

TO: PLANNING & REGULATORY COMMITTEE **DATE: 17 OCTOBER 2018**
BY: PLANNING DEVELOPMENT CONTROL TEAM
 MANAGER
DISTRICT(S) TANDRIDGE DISTRICT COUNCIL **ELECTORAL DIVISION(S):**
 Oxted
 Mr McIntosh

PURPOSE: FOR DECISION **GRID REF:** 538205 154414

TITLE: MINERALS AND WASTE APPLICATION TA12/902

SUMMARY REPORT

Oxted Quarry, Chalkpit Lane, Oxted, Surrey RH8 0QW

Periodic review of a mineral site planning permission for the winning and working of chalk for the determination of full modern conditions.

The Planning and Compensation Act 1991 (the “1991 Act”) introduced new procedures for dealing with permission for the winning and working of minerals or the depositing of mineral waste, originally granted under Interim Development Orders (IDOs). These were permissions granted after 21 July 1943 and before 1 July 1948, which have been preserved by successive planning Acts as valid planning permissions in respect of development which had not been carried out by 1 July 1948. They are referred to in the 1991 Act as “old mining permissions”. Oxted Chalkpit is one such site and had been granted an IDO in 1947. The effect of the 1991 Act was that the applicant was required to submit an application for new modern conditions for approval for Oxted Quarry (here after in this report referred to as ‘Oxted Chalkpit’). Planning application TA93/0765 achieved this and set out 31 conditions.

Schedule 14 of the Environment Act 1995 introduced the requirement for a periodic review of all mineral permissions after the first initial review of conditions. This application is the first periodic review of conditions at Oxted Chalkpit. The applicant’s original submission made in 2012 proposed 37 conditions. An Environmental Statement was submitted to accompany the original submission in 2012 and the applicant has submitted amendments and addendums to the Transport Statement between 2016 and 2018 alongside other further information.

To fully apply modern standards to the remaining mineral extraction operations and restoration of Oxted Chalkpit and taking into account the revised proposals and the views of consultees, substantial modifications to the submitted conditions and additional conditions are necessary. The conditions, with suggested modifications and additions are set out in the recommendation.

The main area of concern relates to highways and transportation issues. This is due to the number of Heavy Goods Vehicles (HGVs) that access and egress the site on a daily basis and the physically constrained road network to and from the site which includes Barrow Green Road, Chalkpit Lane, Church Lane and East Hill Road. The applicant has maintained that the road network to/ from the site is adequate to accommodate HGVs travelling to/ from Oxted Chalkpit and states that if a condition is imposed restricting the number of HGV movements to/ from the site this should be limited to a maximum of 200 daily HGV movements with an annual average of 100 daily HGV movements.

Officers are aware of the high levels of public concern and unrest with regards to the operation of Oxted Chalkpit which has been demonstrated by the number of letters of representation received and reports being taken to the Tandridge Local Committee. Officers are also aware of the highway constraints in terms of the highway width and its geometry alongside environmental and amenity issues with regards to noise levels from HGVs.

In identifying a maximum daily cap and an annual average daily figure for HGV movements to/ from Oxted Chalkpit, Officers have had to be mindful of the legal requirements set out in Schedule 14 paragraph 13 "Compensation" that can be payable to the applicant if any of the proposed modern conditions restrict working rights in respect of the site. Officers are also mindful of the guidance within National Planning Policy Guidance (NPPG) if any of the proposed modern conditions affect the economic viability and/ or asset value of the site. Officers have undertaken an objective review of the guidance and information available and based on this conclude that the maximum daily HGV cap should be controlled at 156 movements with an annual average daily traffic figure of 76 HGV movements. The applicant disagrees with this figure stating it would impact upon the economic viability of Oxted Chalkpit and therefore this condition remains in dispute with the applicant. Officers are of the opinion the condition, and other highway conditions which remain in dispute (detailed in the paragraph below), would not place a restriction which would cause extra operating costs or restrict revenue to the extent that economic viability would be prejudiced adversely to an unreasonable degree or the asset value of the site. Officers also consider that the conditions which remain in dispute do not affect the working rights of the site.

In addition to a condition capping the number of daily HGV movements, Officers wish to impose other highway conditions which are also not agreed with the applicant. These include a condition to monitor the condition of Chalkpit Lane and carry out maintenance as required, that HGVs should not travel in convoy; and that HGVs should not access or egress the site during the hours 08:00 – 09:00 and 15:00 – 16:00 Monday – Friday. These conditions are in bold in the table of conditions at the end of this report.

All other conditions have been agreed with the applicant.

The recommendation is to APPROVE the conditions as proposed by the applicant, with modifications and additional conditions as set out in Column 2 of "The Table of Conditions" and informatives.

APPLICATION DETAILS

Applicant

Southern Gravel Ltd

Date application valid

15 June 2012

Period for Determination

5 October 2012 – the application was submitted in 2012 and then subsequently held in abeyance whilst a planning application, submitted Tandridge District Council, for 27 dwellings with restoration and enhancement of the site (ref: 2014/741) was considered by the district council. That planning application was then subsequently refused planning permission on 5 August 2014. This application has progressed since that point.

Amending/ Amplifying Documents

Email dated 30 April 2014 and attached topographical survey of the site, stability report cross sections with topographic survey details and information from the February 2013 LiDAR scanning exercise, a report prepared following a further LiDAR scanning exercise; and a

photograph taken at the 'top' of the quarry face near the Bungalow; Letter dated 9 February 2015 and accompanying drawings 9409/5a "Lower Access Entrance Design" February 1997, 9409/5b "Upper Access Entrance Design" February 1997 and 9409/5c "Upper Access Entrance Design" April 1997, "Consideration of Suggested HGV Limits by Surrey County Council" dated January 2016; Transport Statement dated May 2017; Highway drawings/ highway information Jan 2016; letter dated 1 August 2018 and accompanying weighbridge data, a letter from Applied Ecology Ltd dated 1 August 2018 and Transport Statement Addendum dated July 2018.

ILLUSTRATIVE MATERIAL

Plans

Plan 1 Site Location Plan

Aerial Photographs

Aerial 1

Aerial 2

Aerial 3 – identifying the key roads around the site

Site Photographs

Figure 1- Entrance to application site from Chalkpit Lane

Figure 2 – Weighbridge and Site Offices

Figure 3 – Weighbridge and Site Office

Figure 4 – Looking in to the site from the weighbridge area (historic kilns left hand side)

Figure 5 – Internal access road leading westwards

Figure 6 – Inside the site looking westwards

Figure 7 – Inside the site looking north

Figure 8 – Phase 4 having been extracted (looking North West)

Figure 9 – Phase 4 having been extracted (looking southwards)

Figure 10 – Extracted stockpiled chalk on Phase 3 (looking northwards)

Figure 11 – Old Lime Kilns

Figure 12 – the application site – waste material stockpiled

Figure 13 – Looking eastwards towards upper access

Figure 14 – junction of Chalkpit Lane and Gordons Way, looking towards the railway bridge

Figure 15 – junction of Chalkpit Lane and Gordons Way, looking northwards

Figure 16 - looking southwards on Chalkpit Lane towards Gordons Way

Figure 17 – upper part of Chalkpit Lane, looking northwards just before application site

Figure 18 – upper part of Chalkpit Lane looking southwards towards the M25

Figure 19 – view of the application site from Chalkpit Lane

Further plans

1. Oxted Chalkpit phases map
2. The inbound and outbound voluntary routing
3. Plan showing where photographs were taken and in what direction.

BACKGROUND

1. This planning application is for a Review of Old Mineral Permissions (ROMP). This application is not to be determined in accordance with section 70(2) of the Town Country Planning Act 1990 or Section 38 of the Planning and Compulsory Purchase Act 2004 but in accordance with Schedule 13 and 14 of the Environment Act 1995, the Planning and Compensation Act 1991 and guidance set out in paragraphs 178 – 216 of the National Planning Policy Guidance. This planning application is not seeking planning permission

but the approval of new modern conditions. It therefore cannot be granted or refused planning permission. The planning permission for the application site granted under an Interim Development Order has been preserved by successive Planning Acts as a valid planning permissions in respect of development.

2. The Environment Act and planning guidance are clear that any new conditions proposed for planning applications to be considered under the ROMP requirements must:
 - *meet the policy tests, be necessary and should not affect the economic viability of the operation (e.g. conditions which restrict the total quantity of mineral for extraction).*
 - *all final applications must include a condition that the winning and working of minerals or depositing of mineral waste must cease not later than 21 February 2042, except where the original permission is already time-limited (see Schedule 2 to the Planning and Compensation Act 1991 and Schedule 13 of the Environment Act 1995); and*
 - *conditions may be used to withdraw any outstanding permitted development rights only if there are exceptional and sound planning reasons for doing so.*
3. Furthermore conditions should not affect the working rights of the site which are described in Schedule 13 of the Environment Act as:

For the purposes of this Schedule (Schedule 13(6)), working rights are restricted in respect of a mineral site if any of –

- a) *the size of the area which may be used for the winning and working of minerals or the depositing of mineral waste;*
- b) *the depth to which operations for the wining and working of minerals may extend;*
- c) *the height of any deposit of mineral waste;*
- d) *the rate at which any particular mineral may be extracted;*
- e) *the rate at which any particular mineral waste may be deposited;*
- f) *the period at the expiry of which any winning or working of minerals or depositing of mineral waste is to cease; or*
- g) *the total quantity of mineral which may be extracted from, or of mineral waste which may be deposited on, the site,*

is restricted or reduced in respect of the mineral site in question.

4. Therefore in determining this planning application, Officers have to be mindful of these requirements alongside imposing conditions which are modern and protect the environment and amenity. Paragraph 213¹ of the NPPG states an applicant can claim financial compensation as a result of ROMP planning applications where:
 - *the mineral planning authority determines conditions different from those submitted by the applicant; and*
 - *The effect of new conditions, other than restoration or aftercare conditions, is to prejudice adversely to an unreasonable degree either the economic viability of the operation or the asset value of the site, taking account of the expected remaining life of the site.*
5. Schedule 14 Paragraph 13 “*Compensation*” states that compensation may be payable to the applicant where:
 - *“13(1)(b) the conditions to which the mineral permissions relating to the site are to be subject, as determined under this Schedule, differ in any respect from the proposed conditions set out in the application; and*
 - *13(1)(c) the effect of the new conditions, except insofar as they are restoration or aftercare conditions, as compared with the effect of the existing conditions, except insofar as they were restoration or aftercare conditions, is to restrict working rights in respect of the site”.*

¹ Paragraph: 213 Reference ID: 27-213-20140306

6. There is a flow diagram in the National Planning Policy Guidance that requires that where the conditions imposed by the Mineral Planning Authority differ in any respect from those stipulated by the applicant, that consideration be given to whether those conditions would affect the working rights. A copy of the flow diagram is provided in Annex B. Should it be determined that the conditions affect the working rights the question is then is the effect of further restriction such that either the economic viability of operating the site or the asset value of the site would be prejudiced adversely to an unreasonable degree. The extent of compensation payable is restricted by the Town and Country Planning (Compensation for Restrictions on Mineral Working and Mineral Waste Depositing) Regulations 1997.
7. Government guidance on reviews such as this make it plain that their purpose is to balance the economic viability of the site and asset value of the mineral and the environmental impact of continued mineral extraction. The Minerals Planning Authority can attach or amend conditions where it is considered necessary and reasonable. However, there is a liability for compensation to the operator if working rights are restricted by the imposition of conditions. Therefore there is a fine balance to be made. There is a right of appeal against the imposition of unreasonable conditions.

Site Description

8. The site is an operational chalk quarry, which has been active for more than 150 years. Oxted Chalkpit has been worked for chalk and to create lime which has resulted in high cliffs cut into the scarp face of the North Downs above Oxted. The 24.3 hectare (ha) workings historically have been subject to extraction in a piecemeal fashion. The historic lime kilns remain on site in a poor condition.
9. Oxted Chalkpit lies on the North Downs Chalk escarpment, north of the M25 motorway, situated between Woldingham in the north and Oxted to the south, west of Chalkpit Lane. The site is bordered to the east and west by the Woldingham and Oxted Downs (SSSI), a large area of downland on the scarp and dip slopes of the North Downs, comprising rich chalk grassland, scrub, and mature and secondary woodland supporting many species of characteristic plants and animals, a number of which are rare.
10. Oxted Chalkpit is accessed from Chalkpit Lane (the C74). Chalkpit Lane is partly rural in character and partly residential with some 60 dwellings along it. The upper section north of the M25 motorway bridge to the southern site access is narrow and rural with banks and vegetation immediately abutting the carriageway. It ranges from 5.4m to 4.3m in width with a number of bends. There is also no footway that runs along this section however the Pilgrims Way crosses over Chalkpit Lane running east/ west, approximately 65m south of the main access into Oxted Chalkpit. At this point the Pilgrims Way is formed of footpath 576 and footpath 94 and they are off-set so pedestrians have no option but to walk in the carriageway. At this point in Chalkpit Lane, forward visibility is restricted and two HGVs cannot pass within the carriageway. North of the application site there is a Traffic Regulation Order (TRO) restricting access for lorries over a certain weight limit from travelling northwards, around a hairpin bend, along Chalkpit Lane up to The Ridge. This TRO does not prevent HGVs along Chalkpit Lane for access which would include accessing the application site. This means that all lorry traffic associated with the application site must travel to and from the site to the south via Chalkpit Lane.
11. The central section of Chalkpit Lane to the south of the motorway bridge and north of the railway bridge is residential in nature and the carriageway is around 5.5m. There is only a footway on the eastern side however so pedestrians from properties on the western side have to step straight into the carriageway. There is a priority give way feature installed by Surrey County Council to the south of the motorway bridge at the point at which the speed limit of Chalkpit Lane changes from 40mph to 30mph. It requires traffic travelling south to

give way to traffic travelling north and was installed to address concerns raised about the speed of HGVs travelling into the residential area.

12. The railway bridge on Chalkpit Lane south of the junction with Gordons Way has a height restriction and large goods vehicles have to travel through the centre of the arch preventing simultaneous use. There is restricted forward visibility for vehicles approaching from both directions.
13. The section of Chalkpit Lane from the railway bridge to the junction with Barrow Green Road has a rural character with a small number of residential properties on the eastern side. There are no footways along this section but from site observations, pedestrians do use this section of the carriageway. There is a ditch along the western side of this stretch of the road and some years ago a heavy goods vehicle ran into this ditch. Chalkpit Lane ends at a 'T' junction with Barrow Green Road which to the west links with the A25 at the Tandridge roundabout (approximately 2 kilometres (km)). To the east Barrow Green Road leads towards the centre of Oxted town before continuing to East Hill and then to the A25.
14. Although the quarry site extends to some 26.1 hectares (ha) the quarry itself only physically occupies some 21.3ha of disturbed land. The remaining areas consist of undisturbed woodland or agricultural fields. The remaining physical extent of Oxted Chalkpit can be broken down into four distinct areas. The northern area, which includes the high back faces and upper benches have been designated as a Regionally Important Geological/ Geomorphological RIGS designation, occupies some 6.6ha. The central eastern area which includes various buildings associated with the existing development as well as the old lime kilns occupies some 2.3ha. The remaining extraction areas (Phases 3,4 and 5) occupy some 7.8ha. The previously tipped and restored area (Phase 1) occupies some 1.3ha. The southern tip and overburden storage area (Phase 2) occupies some 2.5ha.
15. The upper back faces are in places up to 65m in height, the top of which is at some 264m AOD and the upper benches ranging from 223m AOD to 195m AOD. The main plant site area is at an average height of 173m AOD and the central and western areas to be extracted range from 180m AOD to 147m AOD.
16. Much of the existing northern chalk face at the application site is covered by a RIGS (Regionally Important Geological and Geomorphological Site) designation. The extent of the RIGS is from the proposed Phase 3 in the west, around the northern edge of the quarry including proposed Phase 1 and north of Phase 5, to the easternmost exposures at the upper part of the application site. The RIGS designation is not in proximity to Phase 4. RIGS are a non-statutory designation based on locally developed criteria, and are the most important sites for geology and geomorphology outside statutorily protected Sites of Special Scientific Interest (SSSI) or Areas of Special Scientific Interest (ASSIs). RIGS can be divided into two basic categories: 'exposure' sites and 'integrity' sites. Exposure sites provide general examples of geological features, such as the common rock layers of an area and are important for the education of the public of all areas. Integrity sites are unique occurrences and tend to be of smaller size and their main use would be for professional research. Oxted Chalkpit is an exposure site.
17. Oxted Quarry was designated as a RIGS based on it being the last of the great Chalk Pits of the North Downs in Surrey with the educational value lying in the Lower Chalk which cannot be studied elsewhere in Surrey. There are extensive sections in Lower Chalk and Middle Chalk at the site with the two divisions being separated by the Plenus marls which follow the 700ft contour.
18. The Upper Greensand/ Lower Chalk underlying the site is defined by the Environment Agency (EA) as a Principal Aquifer. The EA defines a Principal Aquifer as layers of rock or drift deposits that have high intergranular and/ or fracture permeability, properties that generally convey a high degree of water storage to the aquifer. Principal Aquifers may

thus support water supply and/ or base flow within rivers on a strategic scale. Data collected for the Environmental Statement indicate a general direction of groundwater flow within the aquifer being made from north to south, under a hydraulic gradient of 0.0915 (1 in 10.9m). The flow direction is oriented lightly to the south east. Whilst the site is located upon a Principal Aquifer, the extraction has limited interaction with it as there is no sub-water table works to be undertaken. Due to the importance of the chalk aquifer, much of the application site lies within a Groundwater Source Protection Zone (SPZ) 3 (Total catchment)².

