standard and assist in absorbing the site back into the local landscape in compliance with Schedule 5 paragraph 2 of the Town and County Planning Act 1990 and Surrey Minerals Plan 2011 Policy MC17.
62. To secure restoration to the required standard and assist in absorbing the site back into the local landscape in compliance with Schedule 5 paragraph 2 of the Town and County Planning Act 1990 and Surrey Minerals Plan 2011 Policy MC17.
63. To ensure that soils are properly handled and to ensure adequate restoration of the site in accordance with Policy MC14 of the Surrey Minerals Plan 2011.
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67. To ensure that soils are properly handled and to ensure adequate restoration of the site in accordance with Policy MC14 of the Surrey Minerals Plan 2011.
68. To ensure that soils are properly handled and to ensure adequate restoration of the site in accordance with Policy MC14 of the Surrey Minerals Plan 2011.
69. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy MC14 of the Surrey Minerals Plan 2011, Reigate and Banstead Development Management Plan 2019 Policy DES9 and Tandridge Local Plan Part 2 Policy DP22.
70. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy MC14 of the Surrey Minerals Plan 2011, Reigate and Banstead Development Management Plan 2019 Policy DES9 and Tandridge Local Plan Part 2 Policy DP22.
71. To safeguard and protect residential amenity and environment in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC14.

Informatives

1. In determining this application the County Planning Authority has worked positively and proactively with the applicant by: entering into pre-application discussions; scoping of the application; assessing the proposals against relevant Development Plan policies and the

National Planning Policy Framework including its associated planning practice guidance, providing feedback to the applicant where appropriate. Further, the County Planning Authority has: identified all material considerations; forwarded consultation responses to the applicant; considered representations from interested parties; liaised with consultees and the applicant to resolve identified issues and determined the application within the timeframe agreed with the applicant. Issues of concern have been raised with the applicant including impacts of and on noise/traffic/air quality/dust/heritage/flooding/landscape/ecology/visual impact and addressed through negotiation and acceptable amendments to the proposals. The applicant has also been given advance sight of the draft planning conditions and the County Planning Authority has also engaged positively in the preparation of draft legal agreements. This approach has been in accordance with the requirements of paragraph 38 of the National Planning Policy Framework 2021.

2. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
3. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
4. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from 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).
5. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see: <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme> . The applicant is also advised that consent may be required under Section 23 of the Land Drainage Act 1991. Please see: www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice .
6. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
7. The applicant is reminded that the granting of planning permission does not authorise obstructing or interfering in any way with a public right of way. This can only be done with the prior permission of the Highway Authority (Surrey County Council, Countryside Access Group). Drivers are reminded that public users of footpath 89 and bridleway 443 have the right of way.

8. The proposed site works affect an Ordinary Watercourse. Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Ordinary Watercourse Consent.
8. The definition of 'dry and friable' is when soil breaks and shatters when disturbed, rather than smears and deforms. For determining dry and friable, this may be based on a field assessment of the soils wetness in relation to its lower plastic limit according to the following test. 'An assessment shall be made by attempting to roll a ball of soil into a thread on the surface of a clean plain glazed tile (or plate glass square) using light pressure from the flat of the hand. If a long thread of less than 3mm diameter can be formed, the soil is wetter than the lower plastic limit and soil moving should not take place until the soils have dried out. If the soil crumbles before a long thread of 3mm diameter can be formed, then the soil is dry enough to move. This assessment shall be carried out on representative samples on each major soil type'.
9. Any works to be carried out which will affect the flow or storage of water within, or which place or alter a structure/obstruction within an ordinary watercourse will require Ordinary Watercourse Consent. These can include permanent or temporary structures or works. An 'ordinary watercourse' is a watercourse that is not part of a main river and includes rivers, streams, ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows. Consent within Surrey is issued by the Sustainable Drainage and Consenting Team within Surrey County Council. The team can provide information on the requirements for consent and the application procedure and is contactable by email on SuDS@surreycc.gov.uk. Please note consent cannot be issued retrospectively. Works affecting designated Main River require consent from the Environment Agency.
10. The applicant is advised that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or is being built. Planning consent for a development does not provide a defence against prosecution under this Act. Trees and scrub are likely to contain nesting birds between 1 March and 31 August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity during this period and shown it is absolutely certain that nesting birds are not present.
11. The applicant's attention is drawn to the attention that should vegetation clearance/ removal be undertaken it should be done so in a sensitive manner to avoid harm to small mammals including dormouse and hedgehog. If a dormouse is found during works all works must cease and advice sought from an Ecological Clerk of Works that has a dormouse licence.
12. Biosecurity is very important to minimise the risks of pests and diseases being imported into the UK and introduced into the environment. It is recommended that all trees grown abroad, but purchased for transplanting, shall spend at least one full growing season on a UK nursery and be subjected to a pest and disease control programme. Evidence of this control programme, together with an audit trail of when imported trees entered the UK, their origin and the length of time they have been in the nursery should be requested before the commencement of any tree planting. If this information is not available, alternative trees sources should be used. You are advised to consult the relevant UK Government agencies such as the Animal and Plant Health Agency (APHA) and the Forestry Commission for current guidance, Plant Passport requirements and plant movement restrictions. Quality Assurance Schemes followed by nurseries should also be investigated when researching suppliers. For larger planting schemes, you may wish to consider engaging a suitably qualified professional to oversee tree / plant specification and planting.