19. The current operational site for the extraction of indigenous chalk includes site offices and weighbridge, processing plant, extraction voids, mineral stockpiles, restored areas and areas of undisturbed ground. There are also disused limekilns and a series of quarry stores and buildings. Footpath 576 (Pilgrims Way) borders the western and southern boundary of the site. The site is within the Metropolitan Green Belt, the Surrey Hills Area of Outstanding Natural Beauty (AONB) and an Area of Great Landscape Value (AGLV). A Regionally Important Geological Site (RIGS) has been designated on parts of the exposed chalk cliff faces in the northern part of the site.
20. The application site lies within the Surrey Hills AONB and the AGLV. The majority of the application site lies within the Box Hill to Tatsfield Chalk Ridge (CR3) Landscape Character Area with the southern part of the application site lying in the Merstham to Clacket Lane Greensand Valley (GV4) landscape character area which then extends southwards towards the built up area of Oxted. The South Woldingham Chalk Down with woodland and Woldingham to New Addington Open Chalk Farmland to the north immediately beyond The Ridge. Landscape character CR3 is described in the Surrey Landscape Character Assessment 2015 (LCA) as a narrow scarp slope. The aspect of the slope varies but overall it is south facing. The LCA states that the boundary of the character area broadly coincides with the change from chalk to greensand to the south and by the top of the scarp slope. The LCA states the key characteristics are:
 - a step chalk scarp slope to the south of the elevated North Downs to the north,
 - eastern and western parts of the slope are heavily wooded
 - The North Downs Way National Trail running along the length of the character area alternating between the foot and top of the scarp.
 - A number of lanes weave across the character area and the M25 motorway runs roughly parallel to the ridge along most of its length
 - Notes the lime kilns at the application site
 - A rural, unsettled, dramatic landscape with peacefulness and tranquillity aided by woodland cover which is reduced slightly due to the visually intrusive motorway and a reduction in woodland cover.
21. The LCA for GV4 recognises that this character area runs between the chalk ridge to the north and wooded greensand hills to the south. The LCA states that the predominant land use consists of medium-large scale, open arable fields with a mixture of other uses including smaller pastoral fields, golf courses and settlement. The LCA states that blocks of woodland occur with more substantial areas of woodland to the west of Oxted, and that hedgerows line field boundaries.
22. The site is currently operational. The applicant is working in Phase 4. Having removed chalk from the majority of Phase 4, the applicant is now in the process of backfilling with inert waste. Before backfilling could commence, the applicant applied and received approval from the Environment Agency for a Construction Quality Assurance (CQA) plan which involved demonstrating Phase 4 had a basal and side geological liner constructed to

² **Total catchment (Zone 3)** - Defined as the area around a source within which all groundwater recharge is presumed to be discharged at the source. In confined aquifers, the source catchment may be displaced some distance from the source. For heavily exploited aquifers, the final Source Catchment Protection Zone can be defined as the whole aquifer recharge area where the ratio of groundwater abstraction to aquifer recharge (average recharge multiplied by outcrop area) is >0.75. There is still the need to define individual source protection areas to assist operators in catchment management

specification of the applicant's Environmental Permit. Whilst waste materials had been brought in and deposited at the site between 2010-2011, this was predominantly placed in a bund along the southern boundary of the chalkpit. The only other infilling that has taken place was one of the valleys created below the cliffs which was filled under planning permission ref: TA79/653.

23. The British Geological Survey Mineral Planning Factsheet states that chalk is a form of limestone and is valued for its high whiteness. Limestones, including chalk, are used as a source of aggregates, cement raw materials, lime (CaO), and material for a range of industrial and agricultural uses.

Planning History

24. Planning permission was granted (on appeal) in 1947, under an Interim Development Order (IDO) for the quarrying of chalk from an area west of Chalkpit Lane (the application site), subject to the following 4 conditions:
- a) The area for the disposal of waste material shall be planted with grass or other suitable medium.
 - b) Tipping shall be carried out in accordance with a scheme to be approved by the Minister.
 - c) All buildings shall be coloured to harmonize with the landscape to the satisfaction of the Minister.
 - d) A tree planting scheme shall be carried out for the concealment of the workings to the satisfaction of the Minister.

The IDO permission included provision for the disposal of waste material.

25. In November 1979 planning permission was granted (ref: TA79/653) for the tipping of dry inert materials arising from the construction industry on 0.5 ha of land, in the north western corner of the quarry.
26. The Planning & Compensation Act 1991 (the "1991 Act") introduced new procedures for dealing with permissions for winning and working of minerals or the depositing of mineral waste, originally granted under IDOs. The Act required applications for registration of permissions to be made to the Mineral Planning Authority (MPA) by March 1992 or the permission expired. Such an application (ref. TA92/0070) was made in respect of Oxted Chalkpit and registered on 14 May 1992. The 1991 Act also introduced the requirement that a condition be attached to an old mining permission that the winning and working of minerals or depositing of mineral waste must cease not later than 21 February 2042³.
27. In 1993 an application for modern conditions under the 1991 Act was registered under planning application ref. TA93/0765. This application approved a total of 31 modern conditions (covering working, amenity impacts and restoration) in June 1997. Condition 3 requires that the site be restored on or before 21 February 2042, in accordance with the details contained in the approved documents (Drawing No. OX5330/1A – Restoration Scheme). Other conditions included hours of operation, the type of material that could be deposited at the site, noise levels, soil movement, landscaping and aftercare.
28. Periodic reviews (Environment Act 1995) apply to all mining sites and take place every 15 years from the date of either a previous review where new conditions have been determined, or, if no review has taken place, from the date of the latest mineral permission relating to the site. The approved conditions in 1997 are the latest new determined conditions. On 15 April 2011 the MPA served a notice on the applicant under Paragraph 4 of Schedule 14 of the Environment Act 1995, requiring the submission of new planning conditions by 11 June 2012, in accordance with the periodic review of mining sites consents.

³ Schedule 2 "Registration of Old Mining Permissions" Paragraph 2(1)(c)

29. Under Paragraph 5 of Schedule 14 of the Environment Act an applicant can apply to the MPA for the postponement of the first review within 3 months of the service of the Notice if they consider that the existing conditions are satisfactory. In a letter dated 11 July 2011, the applicant applied for a 10-year postponement of the date for submitting new planning conditions in respect of the above. The applicant considered that the existing conditions approved in 1997 were satisfactory to ensure that the site is operated in an acceptable manner. This was not accepted by the MPA.
30. In 2005 the Environment Agency amended the Environmental Permit for the application site to allow the importation of 100,000 tonnes per annum (tpa) of inert waste into the site. This amount is in addition to the amount of chalk extracted from the application site.
31. The site operations were taken over by Southern Gravel (the current applicant) in 2006 from Tarmac, and in view of the changes to the site operations (extraction and restoration). The applicant has stated that in recent years annual chalk sales from the site have been up to 40,000 tonnes and inert infilling for restoration has been almost 100,000 tonnes. Following this, around 2007, it became apparent that there was an increase in the number of Heavy Goods Vehicles (HGVs) travelling to/ from the site predominantly bringing waste. In March 2008, a 425 signature petition was presented to a meeting of the Local Committee (Tandridge). An extraordinary meeting was convened in May 2008 to consider the matter as the Chairman of the Local Committee considered it to be sufficiently pressing. As a result of this meeting, the County Council commissioned a report from TPS to investigate and report on possible solutions for the problems associated with HGV movements to and from Oxted Quarry. At the time of the report, the Quarry was generating around 70 to 80 trips (140 to 160 movements) on the busiest days.
32. The report considered a number of measures to reduce the impact of HGV traffic to and from the Quarry and concluded that the preferred option was a staged approach of measures to widen the Quarry access, to signalise Chalkpit Lane at the railway bridge, to traffic calm the residential section of Chalkpit Lane, widen Chalkpit Lane south of the quarry and to improve Barrow Green Road to take two-way HGV traffic. The Report was considered at the meeting of the Local Committee on 5 September 2008. It was agreed that the measures contained within the report would be taken forward, subject to the availability of funding in the future. It was estimated in the Committee Report that these measures would cost in excess of £1 million. Whilst there was, and still is, a will to implement these measures, the funding has not been available.
33. Following this Southern Gravel introduced a voluntary one way system for Barrow Green Road with HGVs coming to Oxted Chalkpit from the A25 Tandridge Roundabout to the west, and leaving via the centre of Oxted to the east.
34. In a letter dated 2 August 2011, the MPA refused the application for a postponement of the first review date, as it was considered that the existing planning conditions approved in 1997 were not satisfactory in view of the history of complaints arising from quarry related HGV traffic and the need for a revised working and restoration scheme, including consideration of the appropriate landform. The MPA required that new planning conditions be submitted by 11 June 2012 in accordance with the Notice.
35. On 26 March 2012 the applicant requested a scoping opinion from Surrey County Council under the Town & Country Planning (Environmental Impact Assessment) Regulations 2011. The subsequent Scoping Opinion adopted by Surrey County Council on 1 May 2012 confirmed the issues that needed to be covered within the Environmental Statement, which were: ecology, landscape, archaeology, traffic, noise, air quality, hydrology and hydrogeology, flood risk, geology and cumulative impacts.

36. Planning permission (retrospective) was granted on 19 September 2018 for alterations to the site entrance gate and boundary treatment including metal and wood fencing and installation of an additional weighbridge with associated access ramp and gantry, weighbridge office and a CCTV camera and mounting pole.

Environmental Permit

37. As outlined above, the applicant has an Environmental Permit for the application site for the deposit of materials at the site to facilitate restoration. Below is a table to show what Environmental Permits and Waste Management Licences (the predecessor of Environmental Permits) the application site has had:

| Permit reference | Issue date | Other | Volumes allowed under the Permit in tonnes per annum (tpa) |
|-------------------------|--------------------------------|--|---|
| MP3736SV/V004 | Variation date 6 December 2016 | | 2016 – 200,000 tpa |
| | 23 December 2005 | Transferred to Southern Gravel Ltd 19 May 2006 | 2005 – 100,000 tpa |
| EAWML 19580 | 23 December 1998 | | 40,000 tpa |
| EAWML 19572 | 14 February 1980 | | 40,000 tpa |

38. The Permit requires the installation of a liner within each phase to be constructed to meet set specifications before any materials can be deposited into the void and for that liner to have been Quality Assured checked. It is important to note the Permit only covers on site activities and has no remit for considering off site activities such as HGV movements to/ from the application site. When the applicant sought and obtained a variation to their 2005 Environmental Permit to double the amount of material brought to the site to 200,000tpa, this variation was allowed in accordance with the Environment Agency's procedures for Permit variations where they are not required to notify or consult the County Planning Authority. However subsequent to this, the Environment Agency have now amended their categorisation of Oxted Chalkpit so that it is classified as a 'site of high public interest' and consequently the County Planning Authority should be notified of any proposed amendments to the Permit at this site.
39. Paragraph 183 of the NPPF is pertinent in understanding the relationship between planning and permitting. Paragraph 122 states *"In doing so, 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. Local planning authorities should assume these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitted regimes operated by pollution control authorities"*.
40. The Environment Agency "Guidance for developments requiring planning permission and environmental permits" (2012) recognises that they are separate regimes but closely linked. Permitting determines if an operation can be managed on an ongoing basis to prevent or minimise pollution and recognises that the range of matters are wider for planning and may include off site traffic implications. Issues considered in the Permitting process include taking into account the competency of the operator, environmental compliance, the suitability of the site to receive waste, the engineering of the site; and that it can be demonstrated that vehicles entering and exiting the site can queue safely. The guidance states that when deciding on a planning application, planning authorities should be confident the development will not result in acceptable risks from pollution when

considering if the development is an appropriate use of the land; and not focus on controlling pollution where it is controlled by another regime.

41. Whilst Officers are aware of the Environmental Permit, as the NPPF states planning authorities should focus on whether the development itself is an acceptable use of the land and should assume other environmental regimes operate effectively.

Recent Activity

42. The application site temporarily closed in 2012 and remained closed until the autumn of 2016 when it re-opened. Between the months of January – June 2016 the applicant excavated chalk from Phase 4 to the depths as shown on plan 00355/02 r.1. The chalk was removed from Phase 4 and is currently being stockpiled on land in both Phase 2 and Phase 3. Following this, the applicant submitted a Construction Quality Assurance (CQA) plan to the Environment Agency as part of the Environmental Permitting regime, for the landfill liner than had been placed at the base of Phase 4 to allow the applicant to bring in materials to restore Phase 4. The chalk was removed from Phase 4 using 360° back-acting excavators. A basal geological barrier is required by the Environmental Permit and was constructed from naturally occurring, non-organic (chalk-based) materials arising on site selected for use on the basis of its potential to achieve the necessary permeability. The basal geological barrier was constructed to minimum thickness of 1m with the material placed at a permeability of $1 \times 10^{-7} \text{ms}^{-1}$ or less. A side slope geological barrier will also be required but this will be progressively built up as materials are brought in to restore Phase 4 and levels rise within Phase 4.

THE PROPOSAL

43. The proposal is for a modern set of planning conditions to be applied to future mineral working, restoration and landscaping at Oxted Chalkpit to meet the requirements of the Review of Mineral Planning Permissions prescribed by the Environment Act 1995 (now on referred to as “the Act”). As can see from the planning history, the previous operator of the application site gained a first set of modern planning condition as required by the Act in 1997. This current application is the first periodic review of those conditions imposed in 1997. The planning application was accompanied by an Environmental Statement (ES). A schedule of 37 conditions have been proposed by the applicant which considers the potential environmental effects of the quarrying of chalk and restoration of the quarry, and identifies mitigation measures where necessary to ensure effects are maintained within acceptable levels. These conditions are set out from page 77 alongside the County Planning Authority’s preferred recommended conditions. The applicant intends to work and complete restoration of the site by February 2042.
44. The applicant has stated that as a consequence of the environmental assessment work for the periodic review and a new quarry design prepared to comply with the Health and Safety Executive requirements, the extent of the intended extraction has been reduced from that envisaged in 1997. This is in order to limit the potential impact from the development, particularly on ecological habitats, but also lessening the landscape and visual impact. The areas where the extent of intended extraction has been reduced is:
- a rectangular area between Phases 3 and 4 measuring approximately 530m² ; and
 - the north eastern extent of Phases 1 and 5 measuring approximately 6400m².

As such, the recoverable reserves of chalk at Oxted Quarry have been reduced to approximately 1 million tonnes and would be sufficient for 20 years of production at a rate of 50,000 tonnes per year.

45. Based on this level of chalk extraction, in the 2012 Environmental Statement documentation, the applicant states that approximately 1.2 to 1.4 million tonnes (800,000 cubic metres) of infill would be required to restore the application site. The applicant states

that the rate of extraction is dependent on the market demand for the chalk and for example, the rate of extraction could increase and therefore the site could be worked at a faster pace. However it should be recognised that the application site has planning permission in principle until 2042 and the applicant does not seek to amend this end date.

46. The applicant has divided the chalkpit into five phases. The applicant proposes to continue to work the site in the five phases as laid out in 1997, working from west to east. This would involve working Phase 4 first followed by Phase 2, Phase 3 and lastly Phase 5. No chalk extraction would take place in Phase 1 but it is shown as a Phase for the purposes of dividing the site. The chalk extraction area has been reduced from that shown in drawings in 1997. These areas being the north east of the site and the northern extent of Phase 4. Extraction of chalk in Phase 4 commenced in the autumn of 2016 and can be seen in the attached photographs. Each phase is described as follows:

| Phase number and order of working | Current position | Volume of chalk yielded | Further information |
|--|---|--------------------------------|--|
| Phase 4 | Chalk extraction completed. Infilling ongoing. | 135,200t | Extraction completed to a depth of 145m AOD. Surplus restoration materials in Phase 2 transferred in. |
| Phase 2 | Chalk extraction largely completed. Inert infilling carried out with sufficient materials imported to achieve restoration levels. There is surplus material being stored within this phase for relocation to Phase 4. | 525,000t | Restoration process as far as practical whilst allowing access to Phase 4. |
| Phase 3 | Limited chalk extraction taken place. No infilling commenced | 267,200t | Operation works commence. Extraction to maximum depth of 145m AOD. Extraction will terminate at its most eastward extent at final depth 145m AOD (restoration would take place in stage 4) |
| Phase 5 | Little chalk extracted. No infilling commenced. | 129,000t | Extraction to an interim depth of 175m AOD Extraction to final depth of 160m AOD. Restoration takes place |
| Phase 1 | Chalk extraction has been completed, area partially infilled. Some infilling required to meet restoration contours | 0t | Restoration to approved levels. |

47. The quarry is worked in a series of benches being extracted by hydraulic excavator and then loaded into a dump truck for transportation to stocking areas or loaded direct into delivery vehicles. There is no fixed processing plant on the site although a mobile screen is sometimes used to grade the material. All chalk extraction, and subsequently restoration, is to take place above the watertable. The applicant proposes to restore the site to calcareous grassland for agricultural grazing with nature conservation. This would involve lining the site with a liner that meets the requirements of the Environmental Permit and the importation of materials (inert fill, soils) to facilitate restoration.

48. The applicant currently operates an informal HGV routing arrangement which is not controlled by planning or permitting conditions. This route currently involves inbound HGVs travelling along the A25 to the roundabout junction with Barrow Green Road whereby HGVs turn northwards. HGVs travel northwards along Barrow Green Road until the junction with Chalkpit Lane whereby they turn left onto Chalkpit Lane and travel northwards, passing under the railway bridge and the M25, until they reach the quarry. Outbound HGVs leave the chalkpit and travel southwards back to the junction with Barrow Green Road whereby at this junction they turn left and continue on Barrow Green Road towards Oxted. The HGVs pass under the railway bridge and continue southwards along Church Lane and East Hill Road to join back onto the A25 whereby they can turn east or west bound. This route can be seen on the attached plan in the appendices.

CONSULTATIONS AND PUBLICITY

District Council

49. Tandridge District Council
(2012) : Objection on the following grounds:
- There are no proposed conditions on the control of HGV movements. A condition limiting the number of daily (not annual or monthly) HGV movements should be imposed. As part of this review there should be a comprehensive and thorough transport assessment of the suitability of the existing local highway network for HGV movements to and from Oxted Quarry. The assessment should look at options to be pursued to minimise the impacts of the Quarry with a requirement that an appropriate option should be put forward for implementation as part of the review process.
 - Paragraph 11.9 of the Transport Statement states that “*capacity of the local roads was reviewed and found to be acceptable*” is refuted. Concerned about the volume of traffic that would be using Barrow Green Road from this proposal in combination with the proposed infilling of Oxted Sandpit. With HGV traffic to Oxted Quarry there are already considerable pressures on the local highway network and there is substantial local opposition to the introduction of any more HGV traffic to the area. Traffic associated with any infilling of Oxted Sandpit together with the existing Oxted Quarry traffic could add further to the environmental and highway problems in Barrow Green Road and in Oxted.
 - Bends in Barrow Green Road are inadequate in width for two HGVs to pass and there is also the potential for conflict between HGVs whether travelling to and from the Quarry or the Sandpit. Barrow Green Road is part of the Surrey Cycle Network and as there is no dedicated cycle path, cyclists have to share the carriage way. Barrow Green Road is used by cyclists and equestrians. Concerns in terms of road safety, layout and capacity of the local highway network to accommodate the HGV traffic travelling to and from Oxted Quarry. Refute the Transport Statement as it includes average traffic figures and not the highest potential daily traffic movements. It is considered that any assessment of traffic impact should be based on the highest potential daily traffic movements so that those impacts can be assessed and modern mitigation requirements established not to deal with the ‘average’ situation but to deal with the worst case harm. Objection is raised to the lack of any control over lorry movements and accordingly it is requested that a condition be imposed by Surrey County Council to establish a limit on the number of daily HGV movements. Any daily limit should be determined by giving significant weight to the need to protect residential amenity on the basis that notwithstanding the permission for extraction there is no strategic need for the materials being quarried.
 - Consider the proposed conditions need to be enhanced and the following conditions be strengthened:
 - Hours of Working should be amended to 0800 start time and ending at 1300 hours on Saturdays.
 - *Lorry movements* – in addition to a cap on the number of HGV movements there should be an embargo on lorry movements through Oxted at school opening and closing times. A camera system should be installed by the operator on accesses/ egresses to Oxted

Quarry in the form of number plate recognition. The operator should keep written and photograph evidence of HGV movements to/ from Oxted Quarry and have evidence of HGVs having visited the weighbridge and the amount/ weight/ type of materials deposited at Oxted Quarry.

- *Lorry size* – this should be looked into and a condition imposed accordingly.
- *Covering of lorries* – a further condition should be imposed to ensure that loaded vehicles should be properly covered to prevent spillage or emission of dust/ debris on routes to/from Oxted Quarry through Oxted.
- *Lorry routing* – the principle of formalising the lorry routing is welcomed but consideration should be given to how this will be enforced.
- *Lorry wheel washing* – this should require strict supervision
- *Pollution and Disturbance from Plant Operations* – conditions on noise and dust should be strengthened.
- *Landscaping and restoration* – these conditions should be strengthened as neither establishes a timetable for restoration which clearly relates to the phasing.

(2016): objection and raises the following comments:

- Considers that it is important that a daily lorry movement restriction and not annual or monthly restrictions that can be compressed into shorter periods leading to greater impacts be used.
- The figure of 362 movements produced by The Hurlstone Partnership would have a detrimental impact on surrounding roads and local residents for the following reasons:
 - With HGV traffic to the Chalkpit Quarry there are already considerable pressures on the local highway network and there is substantial local opposition to the introduction of any more HGV traffic to the area.
 - There would be a cumulative impact of HGVs associated with Oxted Sandpit.
 - Bends in Barrow Green Road are inadequate in width for two HGVs to pass and there is also the potential for conflict between HGVs, whether travelling to and from the quarry or the Sandpit, and cyclists and horse riders.
 - Tandridge District Council has concerns in terms of road safety, layout and capacity of the local highway network to accommodate the HGV traffic travelling to and from Oxted Quarry.
 - Support the limit on the daily number of HGV movements to 56 per day.

(2017): objection and raises the following comments:

- The number and frequency of lorry movements will have a seriously detrimental impact on the amenities of local residents through the noise, dust and vibration caused by heavy lorries. Their reasonable residential amenity will be compromised to a serious degree. The number of movements being proposed will create frequency of in/ out movements that make it a mathematical impossibility that a significant proportion of lorries will not meet each other. Lorries meeting creates additional dangers for other road users, including pedestrians and horse riders.
- Concerns in terms of road safety, layout and capacity of the local highway network. This applies to all routes but in particular Chalkpit Lane. The nature of all the roads are inadequate.
- The informal dispersed routing is also considered dangerous at the levels proposed. Sending out movements via Church Lane, an area on the end of a large and well used park and traversing a point where significant pedestrian cross the road to access Oxted is fraught with difficulties.
- In combination issues with Oxted Sandpit.
- Considers it is important that a daily lorry movement restriction and not annual or monthly restrictions are used. Consider the proposed annual average of 100 HGV movements per day with a cap limit of 200 HGV movements per day is an unacceptable position. The County Council's suggested daily cap of 150 HGV movements per day goes too far, well beyond what would be required to provide some contingency above the 56 HGV movements.

- It is hoped that the extent of the Environmental Permit's limits will have no bearing on the County Council's decision.

50. Environmental Health : No objections

Consultees (Statutory and Non-Statutory)

51. The Environment Agency :
2012: No objection subject to appropriate pollution prevent conditions being placed within the updated planning permission.
2018: No additional comments to make.
52. Natural England :
2012: No objection on ecological grounds subject to conditions ensuring the mitigation measures set out in the Environmental Statement are adhered to. Request amendments to conditions on soil handling and placement, restoration and aftercare.
2016: are extremely concerns if any of the activities associated with Oxted Quarry were to impact upon the Woldingham and Oxted Downs SSSI. Note concern raised by the National Trust about HGVs running over the verges of Chalkpit Lane and therefore damaging the SSSI. Natural England share that concern. Support the County Council in applying a planning condition that restricts the number of HGV movements in and out of the Quarry each day. Support the request for the applicant to undertaken a condition survey of Chalkpit Lane and for that to include the road verges. In order to ensure there is no damage occurring on the SSSI, we would ask that the survey extends to 5m from the eastern edge of the road into the SSSI and that it includes photographic evidence of the state of the road verge.
2018: agree with the information provided by the applicant that the minor scale f bank and verge overrun is not yet causing significant damage to the interest features of the SSSI. Consider the applicant's proposed HGV limits acceptable and would not cause significant impacts on Woldingham and Oxted Downs SSSI.
53. Historic England :
2012: That the workings or reinstatement at the quarry will not have any implications for designated heritage assets situated in close proximity of the quarry site. Note there are surviving industrial archaeological features including a series of kilns and recommend the County Archaeological Officer is consulted.
2016: The application should be determined in accordance with national and local policy guidance.
2017: Do not wish to offer any comments on this occasion
2018: The application site is within the broader setting of the Grade II Registered Park and Garden of Titsey Place however consider that any activity at the quarry will have little or no impact on the setting of the park or any other heritage assets within it. There is also a scheduled fort to the north of the quarry. The topography of the site is such that it precludes any concerns regarding the monuments setting. Consider that working or reinstatement at the quarry will not have any implications for designated heritage assets situated within close proximity of the quarry site. Recommend to consult the County Archaeologist due to undesigned industrial period heritage assets.
54. Surrey Wildlife Trust : Satisfied conditions should protect reptile species from the proposed works. The applicant's recommendations in the ecological report should be implemented. Phased restoration for the site would allow the opportunity to access the success of the previously restored land.
55. Sutton and East Surrey Water Plc :
2012: Request weekly groundwater monitoring samples to be taken.
2016: As the groundwater monitoring is covered by the Environmental Permit, will not be making any objections in relation to the monitoring arrangements set out currently.
56. Health and Safety Executive : No objection. Whilst the site is operational the site would be covered by the Quarry Regulations in terms of health and safety and stability.

57. National Planning Casework Unit/DCLG : No comments received.
58. Natural Environment and Assessment Team Manager :
2012: Wish to see a longer aftercare time scale than 5 years. Satisfied ecological concerns can be addressed by condition.
2018: Concerned that the increase in vehicles which are larger than most using the route at present could increase damage to the SSSI. Would support original vehicle numbers proposed by the County Planning Authority and not the increased numbers proposed by the applicant. Satisfied with the approach being taken to aftercare.
59. County Landscape Officer :
2012: Wish to see a long term ecological and landscape management plan for example 25 years.
2016: would not be adverse to a lower level of restoration with a cliff face being left proud in the scarp. Similarly a full restoration achieving the original contours of the scarp would be desirable as this provides an opportunity to restore chalk grassland back on the scarp where chalk grassland is a rarity. Putting chalk based top soil will provide the perfect seedbed. If the slope is less steep there is a range of agricultural uses possible. The important thing is to remove the waste material from the front of the site and achieve a pleasant grassed undulating landform that keys in to the surrounding contours.
60. County Archaeological Officer :
2012: No objection. Agree that the Heritage Assets with industrial archaeological significance are retained and their condition and management improved.
2016: The proposed condition relating to the removal and control of re-growth of vegetation from the lime kilns falls below the level of intervention that will conserve and prevent further degradation of the structures. The refused application for housing on the site (TA/2014/741) had a condition that was more appropriate that required a schedule of works be submitted and approved to include detailed information on the scope and methodology of the repair, consolidation, management and interpretation of the heritage assets proposed to be undertaken. Consider the same or a very similar condition should be attached to any permission that may be granted under the periodic review.
2017: No comments to make.
2018: No comments to make from an archaeological perspective.
61. County Highways Authority – Transportation Development Control :
2012: the application was supported by a Transport Statement which was undertaken on the basis of 56 HGV movements per day. This was the average daily flow in 2008 which is the highest daily average of all years from 2008 to 2011. On this basis the applicant concludes the impact of 56 HGVs per day is acceptable and there is no adverse impact on the highway network or environmental conditions of residents and therefore the proposal is acceptable and no limit should be placed on HGV movements. This is misleading. On some days there are no movements and on others there are considerably more. It does not consider the actual impact on the days where the number of HGVs exceed 56 by a considerable margin. The submission refers to weighbridge data but has not included it. The County Highway Authority have undertaken their own analysis which shows how the 56 movements per day does not represent a true picture of the impact of HGVs on residents and highway users. On this basis the County Highway Authority does not consider that the applicant has demonstrated that the site should be permitted to continue with no limit on HGV numbers. As the applicant is unwilling to undertake any assessment over 56 HGV movements per day, it is considered that this is the maximum number that can be permitted per day. Any more than this has not been assessed.
2016: given the recent history of the site, the nature of Chalkpit Lane and the level of public concern raised, it is considered that a limit on the number of movements is considered necessary in order to make the development acceptable. Recommends conditions that limit the number of HGVs carrying waste to the site to a daily limit not just an average. The Hurlstone Partnership report submitted in January 2016 does not consider the maximum number of HGVs (362) and concludes that this is acceptable and should therefore constitute the upper limit of any condition limiting the number of

movements to/ from the site. Disagree with the methodology in the report. Recommend a condition that surveys are carried out on Chalkpit Lane to ascertain the condition of the road; that measures are in place to ensure debris does not get on to the public highway. Has concerns about the Transport Statement analysis and conclusions

2018: acknowledge the site currently has no planning conditions restricting HGV movements and an Environmental Permit. However it is clear that the highway network is not well suited to HGV use nor is the access capable of meeting any of the national design criteria for visibility splays. Recommend a restriction to daily movements and vehicle loads to no greater than that which occurs currently in regard to average daily flows and to restrict the maximum peak daily flows to a level constrained by acceptable noise limits. The applicant argues that the average and maximum figures should be higher, but in doing so would exacerbate current conditions to the detriment of road safety, safe traffic flows and the operation of the highway. Whilst limits lower than those proposed by condition would be preferred, it is difficult to determine how much lower would be appropriate when doing so may affect the asset value of the site. Recommend conditions restricting the number of HGV movements (a daily cap and annual average), that HGVs should not travel in convoy, that HGVs should avoid school drop off/ pick up times, that the applicant should carry out a survey of the highway.

62. Countryside Access Officer (Rights of Way):

2012: concern the route to the application site is used by walkers, cyclists and equestrians including footpaths 96 and 508 and bridleways 565, 96 and 97 all lead off Barrow Green Road. Bridleways 96 and 97 are also marked as Surrey Cycle routes. Concern regarding walkers using the North Downs Way as walkers have to walk up the lane between the two sections of the footpath (footpaths 576 and 94) and cross over Chalkpit Lane. Concern for children at both ends of the school day making their way along roads with narrow pavements, or none at all. Consider the new conditions differ in only minor respects from the previous conditions and do not limit either the size of the vehicles or the number of lorry movements per day. Request conditions that limit the size of HGVs to 32 tonnes maximum and 3 metres width; the total number of HGVs arriving or exiting the quarry should not exceed 10 (20 movements) per working day (there should be no HGV movements at weekends); the working day should be 0700 – 1800 hours but exclude 0800 – 0930 hours and 1530 – 1630 hours during school term time; there should be an interval of 30 minutes between each HGV movement to/ from the quarry to avoid the need to pass each other; there should be a maximum speed limit of 20mph for HGVs along the lorry routes between the A25 and the quarry entrance; the recommended routes to and from the quarry should be included in the conditions; there should be a separate path for walkers and preferably for horse riders and cyclists from the edge of Oxted along the side of Chalkpit Lane as far as the North Downs Way crossing.

63. County AONB Officer :

2012: the site is very prominent with short, medium and long distance views. Request an earlier cessation date be negotiated as it seems a long way off during which time the site would remain a scar on the AONB. Concern that the site could remain dormant for many years and the site not being able to be restored as a consequence. Welcome the site being restored in phases but that this should be in accordance with an agreed timetable and tied in to a planning condition. There should be a financial bond in place to be able to restore the site and for the monies to be released progressively. Question whether financial arrangements are in place to ensure the proper restoration of the site. Condition 4 (as put forward is inadequate). Leaving submission of the landscaping scheme until workings have ceased provides scope for delays in the implementation. A condition should be imposed requiring the submission and approval of a detailed landscaping scheme within 2 years of the permission. Request that sufficient chalk is retained on the site to spread under the grassland so that it is indeed natural chalk grassland. The North Downs Way runs along a section of Chalkpit Lane which at the moment is difficult and dangerous to negotiate. Consider there is scope to cut back and replant further back the hedgerow along 80m in length and create a footway along the lane to enable a safer

crossing point. Request any landscape planting is carried out in the first planting season following the approval of details.

2016: the most important consideration is the design and quality of the site restoration scheme. The submitted scheme falls a little below modern standard but this is not enough for the application to fail. Any improvements on the scheme would be welcome. Waste has been brought onto site and is visible from parts of the surrounding AONB. As this is a nationally designated and important landscape planting of the bund is considered essential. The winning and working of chalk will result in HGV movements and it will be for the County Planning and Highway Authority to seek to strike an appropriate balance keeping the activity and disturbance and general environmental harm arising from HGVs to the minimum, with practical considerations.

2018: the number of HGVs damages the character and any tranquillity of the AONB. Urge that the finished profile of the infilling and landscaping will result in as natural looking landscape as possible.

64. County Noise Consultant:

2012: Agree with the noise levels put forward in the noise assessment for limiting on site noise to 55LAeq. No objection to the start time for the site remaining at 0700 hours. Agree that alternative reversing warning devices should be explored.

2016: Based on the calculations carried out in the Hurlstone Partnership document, the situation with 362 HGVs per day would indicate noise increase of between 5.1 and 5.4 dB(A) dependent upon the gradient on Chalkpit Lane. In terms of a DMRB assessment the effects would be deemed a 'moderate' increase which is higher than desirable and significant. There has been no consideration given to noise increases in the peak hours which would be significantly greater than for the 18 hour period. There are a significant number of properties affected on what would appear otherwise to be a fairly quiet residential area. HGVs of the quantities envisaged would not normally be acceptable in the context of this residential environment and there are limited alternatives. On this basis agree that the number of HGVs permitted per day should be limited and should not result in more than a 3 dB increase in the LA10, 18hr.

2017: Recommend that an increase in noise along Chalkpit Lane should result in no more than a 3dB increase in the $L_{A10,18hr}$ and/ or no more than a 5 dB increase in the $L_{A10,1hr}$.

2018: Continue to disagree with the applicant as to what an appropriate baseline for the traffic situation and that a minor exceedance of the agreed criterion should be acceptable. Do not agree that the requested maximum peak number of HGV movements of 200 per day should be permitted. Consider the baseline should be without any site related traffic as it prevents creeping noise effects through accepting incremental increases in traffic. An increase along Chalkpit Lane should result in no more than a 3 dB increase in the $L_{A10,18hr}$. a cap of 200 HGV movements per day would result in a noise increase of more than 3 dB. Recommend conditions with regards to noise relating to onsite operations i.e. plant and machinery.

65. County Air Quality Consultant :

2012 : consider the air quality assessment to be comprehensive. No further recommendations required.

2016: No further recommendations in relation to dust. In terms of air quality impacts, as the expected number of annual average daily HGV movements is 56 this is below the EPUK/IAQM indicative criteria so an assessment is not likely to be required.

2018: recommend conditions be imposed to control dust emissions from the application site. The Environmental Protection UK (EPUK) and the Institute of Air Quality Management (IAQM) *Land use Planning and Development Control: Planning for Air Quality* document provides indicative threshold criteria for determining when an air quality assessment is required. The criteria depend on whether the application site is located within or adjacent to an Air Quality Management Area (AQMA) or outside an AQMA. In this case, Tandridge District Council has not designated any AQMAs. The indicative threshold criteria outside an AQMA are 100 HGVs as a daily annual average. As a daily annual average, the number of HGVs is below the EPUK and IAQM indicative threshold for carrying out an air quality assessment. The air quality impacts can therefore

be considered to have insignificant effects. Consider the tracked out dust effects on the SSSI are considered to be negligible.

66. County Geotechnical Consultant:

2012 :

RIGS – agree that where the junction between the Lower and Middle Chalk is exposed should be maintained for research, teaching and public amenity/ community purposes. Recognise that even though the current proposed restoration of the site with imported inert fill impinges on the large area of RIGS designation, a significant area of the RIGS designation remains available. Queried whether the need for slope stability could adversely impact the junction between the Lower and Middle Chalk.

Slope stability – queried the stability of three separate slopes and requested clarification. Raise concerns the boundary adjacent to 'the Bungalow' is much steeper than shown on one of the cross sections and the restoration does not appear to address this. Request clarification for the long term stability of cross section 8.

Hydrology, flooding & drainage – the Flood Risk Assessment is satisfactory and appropriate. Raise an issue with regards to the capacity of the storage/ infiltration basin on the southern boundary of the site. Recommend a condition to provide details for long term drainage from the site.

Hydrogeology – concerns that the hydrogeological model put forward in the hydrogeological impact assessment is not adequately supported and justified by the monitoring data and there is not adequate justification for the assessment outcome which is that infilling the voids with low permeability waste will not significantly affect aquifer recharge, water levels and flows. Concur with the impact assessment outcome in respect of pollution that the proposed development is unlikely to cause unacceptable harm provided that suitable management controls are in place in respect of the quality of the imported fill materials; and operational practices in respect of spillages and drainage etc follow current best practice; and there is a robust ground and surface water quality monitoring scheme in place.

2014:

RIGS – the statement that the representative of the Surrey Geological Group could not locate the Plenus Marl Bed and is considered to be no longer visible is noted as is the status of the feature being an 'exposure' rather than an 'integrity' site. Note the proposed restoration does not affect all of the quarry face. Recommend a statement is obtained from the RIGS group that the proposals on the RIGS is no longer a concern.

Stability – the slope in the vicinity of the bungalow has been inspected and has been shown to be well vegetated and currently stable. Any potential for weathering and degradation can be dealt with via the suggested methodology. Concerns regarding the northern area around Section 8 and the impact on the RIGS has been addressed. The methods of control are acceptable. Inspections will be undertaken as part of the Quarries Regulations. The proposal for annual monitoring and stabilisation measures are accepted.

2018: No comments to make on the highway information.

Stability – the restored fill slopes have a far more than adequate Factor of Safety against slippage. There could be a restored profile that would use less imported fill but the applicant would need to work these up into plans and sections and check the stability making sure the drainage works and landscape visual impact is acceptable.

Drainage - recommend a condition requiring a drainage scheme and design to be submitted for approval within 6 months of the ROMP being determined.

67. Environmental Assessment Team :

2016: the Environmental Statement is satisfactory including the further information that has been subsequently received.

2018: sufficient environmental information has been provided in the original Environmental Statement, as augmented by the further information provided in 2016, 2017 and 2018.

68. Surrey RIGS group :

2013: - Oxted Quarry is an exposure site. The aim of the site would be to ensure a lasting example of the Chalk succession in one place for future educational and

professional visits. It would clearly show the differences in the rock types of the Chalk: the bedded Lower Chalk at the base, then the Plenus Marls clayey marker layer, the Melbourn Rock (chalk) and finally the bulk of the white Middle Chalk above.