13. The applicant's attention is drawn to the need for the sourcing, planting and aftercare of new trees with a distinct crown to be in general accordance with British Standard BS 8545:2014 Trees: from nursery to independence in the landscape – Recommendations. The applicant should also investigate the feasibility of using biodegradable (i.e. non-plastic) tree shelter guards / spiral guards for future tree and hedge planting as part of site restoration.
14. Given the nature of the proposed development, it is possible that a crane maybe required during its construction. The applicant's attention is drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/ applications please email: gal.safeguarding@gatwickairport.com . The crane process is explained further in Advice Note 4 'Cranes and Other Construction Issues' available from <http://www.aoa.org.uk/policy-campaigns/operations-safety/>
15. The applicant's attention is drawn to Thames Water's email of 20 September 2021 and their comments that A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
16. The applicant is reminded to enter into a Permissive Path Agreement for the permissive path footpath between North Park Lane and bridleway 148 and the permissive bridleway between footpath 162 and Whitehill Lane, shown as Additional Mitigation Measure on drawing 60471763-PR-020 Rev C PROW Operational Situation dated 10 January 22 with the Countryside Access Team with regards to the surfacing of these rights of way.
17. The applicant is reminded of the need to obtain the relevant Right of Way Order for footpaths 160 and 163 and to review previous Rights of Way Stopping Up and Diversion Orders for this application site.
18. The unnamed brook that is to be diverted is understood to feed the sewage plant at Hawthorn School. The applicant's attention is drawn to the need to liaise with the Hawthorn School and the Environment Agency with regards to any potential breaching of Environmental Agency standards of discharge as a consequence of this diversion.
19. Routine groundwater samples are to be taken monthly for the Brewer Street extension area from boreholes RH2017 17, RH2017 17a, BH2020 020, the additional wells mentioned in Condition 21 (b) above, RH2017 18, RH2017 19, R28009, RH2017 020, RH2017 021 and RH2017 022 in accordance with the Groundwater Monitoring Plan referred to in Condition 21. The determinands for each sample shall be set out in the approved Monitoring Plan submitted and approved under Condition 21.

Contact Samantha Murphy
Tel. no. 020 8541 7107

Background papers

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

For this application, the deposited application documents and plans, and responses to consultations, are available to view on our [online register](#). The representations received are publicly available to view on the district/borough planning register.

The Reigate and Banstead Borough Council planning register entry for this application can be found under application reference [20/00463/CON](#)

The Tandridge District Council planning register entry for this application can be found under application reference [TA/2020/434](#).

Other documents

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

Government Guidance

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

The Development Plan

[Surrey Minerals Plan Core Strategy Development Plan Document \(DPD\) 2011](#)
[Surrey Minerals Plan Site Restoration Supplementary Planning Document \(SPD\) 2011](#)
[Reigate and Banstead Local Plan Core Strategy 2014](#)
[Reigate and Banstead Local Plan Development Management Plan 2019](#)

Other Documents

British Geological Survey, [Mineral Planning Factsheet: Silica Sand](#) (2020)
Surrey County Council [Annual Monitoring Report 2019/20](#)
Natural England's "[Guide to assessing development on agricultural land](#)", 2021
The Institute of Quarrying has produced a Good Practice Guide for Handling Soils in Mineral Workings (2021)
EPUK and IAQM Land Use Planning and Development Control: Planning for Air Quality (2017)
IAQM Guidance on the Assessment of Mineral Dust Impacts for Planning (2016)
Defra, [The Air Quality Strategy](#), (2011)
Tandridge District Council 2021 [Air Quality Annual Status Report](#) (ASR)
[Surrey Hills Management Plan](#) 2020 – 2025
Natural England National Character Area profile: [120 Wealden Greensand](#) (2013)
[Protected species and development: advice for local planning authorities - GOV.UK \(www.gov.uk\)](#)
Natural England - Guidance Badgers: protection and licences [Badgers: protection and licences - GOV.UK \(www.gov.uk\)](#)
Natural England National Character Area Profile: [120 Wealden Greensand](#)
Historic England "[Managing Significance in Decision Taking in the Historic Environment](#)" Historic Environment Good Practice Advice in Planning: 2 (2015)
Historic England "[The Setting of Heritage Assets](#)" Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) (2017)
Kent County Council "[Kent Minerals and Waste Local Plan 2013-30](#) (adopted 2020)"
Mineral Products Association [Silica Sand \(mineralproducts.org\)](#)
Officer report TA09/1536
~~R (on the application of Samuel Smith Old Brewery (Tadcaster) and others) (Respondents) v North Yorkshire County Council (Appellant) [2020] UKSC 3, On appeal from: [2018] EWCA Civ 489~~