Parish/Town Council and Amenity Groups

69. Limpsfield Parish Council:
2012 : ongoing concern regarding heavy vehicle traffic generated by the application site. Appreciate the application site has a licence to extract chalk and that this can only be transported by road. However the frequency and routing of the lorries is of concern and requires control and improvement to the associated routes to allow safe passing of vehicles. Requests the proposed conditions be amended to include improvements to be made to Barrow Green Road to include widening points to allow safe passing, vehicle movements to restricted to 30 to and from the site in any one day, vehicles when travelling on the A25 do not deviate from the A25 except at the designated entry and exit points; vehicle movements to be restricted during school drop off and pick up times to avoid congestion and potential hazard to school children; and vehicle speeds to be restricted to 30mph on the access and entry routes to the quarry.
70. Oxted Parish Council :
2012 :the historic HGV movements with the application site are unacceptable. Acknowledge the need to infill the quarry but the annual rate of 100,000 tpa means it is happening too quickly. Request to set conditions that include a proper, enforced cap on vehicle movements of up to 14 round trips a day; and a consistent maximum speed limit of 25 mph on the approved route.
2018: Objection are seeking a reduction in the speed limit on Chalkpit Lane.
71. Woldingham Parish Council : 2018: object on the following grounds –
- The data included as evidence of Chalkpit lorry movements is deliberately misleading and confusing. It refers to chalk tonnage, lorry movement measurements and weighbridge data. The data supplied is for random and varying number of years with notable gaps.
 - The data from the ATC counter is not complete. Chalkpit lorries have been illegally using the width restricted northern section of Chalkpit Lane to access the quarry. This is a major concern. It is a blatant disregard for legal width residation.
 - The section of Chalkpit Lane to the south is not suitable for such large frequent vehicle movement. HGVs travel at inappropriate speeds around blind bends. Chalkpit Lane is a narrow, country lane which runs through a suburban area. It is not suitable for the current level of HGV usage and not fit for purpose for any increase in HGV movements.
 - Request a clear 'no left turn' rule for lorries coming out of the quarry including fines levided on the quarry and haulage companies for violation.
 - Better signate of the width restruciton top and bottom of Chalkpit Lane.
 - A revisit of any potential road calming, width restrict measures that can be implemented.
 - Monitoring of lorries going down Chalkpit Lane from The Ridge.
 - A traffic management system for the southern stretch of Chalkpit Lane to manage two way HGV traffic to the quarry entrance.
72. Park Road Residents' Association : consider the traffic generated by the site is significant. Strongly support the need for more effective planning constraints including limiting the number of lorry journeys and speed restrictions.
73. Oxted & Limpsfield Residents' Group:
2012 : object to the application as it has been made. Consider many of the conditions as submitted fail the test of precision and fail the enforceability test as set out in Circular 11/95. Request conditions are imposed limiting the rate of extraction and infill. Question if there is a need and demand for the chalk. Question the need for an end date of 2042 and consider an earlier date should be put forward. Querying what the trigger would be

for any cessation of activities at the site if this should occur before before all winning and working of minerals has occurred. Request a requirement to monitor and report performance of noise and dust conditions. Consider the noise condition for temporary operations is unclear in terms of describing the operations and locations where this limit would apply. That the condition for routing protocol would not work as it would be on roads which are not within the applicants control. Request further measures for highway controls. Consider the Transport Statement is inaccurate in the number of HGV movements that are purported to use the site.

2016: the purported 362 figure [in the Hurlstone Partnership document] is claimed to have only occurred on one day. The 56 HGV movements proposed is already too high for local roads to safely tolerate. There have been many near misses involving HGVs on Chalkpit Lane which would not have been recorded within the accident figures. The revised TA fails to take proper account of conditions on Chalkpit Lane and Barrow Green Road taking a simplistic approach to the projected traffic figures. Barrow Green Road has been designated as a Cycle Path and is narrow with no pavements. HGVs on the road network would be an additional hazard to children and Barrow Green Road is too dangerous to accommodate a large, regular volume of HGV traffic. The number of HGVs would cause vibration issues for houses on Chalkpit Lane and residents are experiencing cracks in their properties. The baseline for the assessment is 2012 and not more up to date. The HGV condition limiting movements should be for all HGVs associated with the site including those associated with chalk. There is no new assessment of cumulative impact or mitigation measures. There is no acknowledgement of recent changes including the increasing number of cyclists using Barrow Green Road and Chalkpit Lane. Recommend conditions proposed within residents representations are used in determining this application.

2018: objection on the following grounds:

- OLRG's primary concern is to ensure that those who travel on the roads, whether driving, walking, cycling or horse riding are safe and without intimidation or fear of being hit by a HGV. This is not the case at present.
- Consider that the current HGV movements and the caps proposed by both the applicant and by Surrey County Council (SCC) represent a very high risk to the safety of those travelling on the roads. The route is totally inappropriate for the current and proposed levels of HGV movements due to the high risk of injury and loss of life that the movements pose.
- SCC have been made aware of this high risk by residents and nevertheless it is proposing excessive and inappropriate levels of HGV movements.
- Consider the HGV movements are creating an accumulating detrimental impact on the environment.
- Insufficient information has been provided to allow proper assessment. The applicant has not proposed satisfactory measures for the future monitoring of HGV movements implementation of adequate safety measures or the repair of roads.
- Consider a lower HGV limit than proposed by the applicant and SCC does meet the required policy tests.
- Consider a more stringent cap on HGV movements would not impact on the site's economic viability as the applicant's information provides little factual evidence to support the premise that a limitation would adversely cause such an impact.
- Consider the Transport Statement Addendum does not consider the realities of large HGVs travelling on geometrically constrained roads. A swept path analysis should be used to demonstrate the suitability of the existing highway network. There are significant inbound/ outbound constraints that means HGVs are unable to pass standard cars.
- The Transport Statement Addendum fails to consider the effects of HGV traffic on the local roads, taking into account their specific context. It also fails to identify how fear and intimidation is felt by school children and other vulnerable groups. There are non-existent or poor facilities for pedestrians and other vulnerable roads along the road network used by the HGVs.
- SCC has not had regard to the location of the site in light of the restricted nature of the local road network which is not designed for or safe for the excessive amounts of

HGV traffic that SCC is proposing. The applicant has failed to take into consideration the nature of the local road network as being unsuitable for frequent HGV movement due to the restricted road widths and that it does not comply with modern standards for HGV access and movement.

- Oxted is a very compact town with a small and narrow road network. The HGV route goes along these narrow roads which schoolchildren walk along, which horse riders use, which many pedestrians use.
- Chalkpit Lane is a narrow road, making travel difficult for a vehicle that encounters one HGV. When two HGVs meet it is impossible for them to pass each other without mounting the verges. Barrow Green Road has various bends and undulating road heights. HGVs must also pass under three railway bridges and because of their size they have to occupy the centre of the road creating a high risk for other road users.
- The Manual for Streets dictates that carriageway width should be appropriate for the particular context and users of the street. Barrow Green Road and Chalkpit Lane are of a shorter width and are unsuitable when considering their use as the primary route for vehicles to access the quarry.
- The current level of HGVs results in severe intimidation of other road users especially when HGVs move in convoy. OLRG proposes a condition to prevent HGV movements in convoy. The levels proposed by the applicant and SCC will result in severe and unacceptable levels of intimidation.
- SCC has failed to give proper weight to the risk of injury resulting from the excessive HGV movements that are being proposed. The proposals will exacerbate the road safety risks on lanes that are frequented by school children, horse riders, cyclists and tourists. There is a lack of pavement along much of the route. Where there are pavements these are narrow and in poor condition. There has been no assessment of impact on these vulnerable users.
- The weighbridge data reveals that the in and out movements greatly varies, with the applicant asking for a degree of flexibility. Contend that this should not outweigh the adverse impact on safety. There is no consideration of near misses and the intimidation that other road users encounter.
- Do not consider that the noise level change of 3 dB $L_{A10,18hr}$ which is just below the level considered acceptable by SCC, has been adequately alleviated.
- The current and proposed HGV numbers are not in keeping with the AONB Management Plan and SCC have failed to give sufficient weight to the detrimental impact that the proposed HGVs will have on the environment.
- The applicant has not demonstrated that the need for mineral working overrides the environmental consequences of their working.
- Requests the following action by SCC:
 - A full road safety review including but not limited to investigating safety measures to protect drivers, pedestrians, cyclists and horse riders; and investigating safety measures to protect school children walking to school from being hit by passing HGVs
 - A plan to protect the environment from damage and to repair past and future damage
 - A plan for compensation for, or repair of, damage to private land from HGV depredations
 - A maintenance plan for the route to ensure the proper upkeep of roads.

74. Woldingham Action Group:

2012: support a condition confirming the routing system for the HGVs entering and leaving the site. Propose HGV movements for both extraction and restoration should be limited to five working days a week and should avoid the critical hour in the morning at the beginning of the school day and again in the afternoon at the end of the school day. Consider the differences between the average traffic flow and the actual daily maximum and minimum HGV movements for the site clearly demonstrates a need to set a reasonable level for HGV movements. To ensure compliance, the frequency and timing of HGVs in and out of the quarry should be monitored in a transparent manner with results made available to the public.

2017: Object to the proposal on the following grounds –

- Despite the width restriction, HGVs do use Chalkpit Lane and The Ridge towards Woldingham. We recognise that not all of these are Quarry HGVs. However the proposal seeks to increase the HGV movements significant compared to historic levels and so we believe that it is inevitable that more HGVs will travel north along Chalkpit Lane towards Woldingham. Request measures and stricter enforcement of the width restriction so that no HGVs travel north.
- The proposed HGV movements limits are too high.
- While the Hurlstone Partnership study implies the proposed limits are similar to today, a more detailed analysis shows that the proposed HGV movements are, in fact, much higher.
- The risk of serious and minor accidents to all road users, including cyclists and pedestrians, will increase should the proposed HGV movement limits be adopted. The Hurlstone Partnership study conclusions that safety will not be affected use time periods when the Quarry was not operational and so we believe these conclusions are not correct.

2018: Object to the proposal on the following grounds:

- HGVs do use Chalkpit Lane and The Ridge towards Woldingham. Whilst recognise that not all of these are quarry HGV, there is no mechanism to enforce and Quarry site rules so believe it is inevitable that increase HGV movements at the Quarry will lead to more HGVs travelling north. Like improved measures and stricter enforcement of the width restriction.
- The proposed HGV movement limits are still too high. Both the 100 daily and the peak limit of 200 represent substantial increases over historic levels. This will increase congestion.
- The risk of both serious and minor accidents to all road users, including cyclists and pedestrians, will increase should the proposed HGV movement limits be adopted.

75. Woldingham Association

2017: Object to the proposal on the following grounds –

- because the Hurlstone Partnership report implies no adverse impact from the proposed HGV movement limits. However the data included in the report shows that the proposed HGV movement limits are significantly higher than historic levels and so believe the report under states the congestion, safety and noise impacts of the proposal.
- The report incorrectly assumes that all HGVs travel south to Oxted, when our residents regularly report HGV encounters on Chalkpit Lane travelling to/ from Woldingham. Request more enforcement of the width restriction on Chalkpit Lane to the north to ensure that no HGVs travel north towards Woldingham.
- We recognise that not all of these are Quarry HGVs. However the proposal seeks to increase the HGV movements significantly compared to historic levels and so we believe that it is inevitable that more HGVs will travel north along Chalkpit Lane towards Woldingham. Request measures and stricter enforcement of the width restriction so that no HGVs travel north.
- There is no other enforcement of the width restriction and no other records of violations and so there is no effective penalty for HGVs that violate it. Chalkpit Lane to the north is steep, narrow with no passing places so HGVs travelling this route cause considerably delay and near misses.
- Believe incidents with HGVs along Chalkpit Lane go unreported because the reporting burden is time consuming.
- The Transport Statement assumes that the voluntary routing is adhered to but provides no recent evidence to show this routing is followed beyond including the Site Rules. The Site Rules cannot ensure compliance. Residents report following HGVs that exit the Quarry southbound and then detour to other routes beyond.
- The proposed traffic figures would quadruple the number of HGV movements when compared to the 32 HGVs movements prior to imports resuming. The Transport Statement seems to imply there will be little difference arising from the HGV

movement limits. This is not the case because the historic data provided in Tables 4.1 through 4.4 show no time period when HGV movements were either near the proposed daily average or daily cap levels for any length of time. Similar under statements can be found elsewhere in the report.

- The collision data relied on is not representative because it is taken from a period when the Quarry was not operational. The serious accident described occurred during a non peak period.
- The historic HGV movements are considerably lower than those being proposed and nowhere near the level and duration of HGV movements possible under the proposed daily cap limit.
- The Transport Statement under states the projected HGV collision rate because it relies on a collision rate statistic that includes HGVs travelling on modern motorways and carriageways. This cannot represent what could occur on the narrow country lanes and residential streets.
- The noise impact is based on projected rather than observed information. There is no noise evidence from the higher HGV movement period. The Transport Statement under states the noise and vibration impact because it does not consider that HGV movements could be at the daily cap level for six months of the year.

2018: object to the proposal on the following grounds:

- Object to the proposed conditions in the Transport Statement July 2018
- Object to the suggestion to impose a Traffic Regulation Order on Chalkpit Lane that would make through traffic unlawful. Woldingham residents regularly use this route and it would be an adverse impact on local businesses.
- A daily limit of 50 loads/ 100 HGV movements with a peak of 100 loads/ 200 movements is too high.
- The accident risk can only increase significantly should these limits be agreed. It is common sense that a rural lane like Chalkpit Lane is going to be more dangerous with more HGV traffic. Chalkpit Lane was never intended to carry significant volumes of HGV traffic. It is used by all manner of traffic, pedestrians, children and cyclists. This makes for a more dangerous mixture of unpredictable traffic.
- The report incorrectly assume that all HGVs travel south towards Oxted when residents report HGV encounters travelling north to/ from Woldingham. The July 2018 Transport Addendum does not mention any mechanism for ensuring that none of the quarry HGVs travel north.

76. Westerham Town Council:

2012: Concern regarding the high number of HGV movements associated with the site and that they are not properly sheeted so that waste is spilt on the highway. The Council wishes to avoid any increase in the number of HGV movements through Westerham and to respond positively to their air quality problems by working towards an imposed reduction (of HGVs).

2016: consider in the absence of an assessment to consider a higher daily figure that a daily maximum of 56 [HGV] movements is reasonable.

77. National Trust :

2016: Given the technical nature of the additional information, no comments to make in that respect. However, request consideration is given to restricting access to the section of Chalkpit Lane north of the M25 to one lorry at a time to avoid any risk of two lorries trying to pass in the narrower section of the road. In the past there has been a reasonable amount of damage to the verge on the National Trust side (the eastern side) of Chalkpit Lane because the road is not wide enough for two large vehicles to pass. This is slowly eroding the bank away. The land right down to the roadside is SSSI so in theory the vehicles are damaging the SSSI. In addition the North Downs Way footpath crosses the road at this location and footpath users have to walk down the road for a short section before re-joining the footpath creating a safety hazard.

78. CPRE :
2012 : object strongly to the fact the operator does not seem prepared to limit vehicle movements. Concern the site has caused kerbside damage and HGVs drivers do not adhere to the speed limit, Request new conditions which are more onerous on the operators including strong controls on HGV traffic generation levels.
2016: support the proposed condition of a maximum of 56 HGV movements per day. Do not support the case put forward by the applicant for a higher HGV number.

Summary of publicity undertaken and key issues raised by public

79. The application was originally publicised in 2012 by the posting of 3 site notices and an advert was placed in the local newspaper. A total of 185 of owner / occupiers of neighbouring properties were directly notified by letter. 172 letters of representation were received in relation to that publicity raising a number of objections, concerns and queries. The main area of concern raised within the representations relate to highway matters including the suitability of the road network in the vicinity of the site (85 comments), damage caused to the highway and verges from HGVs travelling to/ from the site (57 comments), the need for a condition limiting the number of daily HGVs visiting the site (55 comments); concern for the safety of pedestrians, cyclists and horse riders using the highway network near the chalkpit (48) and that there should be no HGVs accessing the site during school drop off/ pick up times (36).
80. The applicant submitted a document entitled “Consideration of suggested HGV limits by Surrey County Council” in January 2016. A further round of consultation and publicity took place in accordance with Regulation 22 of the Town and Country Planning (Environmental Assessment) Regulations 2011 (the “2011 EIA Regulations”) with the placing of site notices, a newspaper advert and all those originally notified of the planning application *and* those who made representations on the planning application being notified.
81. The applicant then submitted a revised Transport Statement in May 2017 and a further round of consultation and publicity took place in accordance with Regulation 22 of the EIA Regulations⁴ with the placing of 4 site notices, a newspaper advert and all those originally notified of the planning application *and* those who made representations on the planning application being notified. 98 letters of representation were received in response to this publicity.
82. The applicant then submitted further information in August 2018 including a revised Transport Statement and information on the SSSI. A further round consultation and publicity took place in accordance with Regulation 22 of the EIA Regulations with the placing of 5 site notices and a newspaper advert and all those originally notified of the planning application *and* those who made representations on the planning application being notified. 37 letters of representation were received in response to this publicity.
83. A total of 234 households have written in on the application covering all additional rounds of publicity. The following concerns and comments have been made:

General

- Understand the need for supply and demand for mineral and the economic benefits
- The mining of chalk on the edge of a busy town requiring lorries to use residential roads is ridiculous
- The site should not operate at weekends
- Failing to adhere to new conditions the site should be closed

⁴ The application and accompanying original ES were submitted at a point in time when the 2011 EIA Regulations were in force, and that therefore the application has been processed under the 2011 regime for EIA (which is in accordance with the circumstances set out in Regulation 76(2)(a) of the T&CP (EIA) Regulations 2017 (as amended)).

- Object to the consultation taking place over the holiday period
- In favour of the quarry being filled as it is a scar on the North Downs and it would be good for the local environment and future generations if it was filled and grassed over

The application documents in particular the Transport Statement

- The application should be rejected as it does not address issue of dangerous lorries
- The application is inaccurate/ unacceptable - it claims there is little impact
- Disagree with the Transport Statement saying there are only 5 vehicles per hour and does not convey the impact of a daily stream of HGVs
- The current application makes no changes to the existing conditions
- The traffic survey submitted was undertaken during a period of time which coincided with the school Easter break which will have impacted materially on the 'average' results. There is also no reference in the report to risks to pedestrians.
- The data remains on historical information
- It is difficult to comprehend how a calculation of risk of accidents in Chalkpit Lane can be based on averaging national statistics of road miles travelled
- The report does not mention the sharp corners/ blind spots/ unexpected narrowing/ limited pavements

Suitability of the highway network

- The roads around Oxted are not suitable for the size of lorry visiting the site
- There is a riding stable nearby. The proposal is not suitable with this
- Many of the roads do not have pavements
- The roads are too narrow, inappropriate, inadequate to take this type of vehicle on such a scale and not widen enough for two HGVs to pass each other
- There should be a width restriction for the whole of Chalkpit Lane
- There is a section on Chalkpit Lane just before the quarry entrance where the road is narrow and you can't see the lorries until you are in the narrow section and there is no where to go
- The operator should clean up and make good any debris/ damage from HGVs to the highway or adjacent land
- The roads are often muddy showing the wheel wash is not being used properly
- The lorries cause destruction to the roads/ the roads are already in a poor condition/ the lorries lead to the replacement of kerb stones which are now broken in places. This will make it worse
- The lorries have to mount the kerbs/ pavements to pass each other
- The most dangerous spot is approaching the railway bridge because of sharp bends and blind spots
- There should be no lorries travelling through Woldingham

HGV damage

- The HGVs damage the verges as the road is not wide enough for them/ mounting the kerbs
- The HGVs cause unacceptable degradation of the road surface
- The applicant should be responsible for the cost of road repairs caused by the lorries.
- The roads have become damaged with potholes from the lorries

School times

- Lorries should be banned from driving during school run times
- Allowing an operating time when children are walking home from school is dangerous
- Downs Way School has already expanded and there is a consultation currently on amalgamating St Mary's junior school and Downs Way infant school and expanding the junior provision by 30 children in each year group. This is going to increase traffic and pedestrian footfall in the area at school drop off and pick up time. Both schools are in the process of developing robust travel plans with an emphasis on encouraging walking to school. The addition of HGVs during the period 0800 – 0930 and 1430 – 1600 hours

would greatly increase these risks. There are also families who need to travel between Limpsfield Infant School and St Peter's infant school in Tandridge and who have no choice but to use Barrow Green Road.

- Insufficient weight has been given to the safety implications of the current routing close to three local schools.

Safety and Accidents

- The traffic report saying there have only been three collisions does not include unreported accidents i.e. Just damage and no injury
- There is an issue of road network safety and it is only a matter of time until the safety of a resident is compromised/ increase in lorry movements will increase risk to pedestrians/ cyclists
- Witnessed a large number of very near misses between HGVs and cars/ buses/cycles etc
- The safety data in the Transport Statement is when the site was closed.
- It is not safe for walkers with a stream of lorries along the road
- The number of lorries already are dangerous to public safety and a nuisance
- There is no pavement at the end of Chalkpit Lane from the railway bridge to the junction with Barrow Green Road which is highly dangerous without 150 and 200 lorry journeys
- With the schools in the area there will be an accident
- Doubling the permit will increase the risk
- There will be increased risk to school children as the HGV route passes schools
- Any increase in lorry movements will raise the risk of fatal accidents, especially at the narrow points near the quarry, at the new traffic calming and the corners before and after the railway bridge

Chalkpit Lane

- Concern regarding the volume of HGVs passing along Chalkpit Lane at some speed which is dangerous to all residents
- The speed limit on Chalkpit Lane should be reduced to 20mph
- The speed limit on Chalkpit Lane [the lower section] should be reduced to 30mph
- There is no footpath on the southern section of Chalkpit Lane, the lorries endanger children walking/ cycling to school
- Our son was hit by one of the lorries
- A lot of the driveways on Chalkpit Lane are concealed so visibility to see oncoming traffic is difficult
- Oxted Parish Council passed a motion at the Council meeting in July 2018 for the speed limit to be reduced to 30mph
- There is a clear sign about lorries not going up Chalkpit Lane

Barrow Green Road

- Barrow Green Road is full of potholes and cracks as a consequence of lorries going to this site
- Barrow Green Road is inappropriate as it winds around sharp corners and is dangerous to drive at best of times
- Barrow Green Road is inappropriate route to use for HGVs as it is used by horses, cyclists and dog walkers
- Barrow Green Road should have a lower speed limit e.g. 30mph or 20 mph
- Barrow Green Road should have a lower speed limit between the junction with Gordons Road and Bluehouse Lane of 20mph
- The stretch of Barrow Green Road (between Gordons Way and Church Lane) is dangerous and should be excluded
- Barrow Green Road should be re-engineered to make it fit for modern transport use and bring up to modern safety standards

- The proposal would result in a HGV every 4 minutes travelling East along residential roads and every 4 minutes travelling West meeting young riders hacking out from the riding school.
- There is a riding school on Barrow Green Road and there are riders on this road. Such large lorries will not have a positive effect on them and is an accident waiting to happen.

Traffic Numbers

- The number of HGVs should be capped to 35 loads per day / at 30 loads per day/ at 20 loads per day / at 15 loads per day / at 10 loads per day / at 14 loads per day / at 50 loads per day
- The number of HGVs should be capped at 6 per hour
- The number of lorry movements should be limited/ there should be a reduction in lorry numbers before an accident happens.
- There is always a mass of lorries first thing in the morning
- Doubling of the Permit does not change the reasons for determining the cap
- Urge a low quota of lorry movements per day and not a yearly average
- Surrey County Council should impose a restriction of an average of 28 loads/ 56 HGV movements per day on average over the year with a daily cap of 75 loads/ 150 HGV movements
- A figure of 362 daily movements would mean, on average, one HGV every 2 minutes
- Concern for 200 or 150 movements per day
- Object to the figure of 156 movements a day
- If HGV movements exceed 150 movements a day (one vehicle every 4 minutes) it becomes wholly unsafe
- The maximum number of lorry movements must be monitored and adhered to
- The traffic figures should take into account increasing traffic flow projections for the future
- It is of concern there appears to be no restriction on HGV movements associated with chalk extraction
- Request a full safety audit and risk assessment is carried out by Surrey Highways in consultation with the Emergency Services
- Using an average number is dangerous as peak numbers can be seriously inflated on particular days
- There should be a 10 minute break between each lorry
- Object to the current number of lorry movements and proposed increase in numbers.

Size of Lorries

- The size of the lorries makes them overbearing and intimidating and they cause a great deal of anxiety - could the company use smaller lorries that are more suited to the road network?
- Cars get damaged by the size of the lorries
- Debris is often seen falling from the back of the lorries - all lorries should be sheeted
- Lorries should not exceed 32 tonnes or 3 m in width
- Historically lorries associated with the chalkpit were much smaller in size and weight therefore less of an impact
- The size of HGVs should be limited to 7.5 tonne limit / to 20 tonnes

Lorry Drivers

- Lorry drivers drive with no regard to residents - safety must be observed by drivers
- The lorries never move over or stop completely to allow negotiation of traffic
- The lorry drivers do not adhere to 30mph speed limit/ 20mph limit set in the Site Rules
- New HGV drivers come down the road at speed and will cause a fatality if not adequately warned or trained about horse riders
- The lorries do not respect the self-imposed speed limit
- When meeting a lorry under the railway bridge they almost push me into the wall

- The lorry drivers do not always following the prescribed route/ respect the residential nature of the area
- The language and behaviour used by the lorry drivers is abusive and threatening

Church Lane

- Object to large increase of lorries using Church Lane

Oxted Town Centre

- The route takes lorries past schools - this is a huge risk
- Have seen lorries in town centre when there are hundreds of school children walking to school. This should not be on minor roads

Alternative Routes

- Consideration should be given to work out the best route into/ out of the site to ensure the least amount of impact on the surrounding roads
- There is should an alternative access to the site - a slip road off the M25
- A track/ road must be made which goes directly from the site to the A25
- Could the stretch of road near the site be widened to accommodate vehicles?
- Re introduce the railway line from the chalkpit to Oxted Station
- HGVs should return to the A25 via Barrow Green Road and not use a route through Oxted
- Traffic lights should be installed to ensure one way only traffic
- An alternative would be that lorries should use Gordons Way to remove negotiating the bridges of Barrow Green Road
- The Council should building a pavement along Barrow Green Road
- If lorries go to the top (on to The Ridge) turning right or left is very dangerous
- Chalkpit Lane is regularly unusable during the winter. The alternative would be to go along The Ridge.
- Stop all movements to the site and change the use of the site

Noise

- Concern about the noise and vibration from the HGVs visiting the site
- The vibration from lorries will cause structural damage over time

AONB

- The site should not be re opened as it is within an Area of Outstanding Natural Beauty

Chalk extraction

- This was transported by a small fleet of lorries owned by the then operators and the drivers were all local
- Quarries have historically left in their empty state and residents could reasonably expect that once exhausted, the traffic would cease
- The applicant states there is a substantial market for chalk but we are not convinced of that.

Environment Agency Permit

- The permit was granted without any consultation with residents, Surrey County Council or the district council.
- It is of great concern to hear the Environment Agency have doubled the amount of infill to 200,000tpa

Dust

- HGVs throw up dust which is a hazard for those with chest complaints/ There are health implications from the dust from the lorries

Economics

- The applicant states that restricting opening hours of the site would not allow for the reasonable peak in demand for chalk. This does not hold up as all businesses have to manage their trade within limits

Restoration

- Note the details do not include enough soil to bring the land back in to agricultural use. This requires amending

Quality of life

- This is affected by the constant flow of vehicles to/from the site
- The applicant says access to the M25 and A25 is important but we already have enough pollution from these roads. Adding extra pollution is unreasonable
- In the past year there has been evidence of health impact of diesel emissions and this has been ignored.

Extraction and materials for restoration

- The site is being developed for landfilling as there is not much chalk output and the levels of the land have been raised above natural levels to develop it. This is beyond restoration activity
- Object to 100,000 tpa of fill being brought in - this is too high
- The amount of fill brought in should correlate to the amount of chalk taken out and monitored annually
- Daily rates for both extraction and infilling should be set
- There should be a 9000/ 5000 tonnes monthly limit for infill
- There should be a ban on extraction so the site can be restored within 20 years
- The filling should be technically sound so not to cause landslip

Hours of Operation

- Having the site open at 7am and operate on Saturdays is unfair and unjust
- Operating hours must be reduced to between: 0800 – 1700 or 0900-1530(1600) or 0730-1630 or 0700-1800 hours and no activity at weekends or bank holidays
- There must be stringent rules about hours of operation
- There should be no lorries on weekends and bank holidays
- There should be no lorry traffic between 0800-0930 and 1530-1630 (school hours)
- The hours of working should be adhered to

New Conditions

- Request new stringent conditions
- Any permission should contain a clause forbidding dropping of waste or chalk on our roads. This is costly to clear up and visually detrimental.
- There should be a ban on large lorries using Chalkpit Lane which is unsuitable for even small lorries
- Review the current end date of 2042 to set an earlier date
- There should be monitoring of vehicle numbers
- A camera/ lorry counter controlled by SCC/ EA at the entrance to the site should be installed
- Monitoring should include data on lorry movements, weights and types of material carried reported quarterly to SCC and the EA
- Who will carry out the monitoring? As all the requirements require extensive and costly changes (speed cameras/speed restrictions) and would be the responsibility of SCC
- The conditions put forward are blind and deaf to the concerns of local residents
- Traffic calming measures are required - a series of regular width restrictors
- The top gate should not be used as it has no wheel wash and only the lower gate had this facility and should be used

- All HGVs should be banned from entering or leaving the Chalkpit by roads south of the M25 through the use of width restriction posts under the M25 bridge
- The number of HGVs visiting the site should be set so the volume of trucks can be staggered throughout the day (i.e. A 15 minute gap between them) to maintain a lower amount of HGVs at any one time
- There should be strict controls on the use of residential roads by these lorries
- Lorries should not park in Church Lane or East Hill Road
- HGVs should enter the development via the weighbridge
- There should be better signage
- The lorries must adhere to the agreed routes to and from the quarry
- The speed at which HGVs drive should be limited
- Lorries must adhere to the speed limits
- Concerned about the volume of traffic visiting the site and increasing congestion
- Volume of HGVs are creating traffic hazards because of their size
- Request a restriction on the number of lorry movements to the quarry
- Request a restriction on the number of lorry movements during the school run hours because of the impact on residents

Consequences

- SLG should be made to pay stiff penalties for any breach
- There is no information in the application for the reparation of costs to Surrey County Council for the damage done to Barrow Green Road - several drains have been damaged
- SGL should be made responsible for the upkeep of the network they use and make good any damage
- Any lorry driver found not to be using the prescribed route should be taken off of the route for good

Traffic General

- The volume of lorries that come through Oxted is unacceptable in terms of safety and residential amenity
- Could the proposal help with the provision of bridleways?
- Have never seen a road sweeper on Chalkpit Lane - lane is often covered in mud
- Have had to reverse when encountering a HGV on Chalkpit Lane
- The HGVs speed along the roads and this is dangerous
- Over the years there has been an increase in the size and number of lorries to/ from the quarry.
- The lorries travel in convoy
- Cars have increased in size over time resulting in the current problems between local traffic and lorries on the narrow lane

Objection

- The application should be refused
- The application is made on the profitability of the applicant
- Surrey County Council appear to be giving in on its previous daily limits

Impacts on residents

- We suffer with the number of HGVs travelling to/ from the site
- Residents feel trapped in their own homes because of the lorries

The Site

- If the remaining capacity is 400,000 tonnes of infill will it be filled in 2 years?

Support

- It is unreasonable to seek to stop or drastically curtail the number of lorries visiting the quarry.
 - The quarry was here first and we accept that
84. The greatest concerns raised relate to highway matters surrounding the width of the road, the frequency of HGVs accessing and leaving the application site, the safety implications from the size and frequency of HGVs on Chalkpit Lane and Barrow Green Road and the request to limit the daily number of HGVs accessing and leaving the site.

PLANNING CONSIDERATIONS

85. The principle of working the chalk from the quarry and the restoration of the quarry was granted on appeal in 1947 and modern conditions were approved in 1997 (ref. TA93/0765) in accordance with the requirements set out in the Environment Act 1995. As such this application does not, and cannot, deal with the principle of chalk extraction.
86. In determining the application the County Council has the power to accept or modify the conditions submitted or add further conditions, although the applicant has the right of appeal against the imposition of new or modified conditions. When considering the need to impose further conditions, the authority should be guided by the advice in the National Planning Policy Guidance (nPPG) paragraphs 178 – 214 alongside Schedule 13 of the Act.
87. The former Mineral Planning Guidance 14 - Environment Act 1995: review of mineral planning permissions (MPG14) which whilst being superseded contains useful context with regards to ROMP applications. It states that the purpose of periodic reviews is to ensure that the conditions attached to mineral permissions do not become outdated with the passage of time.
88. Current guidance ⁵states that all mining sites, including any extensions to sites granted after the initial mineral planning permission, are subject to periodic reviews of planning permissions. Paragraph 192⁶ states there is no fixed period when periodic reviews should take place so long as the first review is no earlier than 15 years after planning permission is granted or, in the case of an old permission, 15 years of the date of the initial review (e.g. 1997 in this case). The paragraph goes on to state that “MPAs should usually seek a review of planning conditions when monitoring visits have revealed an issue that is not adequately regulated by conditions, which the operator has been made aware of and has not been able to address”. Paragraph 193⁷ is clear that “operators at sites where extraction is taking place can continue to work under the existing planning conditions that apply to the planning permission(s), until the new conditions are finally decided”.
89. The nPPG makes clear the aim is to provide conditions which reflect modern standards of operation and regulation, and any condition which could be imposed now on an application for planning permission for mineral extraction can be applied to a reviewed site. The MPA may approve the submitted conditions or may amend, delete, substitute or add a new condition to the submitted scheme where this is considered necessary and reasonable. The MPA may consider the adequacy of measures to protect matters such as amenity including traffic impacts. The nPPG paragraph 194⁸ outlines that appropriate types of conditions will vary on each particular case but regard should be had to all material planning conditions including:
- Type of mineral;

⁵ Paragraph: 189 Reference ID: 27-189-20140306

⁶ Paragraph: 192 Reference ID: 27-192-20140306

⁷ Paragraph: 193 Reference ID: 27-193-20140306

⁸ Paragraph: 194 Reference ID: 27-194-20140306

- Nature and extent of existing working;
 - The location of the site
 - The length of time that minerals extraction has taken place at the site
 - Land quality and proposed after use; and
 - The availability of suitable restoration materials
90. The National Planning Policy Framework (NPPF) is a material consideration in the determination of a planning application such as this. Paragraph 205 sets out a number of bullet points that should be considered when determining planning applications [for minerals related development]. The relevant points to this application are:
- ensure there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/ or from a number of sites in a locality;
 - ensure that any unavoidable noise, dust, and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties;
 - to provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards.
91. Paragraph 211⁹ of the NPPG state that an applicant can appeal against the determination of conditions by the MPA if:
- The conditions determined by the MPA are different from those submitted by the applicant and the applicant considers them unreasonable in any respect;
 - The applicant disagrees with any conclusion by the MPA that there would be an impact on economic viability but that compensation is not payable.
92. Paragraph 212¹⁰ goes on to say that an applicant cannot appeal against a decision by the MPA that the imposition of new conditions would not restrict working rights. Paragraph 213¹¹ goes on to state that the applicant can claim compensation as a result of any reviews of the planning conditions where:
- the mineral planning authority determines conditions different from those submitted by the applicant; and
 - The effect of new conditions, other than restoration or aftercare conditions, is to prejudice adversely to an unreasonable degree either the economic viability of the operation or the asset value of the site, taking account of the expected remaining life of the site.
93. Paragraph 214 states that it is the operator who should provide information about the economic viability of the operation and asset value of the site. And in light of that information, the MPA should either moderate the restriction or they must issue a separate notice and be prepared for a compensation claim.
94. Neither economic viability, nor asset value are defined in the Environment Act 1995 and, in the absence of case law, the words have their common or everyday meaning. A definition of economic viability is set out in Annex A to this report.

Environmental Statement (ES)

95. The Surrey County Council Environmental Assessment Team has reviewed the ES and has concluded that on balance it is recommended that sufficient information about the likely significant environmental impacts of the proposed development has been provided through a combination of the submitted Environmental Statement and supplementary information reports, and the consultations carried out in respect of the planning

⁹ Paragraph: 211 Reference ID: 27-211-20140306

¹⁰ Paragraph: 212 Reference ID: 27-212-20140306

¹¹ Paragraph: 213 Reference ID: 27-213-20140306

application, for the determination of Planning Application TA/2012/902 (SCC ref. 2012/0114) to proceed. The environmental statement, as augmented by the supplementary information reports, can be classed as responding adequately to the requirements of Part 1 and Part 2 of Schedule 4 to the EIA Regulations 2011 (as amended).

CONDITIONS

96. The conditions and reasons submitted are considered to require modifications and additions. The recommendation contains a table setting out the applicant's proposed conditions, as they were submitted in 2012 in column one, alongside the recommended conditions incorporating modifications and additional conditions in column two. The reasons have all been updated to include references to Development Plan policies or other documents to accord with current requirements. Consideration is now given to the conditions, any changes proposed and new conditions.
97. The NPPG does not provide guidance on what conditions can or should be imposed on a ROMP application. Paragraph 194¹² states that "*The appropriate types of conditions to impose will vary on each particular case, but regard should be had to all material planning conditions including:*
- *type of mineral;*
 - *nature and extent of existing working;*
 - *the location of the site;*
 - *the length of time that minerals extraction has taken place at the site;*
 - *land quality and proposed after-use; and*
 - *the availability of suitable restoration materials".*
98. All the proposed conditions have been reviewed against the six tests for planning conditions as set out in paragraph 003¹³ of the NPPG.

Approved Documents (Conditions 1 and 2)

99. Proposed Condition 1 has been amended to reflect modern practice for imposition of a planning condition listing approved plans. Condition 2 has also been amended to reflect modern practice for having documents being made available to the site manager. The applicant agrees to these modifications.

Duration (Conditions 3, 4, 5 and 6)

100. Proposed Condition 3 has been amended to include reference to the relevant plan and also the requirement to remove buildings and structures from the site following cessation of working on or before 21 February 2042. The principal of the site ceasing work on or before 21 February 2042 remains as proposed by the applicant and as set out in the 1991 Act.
101. Proposed Condition 4 is recommended to ensure that if there is a cessation of working at the site before the achievement of the approved restoration scheme, a scheme for the reclamation and aftercare of the application site reflecting this situation is submitted to the County Planning Authority for approval. The principal of this requirement is set out in Condition 4 of planning permission TA93/0765 and also in the applicants proposed conditions (the applicant's proposed Condition 4). Officers have amended Condition 4, however, to provide a reference to where the definition of cessation of mineral working is taken from for preciseness. Additionally the condition also includes wording to ensure the scheme would be implemented strictly in accordance with the approved scheme.

¹² Paragraph: 194 Reference ID: 27-194-20140306

¹³ Paragraph: 003 Reference ID: 21a-003-20140306

102. Proposed new conditions 5 and 6 are to ensure that should working of the site cease before 21 February 2042 and that if the approved restoration scheme can therefore not be implemented, a new revised restoration scheme should be submitted and then implemented to ensure the site is restored given the site's position within the Green Belt and AONB. The applicant did not propose such conditions as part of the planning application submission and there are no similar conditions on the earlier permission. However the applicant agrees to the imposition of these conditions.

Nature and Extent of Operations (Conditions 7, 8, 9 and 10)

103. Recommended Condition 7 (modified proposed Condition 14) removes the final sentence of the proposed condition. Recommended Condition 8 (modified proposed Condition 15) includes the reference to the relevant drawing making the condition precise. The applicant agrees to these conditions.
104. Recommended Condition 10 (the applicant's Condition 29) sets out that the phasing of working at the site should follow that stipulated on the Quarry Development Plan drawings as submitted. These show the phasing of working would be Phase 4 (the western most aspect of the chalk pit), Phase 3, Phase 2, Phase 5 and finally what is here on known as Phase 6 which is the area of the chalk pit where no chalk extraction or infilling would take place but where buildings, structures and hardstanding would be removed and then soils placed to facilitate restoration. The condition also stipulates that the working programme for the site should be reviewed every five years. This review should be read in conjunction with recommended Conditions 11 and 12 which stipulate the exact information that should be submitted to the County Planning Authority for the working of each phase.

Working Scheme and Restoration Programme (Conditions 11 - 15)

105. Conditions 11 - 12 are new conditions and not proposed by the applicant. When planning guidance was introduced for the handling of Interim Development Order Permissions (IDOS) within MPG8, the illustrative guide to conditions included making provision for a working programme which would include the provision of information as to how the application site would be worked for the life of the site. This would include information such as excavation limits, phasing, location of mineral waste deposits, placement of overburden, the location of soil stockpiles and soil making materials; and methods of soil stripping. Working programmes should be produced for all sites to ensure that operations are designed in such a way to protect areas of environmental and ecological importance and the amenity of nearby residential and other sensitive property. This can include the provision of buffer zones. However, conditions limiting the extraction area or the depths of working are not generally appropriate where they affect the economic viability of the operation
106. Officers seek to impose Conditions 11 and 12 to ensure a scheme of working and restoration of the site is forthcoming. A detailed scheme was not included in the planning submission. Paragraph 015¹⁴ of the NPPG states mineral operators should look to agree a programme of work which takes into account the potential impacts on the local community and local environment, proximity to properties, and legitimate expectations over the duration of operations. This is what Conditions 11 and 12 seek to achieve. Conditions 11 and 12 request the same information as these conditions are both working programme conditions. However, Condition 11 is for just Phase 4 of the application site and Condition 12 is for Phases 1, 2, 3, 5 and 6.
107. Condition 11 has to be a separate condition as the applicant has commenced working in Phase 4 (as can be seen by photographs 8 and 9) and infilling of Phase 4, so it is important that this scheme is submitted as soon as practical. Whereas Condition 12

¹⁴ Paragraph: 015 Reference ID: 27-015-20140306

relates to future working of the site therefore such schemes should be submitted only in advance of the applicant intending on commencing working of those phases. As the applicant did not provide any initial wording for a condition on a working programme, Officers have proposed the condition wording following discussions with statutory and non-statutory consultees.

Conditions 11a and 12a

108. Natural England requested information on soils be provided as part of the working programme to ensure all soils (and soil forming materials being used on site) would assist in the site returning to calcareous grassland. This part of the condition is also to identify the quantity and type of soils available for restoration and where they would be best placed at the application site. For example, restoration to calcareous grassland may not need much topsoil, being very nutrient poor in nature. Therefore this part of the condition assists in identifying where topsoil may be used sparingly and where it may be needed more generously in places which require more nutrients.

Conditions 11b and 12b

109. Officers consider it necessary and reasonable to have information provided on the amount of chalk and overburden to be extracted during any one phase as part of a working programme for the site to maintain control as to how the site is worked and understand the progress of mineral extracted at the site. The provision of such schemes are best practice. The applicant has agreed to this detail.

Conditions 11c and 12c

110. As part of the working of the site, Officers consider it necessary and reasonable to request information on the volume of material that would be required for any one phase at the application site (to be submitted for that particular phase of working) and for information to be provided as to where that material may be stockpiled on site (if that is to occur). The applicant has agreed to this detail.

Condition 12d

111. The County Geological Consultant requested this information be provided as part of the scheme of working as it applies to any restoration phase and the restoration materials (e.g. any capping, cover, landscaping material, growing media and restoration soils) imported for the purposes of delivering the approved restoration plan under this application. The condition does not apply to the waste material (itself) being brought in to restore the phases as that is covered by the Environmental Permit. The reason for inclusion of this is because there are areas/ phases within the ROMP application which fall outside of the Environmental Permit boundary including Phase 1, the area near to the site entrance and land to the east of Phase 5. The applicant originally did not wish for inclusion of this requirement in Condition 10 because of the Environmental Permit, however following dialogue with the applicant, the applicant agrees to the inclusion of this requirement in this condition.

Condition 11(g) and 12(h)

112. As with conditions 11c and 12c, Officers recognise that conditions limiting the rate of extraction or the rate of deposition of mineral waste cannot be imposed. However as part of the working of the site and to provide some safeguard to the protection of the AONB as a designated landscape, Officers consider it necessary and reasonable to request information as to the locations of subsoil, topsoil, mineral waste, overburden, excavated chalk and imported waste materials so that these locations can be assessed and agreed upon.

113. The remaining items of Conditions 11 and 12 include best practice requirements for a scheme of working taken from the superseded MPG8, 9 and 14 with regards to conditions for working schemes and to ensure that when a phase within the application site is worked, it is done as to protect areas of environmental importance and the amenity of nearby residential and other sensitive property.
114. Recommended Condition 13 (the applicants proposed Condition 33) removes the wording 'amenity' keeping the restoration, and subsequent afteruse, to nature conservation and agriculture only. This is because no public access is proposed for the site. The condition specifies the type of waste to put used in restoring the site and this correlates with that detailed in recommended Condition 9. The applicant's proposed Condition 33 also made allowances for the site to be restored two years after the completion of chalk extraction however this could mean that progressive restoration may not occur. Consequently recommended Condition 13 includes wording that ensures that following the completed placement of a geological barrier within any one phase, that phase should be restored within two years of that point in time.
115. Concerns have been raised with regards to the deliverability of the restoration of the site. The NPPG paragraph 036¹⁵ states that responsibility for restoration of a mineral site, including financial responsibility, lies with the mineral operator and, in the case of default, the land owner. Paragraph 047 and 048 outline where there are concern with the funding of restoration this should be dealt with by an appropriately worded condition but that where an operator is contributing to an established mutual funding scheme, such as the Mineral Products Association Guarantee Fund, it should not be necessary to seek a guarantee against possible financial failure. Southern Gravel are members of the British Aggregates Association.
116. Paragraph 042¹⁶ of the NPPG states that conditions for restoration should be drafted with the end use in mind and will vary from site to site. The paragraph goes on to state that mineral planning authorities should seek to ensure there is progressive restoration of the site to minimise the area of land occupied at any one time by the mineral working.
117. Recommended Condition 14 (the applicant's proposed Condition 30) seeks to ensure that the site be restored to a condition suitable for agriculture and nature conservation uses. The condition went on to say that it should be carried out in accordance with a number of provisions including: that it should be carried out by a person (or persons) with knowledge of and expertise in site restoration, that the uppermost 50cm of fill material or replaced overburden should be free from large objects, that the subsoil shall be evenly spread to a depth of not less than 30cm, that a report be provided as to the degree of acidity or alkalinity of the soil; and that provision be made for drainage of the site.
118. Natural England responded with regards to this condition commenting that the condition as proposed did not given any indication as to the required depth of topsoil and recommended the condition be amended to state that a depth of 30cm of topsoil should be spread over the reinstated subsoil so as to form the final pre-settlement contours. Natural England also commented that the condition did not provide a pH level for the sub and top soil which is important in order to restore the site to calcareous grassland, and that there was no information with regards to the method of soil replacement as this could result in there being no need for soil ripping. The condition was amended to take account of Natural England's comments. The County Geological Consultant has also reviewed this condition and commented that the requirement to audit the soils after they have been placed on site to check for their alkalinity would be reactive and they should be checked before they are placed. Officers have sought to address this by including this

¹⁵ Paragraph 036 Reference ID: 27-036-20140306

¹⁶ Paragraph 042 Reference ID: 27-042-20140306

requirement within the working programme conditions 11 and 12. However it is still necessary to check the soils on site once placed therefore this part of the condition remains. The applicant has agreed to this condition.

Hours of Operations (Condition 16)

119. Recommended Condition 16 makes no changes to the applicants submitted wording seeking for the site to work during the hours of 0700 – 1800 hours Monday – Friday; and 0700 – 1500 hours on Saturdays with not working on Sundays or Public, Bank or National Holidays. The condition does state these hours do not prevent the operation of pumps necessary for the control of water, the operation of electrical generating equipment of the main supply interruption, routine maintenance such as lubrication of plant and equipment; or emergency repairs to machinery.

Access, traffic and protection of the public highway (Conditions 17 - 21a)

120. A large number of representations received have raised concerns with regards to the highway implications of this development. Of the letters of representation,
- 98 have been received stating that the roads around Oxted are not suitable for the size of the lorries visiting the application site
 - 60 have commented that the lorries damage the verges as the road is not wide enough for them and they are mounting the kerbs
 - 59 have said there is an issue of road safety and it is only a matter of time until the safety of a resident is compromised
 - 55 state the number of lorries visiting the site should be set so the volume of lorries can be staggered throughout the day
121. As can be seen from the planning history section of this report, planning permission was granted in 1997, ref: TA93/0765 for Oxted Chalkpit with 31 conditions. Control of the number of HGV movements was not included by the County Planning Authority as one of the conditions. There is no information within the Officers report for TA93/0765 on this matter.
122. Tandridge District Council raised concerns within their response on the lack of control on HGV numbers to/ from the application site and this *“causing a lot of concern to local residents”* and *“the conditions currently being proposed in the scheme that has been submitted do not address the problem of there being no control over the number of Heavy Goods Vehicles and accordingly the Council’s previous objection to this lack of control is reiterated”*. Tandridge District Council requested in their response a daily lorry movement restriction and not an annual or monthly restriction. Tandridge District Council requested as part of this application that *“a comprehensive and thorough transport assessment of the suitability of the existing local highway network for HGV movements to and from Oxted Quarry be carried out and that this should include an assessment to options to minimise the impacts of Oxted Quarry”*.
123. The OLRG raise concerns in their response that the HGV movements on local road which are unsuitable to carry such traffic by virtue of their narrow width, discontinuity of footways, absence of verges, residential nature and the vulnerability of other road users including children on foot and by cycle will lead to conflict between HGV traffic and other users inflicting fear and intimidation. The OLRG go on to state that the number and frequency of HGV movements varies substantially and unpredictably by hour, day, week, month and year and with no daily limit on the export of chalk or import of fill there is no limit to the number of HGVs using local roads each day. The OLRG criticise the submitted Transport Statement 2018 saying it is inadequate because it assesses the traffic generation from the quarry only in terms of daily traffic flows averaged over the year. The OLRG request a number of additional conditions.

Keeping the Highway Clean: Condition 17

124. Condition 17 requires the submission of details as to how the applicant will prevent any deleterious material on HGV wheels, from getting onto the public highway. This is a standard condition for ensuring the safety of the public highway. The applicant has suggested this condition however Officers wish for the details to be submitted within 3 months of the date of any decision rather than the applicant's suggested 6 months, given the site can open at any time and commence operations therefore to ensure the safety of the public highway that these matters are submitted as soon as practically possible. Officers consider the imposition of the condition is necessary and meets the six tests requirements as set out in the NPPG. Furthermore given the site is operational and there are no wheel cleaning details in the submission, Officers consider it necessary that such details are submitted as expediently as possible and therefore the three month time period for submission is necessary.

Sheeting of Vehicles: Condition 18

125. The applicant has put forward a condition for the sheeting of vehicles to prevent spillage on to the public highway from HGVs or emissions of dust. Condition 18 seeks the same requirements but has been worded differently, however the spirit of the condition remains.

Maintaining Visibility Splays: Condition 19

126. Proposed Condition 19 is a new condition as a condition to this effect was not proposed by the applicant. However Condition 7 of planning permission ref: TA93/0765 sets out this requirement. Proposed Condition 19 sets out the requirements as to which entrance HGVs should access the site and also to ensure the visibility splays for the access point into the site is maintained for safety purposes. Historically Oxted Chalkpit had two entrances: the current access point which is located between numbers 49 and 51 Chalkpit Lane and a more northern access point (some 175m to the north of the current site access) which is situated opposite 74 Chalkpit Lane and is some 70m south of the hairpin bend in Chalkpit Lane. During discussions that took place as part of the initial conditions review under planning permission ref: TA93/0765, an agreement was made that the northern access would not be used. In restricting the applicant to plans 9409/5a, 9409/5b and 9409/5c, as submitted by the applicant, this also prohibits the use of the northern access by HGVs importing materials to restore the site.
127. The visibility splays as shown in plans 9409/5a, 9409/5b and 9409/5c, however, are do not meet the required highway standards. For a 40mph road, such as Chalkpit Lane, visibility splays should be 120m both ways (as recommended by the Design Manual for Roads and Bridges (DMRB)). Visibility at the access extends 20m to the near edge, 32.7m to the centreline and 41.3m to the far edge of Chalkpit Lane to the left from a 2.4m set back position at the centreline of the access. The comparable splay to the right extends 48.9m to the near edge and 63.8m to the centreline of Chalkpit Lane. Forward visibility towards a vehicle emerging from the site extends approximately 57m from the north and 75m from the south. However planning permission TA93/0765 accepted the principle of this visibility distance. Consequently whilst Officers are aware that the visibility splays would not meet current highway practice or guidance, Officers consider there is limited provision for insisting on a revision to these. However Officers consider that the limitations provided by having substandard visibility splays at the site entrance, could assist in determining a HGV limit for the application site.

Means of Access: Condition 20

128. The applicant proposed a condition stating that the means of access shall be from the two existing access points on Chalkpit Lane. Condition 20 reflects this requirement and

includes a reference to drawings which specifically show this access point. This condition is necessary and specific to ensure which access can be used into the application site.

Prohibiting a left hand turn of HGVs when leaving the application site: Condition 21

129. The applicant has recommended a condition that prohibits any HGV leaving the application site turning left and continuing up Chalkpit Lane to The Ridge. There is also a Traffic Regulation Order which prohibits HGVs from travelling to The Ridge from Chalkpit Lane unless it is for deliveries. A number of concerns have been raised with regards to HGVs travelling up Chalkpit Lane and then onto The Ridge. These concerns include comments from Woldingham Action Group who request improved measures and stricter enforcement of the width restriction at this point on Chalkpit lane so that no HGVs travel north towards Woldingham. Enforcement of Traffic Management Orders is the responsibility of the Police.
130. Condition 21 reflects this requirement and also states that all HGVs should access the application site by a left turn into the application site and a right turn out of the site. Given it is acknowledged by Action Groups that not all the lorries that go up Chalkpit Lane to The Ridge are associated with the Chalkpit and that there is a precise condition which states HGVs associated with the Chalkpit may only turn left in/ right out; Officers consider this condition and approach is reasonable. There is no such condition on TA93/0765. The applicant agrees to this condition.

Use of the upper access: Condition 22

131. There are two access points into the application site: the lower and upper accesses. The applicant currently uses the lower access however sightline drawings have been provided for use of the upper access and the applicant intends to use the upper access to assist in the operation of Phase 1. However there are currently no facilities in place at the upper access that are required for modern day operations at a quarry site including (but not limited to) a weighbridge, wheel wash and site offices. This condition prohibits the use of the upper access until these facilities are installed and are operational. This condition is necessary to ensure the effective and safe use of this access.

Hours when HGVs can Access the Site: Conditions 23 and 24.

132. The applicant has advanced a condition setting out when HGVs can access and egress the site. These hours accord with the hours of operation set out in Condition 16. This condition has not been amended.
133. In addition to Condition 23, the County Planning Authority are seeking to impose a further condition which prohibits HGVs from leaving the application site between the hours of 0800 – 0900 and 1500 – 1600 hours. Officers consider this condition is necessary as this condition seeks to regulate traffic levels at particularly sensitive times of day (i.e. school pick up and drop off times) and this condition seeks to address the level of public concern with regards to safety of children going to and from school. HGVs travelling from the application site go through the centre of Oxted, not far from a number of schools therefore the CPA consider it entirely reasonable that HGVs should not travel on those roads during school pickup/ drop off times. It is important to note the condition would only be in force during term time so that the condition is reasonable. The applicant disputes this condition.

Number of HGV movements per day: Condition 25

134. The former MPG9 stated that conditions should not place limited on the annual output from the site to control the rate at which the resource is depleted. Paragraph 24 of that superseded guidance did state that *“it should be recognised that these permissions were originally granted at a time when available technology would have restricted the rate at*

which extraction could take place and consequently the amount of traffic leaving the site. Existing accesses may not be suitable to take significant increases in traffic volumes because, for example, of the proximity of residential property. Where such problems cannot be resolved by alterations to access roads or by other means, it may be appropriate in some cases to impose conditions limiting the rate of output to preclude substantial increases in traffic in the future". Officers are not seeking to impose a condition restricting the annual output of chalk from the site. Officers are seeking to restrict the number of lorry movements to/ from the site be that for exporting chalk or importing materials to restore the site. This is because the frequency and size of lorries visiting the site are the key source of concern and complaint regarding this site.

135. The former MPG9 para 24 went on to say "any such conditions should not place inflexible limits on the annual output from the site, but should relate to an annual average output over a period of years to enable the operator to respond to the demands of the market. Conditions which significantly restricted the rate of output from the quarry which could be achieved having regard to existing investment in and the existing structure of the operation, would affect asset values and should not be imposed except by agreement with the applicant".
136. The site currently operates without any planning restrictions in respect of its vehicle movements and in reviewing the site and the addition of any possible planning conditions, this remains an important consideration. However, the purpose of the review is intended to consider the operation of the site on a periodic basis, in order that any issues arising from the site can be addressed and mitigated over the longer term. Officers are seeking to impose a condition that places a daily cap on the number of HGVs that can visit the site and also an annual average. A restriction of the maximum peak flows (a daily cap) would ensure no sporadic spike in traffic movements on a very limited number of days. Without this restriction significant flows could occur on some days creating severe harm, with very low numbers on others. The average flows represent an average of all vehicle movement across the whole year, divided the number of operational days. Providing an annual average would conform to the points raised in the former MPG24 and would allow for peaks and troughs due to market demand and also recognising that the site would not receive the daily number of lorry movements to/ from the site. The operational days are typically Monday to Friday, excluding bank holidays and the Christmas period. The Transport Assessment however does refer to the operation of the site on a Saturday which would increase the number of operational days.

Background

137. The application site has been active for more than 150 years as outlined above. However historically chalk had first been removed from site via a dedicated railway line spur from the Oxted/ London railway line and then by lorry. The railway line no longer exists having been removed some time ago. Four letters of representation have said the railway line should be reinstated however this is not a viable option.
138. With regards to the site then using lorries, the Transport Statement May 2017 cites a memo from 1959 which outlines "about 250 lorry loads per week¹⁷ at peak periods go out (down to perhaps 150 at slack periods – distributed over S.E. England". 250 lorry loads per week equates to approximately 100 lorry movements per day¹⁸ or 91 movements per day¹⁹. However it must be borne in mind that historically lorries accessing the chalkpit would have been smaller in size. The larger 4 axle rigid lorries that are circa 32 tonnes are synonymous with more recent workings at the application site. Activity at the site had historically been at a low level.

¹⁷ Officer underlining

¹⁸ For a 5 day working week

¹⁹ For a 5.5 day working week i.e. including Saturday mornings.

139. There is no planning condition limiting the number of HGV movements to/ from the application site in planning permission TA93/0765 for either chalk or importation of materials to facilitate the restoration of the application site. There is no information on file as to why that is the case. For information purposes, the planning conditions advanced by the applicant as part of that planning application TA93/0765 recommended a maximum daily quantity of 150 tonnes per day of waste be imported to the site (i.e. 37,500 tpa based on a 250 working days per year). This would have equated to around 20 movements per day associated with material coming into the site for restoring the site. This recommendation was not taken forward into the planning permission. When TA93/0765 was under consideration, the level of HGV movements experienced at that time was considered acceptable. Although traffic generation was expected to continue at these levels, there was no condition imposed on TA93/0765 to limit HGV numbers and at that time there was no reason to consider that there would be any significant increase in HGV numbers.
140. Around 2006 the site was taken over by Southern Gravel (the current applicant) and the County Council started receiving complaints about the level of HGV traffic accessing the site and the impact of HGV traffic on local residents shortly after. The applicant indicated then that annual chalk sales have been in the region of 40,000 tonnes and inert filling for restoration in the region of 100,000 tonnes. As can be seen in the table in paragraph 37 the applicant had gained an Environmental Permit in 2005 for the importation of 100,000 tpa of material to the site for restoring the application site.
141. Many representations were made by local people expressing concerns about the situation. In March 2008, a 425 signature petition was presented to a meeting of the Local Committee (Tandridge). An extraordinary meeting was convened in May 2008 to consider the matter as the Chairman of the Local Committee considered it to be sufficiently pressing. As a result of this meeting, the County Council commissioned a report from TPS to investigate and report on possible solutions for the problems associated with HGV movements to and from Oxted Quarry.
142. At the time of the report, the Quarry was generating around 70 to 80 trips (140 to 160 movements) on the busiest days. The report considered a number of measures to reduce the impact of HGV traffic to and from the Quarry and concluded that the preferred option was a staged approach of measures to widen the Quarry access, to signalise Chalkpit Lane at the railway bridge, to traffic calm the residential section of Chalkpit Lane, widen Chalkpit Lane south of the quarry and to improve Barrow Green Road to take two-way HGV traffic.
143. The Report was considered at the meeting of the Local Committee on 5th September 2008. It was agreed that the measures contained within the report would be taken forward, subject to the availability of funding in the future. It was estimated in the Committee Report that these measures would cost in excess of £1 million. Whilst there was, and still is, a will to implement these measures, the funding has not been available.
144. Following this and during the processing of this planning application in October 2016, the applicant sought an amendment to the Environmental Permit for the application site to allow for 200,000 tonnes per annum of material to be brought into the application site to facilitate the restoration of the site. This is a doubling of the previous Permit's limitation. It should be noted that the Environmental Permitting regime does not take into account visual impact or off-site traffic implications²⁰. Therefore when assessing the amendment to increase the annual tonnage received by the application site, the Environment Agency would not have been required to take into account the implications of this on the number of HGV movements generated to/ from the site as a consequence.

²⁰ Guidance for developments requiring planning permission and environmental permits, October 2012, Environment Agency

145. As a point of fact therefore it is clear that whilst there have been no substantial changes to the highway network over this time, there has been a significant increase in the volume of imported material allowed by the environmental permit. It is therefore entirely appropriate to consider whether the site can safely operate without further restriction, given the presence of the increased tonnage allowed by the permit. The current review seeks to restrict the movements and loads to and from the site, both in terms of maximum average daily flows and maximum peak daily flows.

HGVs associated with chalk

146. The application site was granted planning permission for the export of chalk. The applicant states in their letter of 1 August 2018 that *“a major use of chalk exports has historically been to improve soil fertility and increase crop yield on agricultural land by reducing soil acidity [...] Those markets still exist and our clients are pursuing discussions with potential market outlets”*. That *“there is ample opportunity to re-establish the quarry as a chalk provider”* and *“the nature of some of the chalk markets referred to above is unpredictable and characterised by periods of high/ intense demand rather than regular, consistent orders”*.
147. The applicant states that *“Any requirements to close the site for part of a year due to an annual average cap on HGV movements, or for part of a day, whether due to a daily cap on HGV movements or due to an inability (as a result of conditions imposed) to operate during standard quarry working hours are likely to affect our client’s ability to meet demand for chalk in the future [...] which would ultimately affect our client’s working rights (including rate of extraction and therefore the site’s economic viability or asset value”*. The applicant goes on to state in their letter that *“the chalk export and waste import operations will continue in tandem”*. The applicant states that if those bringing waste to the site cannot rely on it being open for business they will look elsewhere.
148. The Surrey Minerals Local Plan 2011 para 3.22 outlines that there are relatively small amounts of chalk extracted at Oxted Quarry and that it is not anticipated that there will be a significant demand for chalk during the plan period 2011 – 2026. There is no policy within the plan dedicated to the provision of chalk during the plan period.
149. HGVs exporting chalk have to come to the site empty. They cannot bring in materials that would be used for restoring the site because of the potential for contamination of the chalk from the waste materials. Therefore separate vehicles would be involved for chalk and for waste i.e. double handling. Concerns have been raised within letters of representations that the County Planning Authority are not considering placing a limit on the number of HGVs associated with the transportation of chalk from the site (6 recent representations).
150. Officers are proposing a condition limiting the number of HGVs to/ from the site and this would include HGVs exporting chalk. However, by imposing such a limit on HGVs exporting chalk from the application site, Officers must take account of legal and planning reasons that are specific to ROMP planning applications. These are set out above in paragraphs 1 - 7 that any condition should not affect the asset value, the working rights or the economic viability otherwise the MPA is open to paying compensation.
151. Officers acknowledge that by not imposing a condition on HGV movements associated with chalk extraction, this could mean that the proposed rate of extraction as set out within the planning application of 40,000tpa (which could generate some 18 movements per day) could rise with no restriction on highway movements. However it is clear within legislation and guidance that the working rights of the site should not be fettered and this includes the rate to which the mineral is extracted, and therefore removed, from the site. Therefore in order to assess the implications of imposing a condition which restricts the

number of HGVs exporting chalk, Officers requested information from the applicant as to how much chalk has historically and recently been exported from the application site. Officers have also made an assessment against the working rights criteria in Schedule 13(6) as to whether such a condition would trigger any of these criteria.

152. The applicants state in their submission that they intend to continue the operation of the site at broadly the same level as has occurred in the recent past - up to 40,000 tpa of chalk sales. On the basis of a 15.5 tonne payload²¹ and either a 250 working days per year or 275 working days per year including Saturday mornings, this would generate:

- 250 working days = 20 movements per day for chalk
- 275 working days = 19 movements per day for chalk

153. However, the applicant's recently supplied data provides the following information:

| Year | Chalk Sales in tonnes |
|---|--|
| 1983 | 37,051 |
| 1984- 1992 | No data available |
| 1993 | 20,415 |
| 1994 | 35,830 |
| 1995 | 28,683 |
| 1996 | 26,830 |
| 1997 | 23,830 |
| 1998 | 21,195 |
| 1999 | 13,854 |
| 2000 | 8,737 |
| 2001 | 7,921 |
| 2002 | 9,349 |
| 2003 | 12,724 |
| 2004 (operational for the first 9 months) | 14,523 (19,364 if worked full 12 months) |
| 2005 (operational for last 4 months) | 6,093 (18,279 if worked full 12 months) |
| 2006 (operational for first 6 months) | 3,551 (7,102 if worked full 12 months) |
| 2007 | 3,244.8 (calculation based on 208 loads*) |
| 2008 | 6,333.6 (calculation based on 406 loads*) |
| 2009 | 3,572.4 (calculation based on 229 loads*) |
| 2010 | 1,778.4 (calculation based on 114 loads*) |
| 2011 | 15.6 (calculation based on 1 load*) |
| 2012 – 2016 | 0 |
| 2017 | 570 ²² |
| 2018 (up to 21 May) | 1,903 (4,852 if worked full 12 months) ²³ |

Source: applicant's letter 1 August 2018 and * = The Transport Statement July 2018

154. As can be seen from the data there is a general downward trend in the export of chalk from the application site. Even with the site operating for a full 12 months in 2017 this resulted in 570 tonnes of chalk being exported; and taking projected data for 2018 this would result in 4,852 tonnes being exported. Looking at the data from 1993 to present day, on average this would result in 2,488tpa of chalk being exported. This is significantly less than the 40,000 tpa stated in the planning application submission and as can be

²¹ 15.5 tonne payload is quoted in the 2018 Transport Statement as the payload for HGVs visiting the site.

²² This was exported over 6 different days in a total of 31 loads with an average of around 18.4 tonnes per load. The chalk export resulted in between 2 and 8 loads/ 4 and 16 HGV movements per day on these 6 days (para 2.8 of the 2018 Transport Statement).

²³ This was exported from the site in 124 loads spread over 7 days with between 3 and 32 loads per day that chalk was transported off site. This equates to an average payload of 15.6 tonnes (para 2.12 of the 2018 Transport Statement).

seen from the table, there is only one year that is close to 40,000 tpa this being 1983 when the chalk market was very different to the current day.

155. In choosing to restrict HGVs exporting chalk from the site as part of the overall HGV movement restrictions, Officers are mindful of whether this is restricting working rights, asset value or economic viability. Officers will first assess whether the working rights and asset value are impacted by the condition. With regards to economic viability, this will be discussed as part of the condition as a whole and the numbers proposed for restricting all daily HGV movements.
156. When reviewing the previous 10 years the site has exported chalk, this results in an average of 193 loads (386 HGV movements) per year or on average 1 load or 2 movements per day associated with chalk export. Even reviewing the 10 year period up to 2011 this would result in 2 loads per day or 4 movements. Officers have assessed whether imposing a condition which restricts the number of HGVs to/ from the site, including exports of chalk, would impact on the working rights of the site/ applicant and consider that given the historic limited number of HGVs exporting chalk from the site, including up to 1993, these can be accommodated within the overall daily HGV cap and the annual average daily traffic (AADT)²⁴ figures proposed as part of a condition. There is no evidence that the site has, or will, operate to a rate of 40,000tpa of chalk export.
157. With regards to asset value, conditions seeking to restrict HGVs to/ from the site including those exporting chalk, would not result in a loss of a significant quantity of workable material or affect the asset value of the site as there is no evidence submitted to show how the asset value of the site would be affected. Officers consider that the number of chalk exports as evidenced in the applicant's own material, shows that those movements can be accommodated within the condition and would not affect asset value.

All HGVs accessing and egressing the site and reasons for traffic figures proposed

158. There has been ongoing discussion with the applicant with regards to the number of daily HGV movements accessing and leaving the application site. This discussion has resulted in a number of Transport Statements submitted by the applicant to demonstrate firstly why no restriction on daily HGV movements should be imposed and more recently if a daily limit were imposed it should be for a cap of 200 daily HGV movements with an annual average daily traffic of 100 HGV movements. The following discusses how Officers have established a figure of:
- A daily cap of 156 HGV movements
 - An annual average daily traffic of 76 HGV movements
159. The original application made in 2012 was supported by a Transport Statement. This Transport Statement assesses the development on the basis of 56 HGV movements associated with the site per day. The figure of 56 daily HGV movements was based upon the average daily HGV flow in 2008. The 2008 figures were the highest daily average of all the years from 2008 to 2011. On this basis, the Transport Statement concluded that the impact of 56 HGVs per day would be acceptable, that there is no adverse impact on the highway network or environmental conditions of residents and therefore the proposal is acceptable and no limit should be placed on HGV movements.
160. On reviewing the 2012 Transport Statement, Officers considered this conclusion to be misleading as historically on some days there were no HGV movements and on others there were considerably more. Following this, Officers sought information from the applicant and the weighbridge data was supplied. The weighbridge data demonstrated

²⁴ Annual average daily traffic (AADT) = is a measure used primarily in transportation planning, transportation engineering and retail location selection. Traditionally, it is the total volume of vehicle traffic of a highway or road for a year divided by 365 days. AADT is a simple, but useful, measurement of how busy the road is.

that a much higher peak daily HGV movement had been experienced at the application site. This was a 176 loads as a daily peak in 2008 (352 HGV movements). On this basis, taking in to account the analysis undertaken, the complaints, petition and discussion at the Tandridge Local Committee about this matter, the County Highway Authority did not consider that the applicant had demonstrated that the site should be permitted to continue with no limit on HGV numbers.

161. As part of this application, the applicant had been unwilling to undertake any transport assessment of more than 56 HGV movements per day. However in January 2016 the applicant provided further information on traffic in a document entitled "*Consideration of Suggested HGV Limits by Surrey County Council*". This document outlined that "*based on the existing chalk reserves and available void space approximately 800,000 cubic metres of infill would be required to achieve the approved restoration in the event all chalk reserves are extracted*".
162. This document outlined that the maximum number of HGVs to the site was 362 (181 in/ 181 out) for one day in April 2012 with the peak hour being 0800 – 0900 where 95 movements occurred. The applicant states in this document that the remaining chalk reserves extend to approximately over 1 million tonnes and that based on the existing chalk reserves and available void space, approximately 800,000 cubic metres²⁵ of infill would be required to achieve the approved restoration. The 2016 document concluded that the capacity of the local roads was acceptable for a limit of 362 daily HGV movements and that the impacts from these movements would be acceptable when compared against nationally recognised guidance and thresholds.
163. Following this the applicant submitted in May 2017 a revised Transport Statement in support of the planning application. This Transport Statement was produced because in the autumn of 2016 the Environment Agency accepted an amendment to the existing Environmental Permit for the application site, to increase the annual tonnage of waste brought to the application site from 100,000 tpa to 200,000tpa. The applicant states that because of this increase in tonnage allowed by the Environmental Permit, any highway conditions that could be imposed on the planning permissions for the application site should take this figure into account.
164. Officers have continued to disagree with the applicant that any limitation of HGV movements associated with the site should be based upon the Environmental Permit limit of 200,000 tpa. This is because, as stated above, when the Environment Agency amended the Environmental Permit they would not have taken into account any off site highway matters including lorry movements bringing in materials or highway safety matters. The Environment Agency would have only been concerned with the internal operations of the application site. Officers wrote to the applicant in January 2018 outlining their position on this matter. The applicant continues to disagree with this position and submitted a revised Transport Statement in August 2018 setting out their position that any condition limiting HGV movements to/ from the site should be limited to:
- A daily cap of 200 HGV movements
 - An annual average daily traffic of 100 HGV movements

As part of this August 2018 Transport Statement the applicant has provided weighbridge data for the application site for the period 2016 – 2018 and also information on chalk sales and the number of lorry movements this has generated. Officers will discuss below how they have considered the applicant's Transport Statement and how they have assessed this application with regards to traffic movements.

165. The OLRG have criticised SCC for the number of HGV movements it proposes. The OLRG refers to SCC's online guidance for controlling lorry movements as a method for justifying an acceptable limit of HGV movements. The guidance to which the OLRG refer

²⁵ Or 1,200,000 tonnes based on a conversion factor of 1.5

to is “Controlling lorry movements in Surrey”²⁶ which states “Surrey County Council tries to make sure that large goods vehicle movement takes place on main roads to reduce the adverse environmental impact of lorries in sensitive or inappropriate areas”. The webpage goes on to set out that signs and weight restrictions are used to protect sensitive areas where better alternative routes exist, that lorries should not use less suitable roads where main roads are available that offer a suitable route, that for environmental considerations are regular lorry movements unsuitable and affect other road users. However this webpage is not formal guidance and does not prescribe how to formulate a number in terms of HGV movement restrictions.

Road Capacity

166. Design Manual for Roads and Bridges (DMRB) provides guidance on the level of highway link capacity for typical roads. Whilst this focuses on urban roads, category ‘Urban All Purpose1’ provides a useful comparison, with Chalkpit Lane being a single carriageway road carrying predominantly through traffic, with a speed limit of 40mph, up to 2 side roads per km, with limited roadside access. A 6.1m wide road under this classification (the lowest of the width ranges specified in DMRB), estimates a capacity of 1020 vehicles per hour in each direction. By comparison, the Transport Assessment indicates that over the course of 7 days of data collected, Chalkpit Lane carries a peak of 129 vehicles northbound and 136 vehicles southbound. Both of these are significantly below the capacity predicted by DMRB demonstrating that whilst the road may not be suited for HGV use in environmental or operational terms; in capacity terms its low level of background traffic means that highway capacity itself is not a concern and capacity cannot be used as a means to determine a quantifiable level where the number of HGV movements generated by the development is in overall terms acceptable.

Weighbridge Data and the Applicant’s Transport Figures

167. The applicant provided as part of the 2012 Transport Statement weighbridge data obtained between 2008 and 2011. This data shows that the average daily number of HGV movements associated with the site was 56 movements in 2008, 30 movements in 2009, 44 movements in 2010 and 46 movements in 2011. The busiest day of activity occurred on the 12 April 2012 when 362 HGV movements were recorded. The Transport Statement says (paragraph 4.12) this number of movements was exceptional²⁷ in terms of throughput and was around double the level²⁸ of the next highest daily total of 184 movements.

168. The applicant’s Transport Statement presents a case that if a condition is imposed on the site limiting the number of HGV movements to/ from the site, it should be limited to a daily cap of 200 HGV movements with an annual average daily traffic of 100 HGV movements. The applicant states this is based on the local road network’s ability to cope with this number of HGV movements, that the site is to export chalk (Officers have discussed those figures above); and the need to bring in materials to restore the site that equate to the limit imposed by the Environmental Permit of 200,000 tpa.

169. The applicant has more recently provided weighbridge data for the application site since it re-opened in November 2016 until May 2018. This weighbridge data shows:

2016

- The site was operational for 32 days (no Saturday working)
- There were 266 loads in total (532 movements)
- Average number of loads over that period was 8 loads (16 movements)

²⁶ <https://www.surreycc.gov.uk/roads-and-transport/road-safety-and-emergencies/large-goods-vehicles/controlling-lorry-movements-in-surrey>

²⁷ Officer underlining

²⁸ Officer underlining

- Actual daily loads were between 1 – 22 loads (2 – 44 movements)
- No chalk export²⁹

2017

- The site was operational for 251 days (3 Saturdays included)
- There were 9299 loads (18550 movements) that year including Saturdays
- Average number of loads (with and without Saturdays) was 37 loads per day (74 movements)
- Actual daily loads were between 7 – 101 loads (14 – 202 movements)³⁰
- 570 tonnes of chalk was exported in 31 loads over 6 days
- The site imported 143,455.23 tonnes of material to restore the site
- The busiest period at the site where there were more than 75 loads per day (150 movements) was between 28 November – 20 December 2017. Only one other day exceeded 75 loads which was 13 March 2017 totalling 15 days (approximately 6% of the year).
- Periods where the site exceeded 50 loads (100 movements) per day were in mid-January, early February, March, early April, mid-July, 3 days in October; and the end of November until the end of December 2017 totalling 62 days (approximately 24.7% of the year).
- Combining chalk exports and waste imports the site had an average of 37 loads per day (74 movements).

2018

- The data covers the period until 18 May 2018. The site was operational for 97 days including 2 Saturdays
- There have been 3381 loads (6762 movements).
- Average number of loads (with and without Saturdays) was 35 loads per day (70 movements)
- Actual daily loads were between 2 – 85 loads (4 – 170 movements)
- 1,903.07 tonnes of chalk was exported in 124 loads over 7 days between 3 and 32 loads per day³¹
- The site imported 47,988 tonnes of material to restore the site.
- The busiest period at the site so far in 2018 where there were more than 75 loads per day (150 movements) were two days: 10 January and 15 January 2018.
- Periods where the site exceeded 50 loads (100 movements) per day were in January, two days in February, four days in March; and one day in May totalling 20 days (approximately 20% of the year so far).
- Combining chalk exports and waste imports the site had an average of 36 loads (72 movements) to the site each day.

170. The applicant states that based on an average HGV payload of 15.5 tonnes³² coming to the site and the EA Permit limit of 200,000tpa, should the limit be reached a total of 12,922.5 loads (25,845 movements) would be required on annual basis to the site. Based on a 250 working day³³ the applicant states that this would equate to an average of 51.7 loads (103.4 movements) per day or 47 loads (94 movements) based upon a 275 working day per year. The applicant states that *“It is therefore apparent that the 50 loads/ 100 HGV movements per day suggested by the operator as an average daily limit associated with inert imports is appropriate when allowing for a potential variation in average payload based upon the existing operations and permitted activities”*. This is

²⁹ Para 2.2 of the 2018 Transport Statement

³⁰ Paragraphs 2.3 – 25 of the 2018 Transport Statement

³¹ Paragraphs 2.11 – 2.12 of the 2018 Transport Statement

³² Para 2.9 of the 2018 Transport Statement

³³ Para 2.10 of the 2018 Transport Statement. Please note the Transport Statement consistency changes between 250 working days and 275 working days in the document.

therefore the applicant's justification that if a condition is imposed it should limit the annual average daily traffic to 50 loads (100 movements).

171. Officers, however, disagree with this. Officers recognise that whilst there have been some days where there have been high numbers of HGV movements to/ from the site as evidenced by the weighbridge data, despite this the annual average number of HGV movements to/ from the site for both chalk exports and waste imports consistently is below 100 movements and is circa 74 average daily traffic movements per annum. In fact, when looking at historical weighbridge data which was provided as part of the 2012 Transport Statement, the annual average HGV movements then (excluding chalk) for the entire period of 2008 – 2011 was 56 HGV movements per day. Even with the chalk export movements this would increase it to an annual average daily traffic of 57 HGV movements to/ from the site.
172. Whilst Officers are aware of the Environmental Permit limit and the calculation the applicant has done for this, Officers consider that based on the historical and recent weighbridge data, there is no evidence to demonstrate a need for an annual average daily traffic figure of 50 loads/ 100 movements per day to the site.
173. Officers are also seeking to impose a daily cap of all HGVs to/ from the site in addition to an annual average. The applicant is stating that they require a daily cap of 100 loads (200 movements) to accommodate fluctuations in HGV movements. These fluctuations could be caused by availability of material/ contracts/ weather. The applicant states that the road network can accommodate this proposed figure. Officers note that from the weighbridge data provided for the period November 2016 – May 2018 there were:
- 2016 – no days > 100 loads
 - 2017 – 3 days > 100 loads
 - 2018 – no days > 100 loads
174. Even when reviewing the historic weighbridge data between 2007 – 2011 there are only 5 days during that total period where the site experienced more than 100 loads (200 movements) per day which were in March and April 2010. To establish a daily HGV cap which does not impact on the economic viability of the site Officers have used data and best practice guidance. There is very little guidance on how to assess the environmental impact of traffic, which is a mixture of accepted technical formulae and subjective assessment. Most of the guidance is in the Design Manual for Roads and Bridges (DMRB) but this relates to new or expanded roads not additional traffic on existing, unaltered roads. The most quoted guidance source is the IEMA publication 'Guidelines for the Environmental Assessment of Road Traffic' (1993). Guidance can also be found in the DETR publication 'The Environmental Effects of Traffic Associated with Mineral Workings – Main Report and Best Practice Guide' (1998). The lack of more recent guidance is indicative of the difficulties in undertaking this type of assessment. The applicant has referred to the Manual for Streets 2 (MfS2) (2010) within the Transport Statement 2018 with regards to visibility. However Officers consider that DMRB is the more appropriate document with regards to this application.
175. Officers have looked into the following environmental factors³⁴ that could contribute to establishing a figure for the number of daily HGV movements associated with the application site. It is difficult to set and justify a cap on transport movements on a perception basis as the significance of effect is very subjective, differing between areas, communities and even varying at the individual level (depending on what stage of life a person is in, and their relative perceptions, values and priorities). Technical disciplines used to assist in establishing a traffic figure (i.e. air quality, noise, road capacity, safety and community severance) are assessed to significance criteria and regulatory objectives and standards to protect the environment and health. On this basis the technical disciplines will define local road capacity, suitability and any necessary

³⁴ These factors have been based upon the Environmental Assessment of Road Traffic

enhancements that will need to be considered and will then provide the factual, evidence based aid to developing the number of movements, and informing Development Management decision making.

Noise

176. In determining a maximum daily number of HGV movements to/ from the application site, Officers have had regard to the noise that would be generated by HGVs travelling along Chalkpit Lane. Noise has been a factor raised within letters of representation (14 recent representations) however as identified above, there is a history of complaints regarding this site when there are high levels of HGV movements.
177. The 'Design Manual for Roads and Bridges, Volume 11, Section 3, Part 7' (DMRB) provides guidance on assessing the noise and vibration impacts arising from road projects including new construction, improvements and maintenance. The County Noise Consultant (CNC) has commented that although the DMRB methodology is primarily for assessing the effects of motorways and all-purpose trunk roads and not development related traffic generation, in the absence of any other guidance the classification of magnitude of impacts for long term effects has been adopted i.e. a less than 3 dB increase in the $L_{A10,18hr}$ is considered negligible/ not significant and a more than 3 dB increase in the $L_{A10,18hr}$ is considered minor to major/ significant. This can be seen in the following table (Table 3.2 from DMRB):

Calculation of Magnitude of Noise Impacts In the Long Term

| Noise Change (dB $L_{A10,18hr}$) | Magnitude of Impact |
|-----------------------------------|---------------------|
| 0 | No change |
| 0.1 – 2.9 | Negligible |
| 3 – 4.9 | Minor |
| 5 – 9.9 | Moderate |
| 10+ | Major |

178. The CNC carried out an assessment of what number of HGV movements could travel to the site without exceeding the 3dB criterion and this is summarised below. To carry this assessment out, it was critical to establish the baseline from which the 3dB increase would be acceptable. The CNC's technical opinion is that the baseline should be without any site related traffic as it prevents creeping noise effects. This form of baseline is a commonly accepted position by the County and is the case for any development related noise assessment. A baseline with existing HGV movements associated with the site would lead to noise creep. The community is already highly concerned with regard to existing HGV traffic and hence even a small increment over the generally accepted noise change would result in even greater adverse community effects and response which the County cannot endorse.
179. The CNC firstly carried out an assessment based on the average daily number then carried out an assessment on different scenarios to establish what noise level would be generated from different numbers of HGVs; and what number of daily HGVs would result in a noise change of 3dB and above. These are as follows (based on no gradient):
- a total daily figure of 362 HGV movements³⁵ would result in a noise increase of 5.3 dB $L_{a10, 18hr}$ exceeding the 3 dB criterion and this would be of moderate adverse significance;
 - a total daily figure of 100 HGV movements would result in a noise increase of 1.8 dB $L_{a10, 18hr}$ which is below the 3 dB criterion and this would be negligible and not considered to be significant;
 - A total daily figure of 200 HGV movements would result in a noise increase of 3.5 dB $L_{a10, 18hr}$ which is above the 3 dB criterion and would result in a minor noise increase which would be deemed significant; and

³⁵ Taken from the applicant's 2016 Transport Statement

- A total daily figure of 156³⁶ HGV movements would result in a noise increase of 2.9 dB $L_{a10, 18hr}$, which is below the 3dB criterion which would be negligible and not considered to be significant.
180. The applicant disagrees with this approach for the following reasons:
- That the baseline should include existing quarry HGV movements; a baseline of zero is unrealistic.
 - That guidance does not say that a minor impact is unacceptable and that there may be occasional days when the noise levels are slightly higher than average and this does not provide grounds for objection.
 - That the difference between 156 movements and 200 movements in noise terms is around 0.7 dB (A) which is below the level of human perception in fluctuating sounds and is therefore insignificant and in practical terms there is no significance between adopting the proposed cap of 200 HGV movements per day when compared with 156 movements.

However the applicant has acknowledged and accepted the 3 dB criteria reflecting in the 2017 Transport Statement document that *“In the long term a 3 dB (A) change is considered perceptible. Such increases in noise should be mitigated if possible”*.

181. The CNC has clarified that a baseline year when the site was not operational demonstrates how many other HGVs were on that network at the time and prevents creeping noise effects. Additionally the CNC has commented that a data set over a longer period is considered to better reflect traffic conditions relative to shorter periods. These are two significant reasons for this. The CNC remains of the opinion that the baseline to be used to assess this proposal to establish a daily HGV movement cap should be at zero because of these reasons.
182. With regard to the applicant’s view that occasional increases above 3 dB (A) represented by occasional peaks of HGV activity on a single day would be acceptable, the CNC has questioned what would constitute ‘occasional’, how would these be monitored and controlled. The baseline data when the site was not operational (between 2011 and 2016) demonstrates that there were very low numbers of HGV movements along Chalkpit Lane. For example, in the 2017 Transport Statement, the applicant provides a table for a neutral month, March 2012, which shows the amount of traffic along Chalkpit Lane as recorded by an Automatic Traffic Counter (ATC)³⁷. This found that over a 5 day average the number of HGVs recorded were:
- Over a 12 hour period southbound – 11 HGV movements
 - Over a 12 hour period northbound – 10 HGV movements
 - Over an 18 hour period southbound – 13 HGV movements
 - Over an 18 hour period northbound – 10 HGV movements
 - During the AM peak there was 1 HGV both north and south bound
 - During the PM peak there were no HGVs southbound and 1 northbound
183. It should be noted, as outlined in paragraph 10 above, that there is a TRO preventing HGVs from travelling to/ from The Ridge along Chalkpit Lane. As can be seen from this neutral month, there are not many HGVs travelling along Chalkpit Lane. The 2017 Transport Statement acknowledges that *“the total volume of traffic using Chalkpit Lane to the north of the M25 was relatively low in absolute terms”* (para 4.4). With regards to the applicant’s comments in terms of allowing occasional increases in noise, the CNC has commented that there are a significant number of properties affected in a fairly quiet residential area with light traffic and an increase in HGV movements would fundamentally alter the soundscape and that any increase above the 3 dB criteria, even occasional, would be unacceptable. Furthermore whilst the difference in noise change

³⁶ This figure has been generated based on the recorded busiest day between January 2017 and April 2017 as set out in the May 2017 Transport Statement.

³⁷ Table 4.1 in the May 2017 Transport Statement

between 156 HGVs per day and 200 HGVs per day is only 0.7 dB (A), it is the overall increase which is critical, not the incremental amount.

184. In conclusion, the CNC is of the opinion that the baseline level should be a neutral year and that any increases above the 3 dB (A) threshold even for occasional use, would not be acceptable. In terms of establishing a daily cap on the number HGV movements to/from the site, an assessment of noise has provided a quantitative figure of 156 daily HGV movements.

Vibration

185. There is no approved procedure for assessing vibration from traffic as there is for noise. Current guidance on vibration is set out in the following: BS 5228-2:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites – Part 2: Vibration'; BS 6472:-1:2008 Guide to evaluation of human exposure to vibration in buildings – Part 1: Vibration sources other than blasting; BS 7385-2:1993 'Evaluation and measurement for vibration in buildings – Part 2: Guide to damage levels from groundborne vibration'; and Design Manual for Roads and Bridges Volume 11 HD213/11.
186. DMRB HD213/11 states *“People often express concern that vibrations they feel will cause structural damage to their dwelling. However, it has been shown that vibrations that can be felt indoors and which often cause occupants anxiety are an order of magnitude smaller than would be needed to activate pre-existing strains and cause cracks to propagate”*. It goes on to state that *“Traffic vibration is a low frequency disturbance producing physical movement in buildings and their occupants. Vibration can be transmitted through the air or through the ground. Airborne vibration from traffic can be produced by the engines or exhausts of road vehicles [...] Groundborne vibration is [...] produced by the interaction between rolling wheels and the road surface”*.
187. Vibration can be measured in terms of Peak Particle Velocity or PPV. For vibration from traffic, a PPV of 0.3 mm/s measured on a floor in the vertical direction is perceptible and structural damage to buildings can occur when levels are above 10 mm/s. the level of annoyance caused will also depend on building type and usage. DMRB states that *“PPVs in the structure of buildings close to heavily trafficked roads rarely exceed 2 mm/s and typically are below 1 mm”*. DMRB states there is a correlation between airborne vibration and noise stating that *“on average traffic induced vibration is expected to affect a very small percentage of people at exposure levels below 58 LA10 dB”*.
188. BS7385-2:1993 provides guidance on the levels of groundborne vibration above which buildings could suffer damage. It identifies the factors that influence the vibration response of buildings and describes the basic procedure for carrying out measurements. It also states there is a major difference between the sensitivity of people feeling vibration and the onset of levels of vibration that damage structures and that levels of vibration at which adverse comment from people is likely are below levels of vibration which damage buildings except at lower frequencies. Table 1.3 provides the vibration limits contained above which cosmetic damage could occur.

Table 1.3 from BS7385-2:1993

| Building Classification | Frequency range of vibration (hz) | PPV (mm/s) | |
|---|-----------------------------------|--|---|
| | | Transient vibration | Continuous vibration |
| Unreinforced or light framed structures Residential or light commercial type buildings | 4Hz to 15hz | 15 „s at 4 Hz increasing to 20 mm/s at 15 Hz | 7.5 mm/s at 4 Hz increasing to 10 mm/s at 15 Hz |
| | 15 Hz and about | 20 mm/s at 15 Hz increasing to 50 mm/s at 40 Hz and above | 10 mm/s at 15 Hz increasing to 25 mm/s at 450 Hz and above |

189. The applicant does not consider the proposal would have an impact with regards to vibration. This is based upon the applicant stating that the existing situation should be taken as the baseline and that there are a relatively low number of houses fronting Chalkpit Lane.
190. In relation to the planning application TA12/902, 32 letters of representation raise concerns about vibration from the HGVs visiting the site. Of these, 50% are from Chalkpit Lane, 9% from Gordons Way and 9% from Barrow Green Road with the remainder from other roads in the vicinity. It is difficult to assess whether vibration would be a direct problem from lorries associated with the quarry as this depends on the quality of the road surface, partly house construction, partly geology/ soil conditions, and partly distance from road to house. To assist in Officers identifying a maximum daily number of HGV movements to/ from the application site, Officers commissioned vibration monitoring at receptor properties (i.e. those identified from the representations received who raised concerns re: vibration). The vibration monitoring may confirm whether vibrations are/ are not occurring in the property associated with lorries travelling past and assist in identifying if the vibration levels are could cause significant adverse impact. Officers identified properties living on the route to the application site that had raised concerns regarding vibration and these residents were contacted asking if their properties could be monitored for vibration.
191. Following responses from residents, three properties were identified for vibration monitoring to take place. The CNC visited these properties in November 2016 to carry out internal and external vibration monitoring. By this point the County Planning Authority had been informed that lorries were visiting Oxted Chalkpit. From the monitoring carried out, the CNC concluded the following:
- The maximum peak component particle velocities measured for the properties whilst lorries were passing the properties, were **below** the guide values for transient and continuous vibration³⁸. As the levels were “significantly below the values given in BS 7385-2:1993” the CNC considers it to be very unlikely that vibration caused by HGV movements on Chalkpit Lane would result in cosmetic damage or damage to building structures.
 - With regard to human perception of vibration at 0.3mm/s (as taken from the external PPV vibration levels) the levels measured from lorries passing by may **just be perceptible**.
192. The CNC also carried out a theoretic exercise of an estimate of daytime vibration dose value based on a 16 hour working period and a total of 362 lorry movements which would be $0.1 \text{ m/s}^{1.75} \text{ eVDV}_{b,\text{day}}$. The CAC found that with a proposal of lorry movements on Chalkpit Lane up to 362 per day, this would not result in vibration levels of a magnitude likely to cause negative impact. Both the overall peak particle velocity (PPV) and estimated daytime vibration dose value (eVDV) would be **below** the guideline values at which building damage may occur or adverse comment would be expected from occupants of properties.
193. Officers conclude that vibration levels from HGV movements cannot be used to assist in formulating a maximum daily cap of HGV movements to/ from the application site as even with up to 362 daily HGV movements to the application site, this would not result in vibration levels of a magnitude likely to cause negative impact.

Highway Constraints including visibility

³⁸ This has been factored up to 56 movements per day/ 100 movements per day, 150 movements per day and 350 movements per day.

194. The applicant states that the historic records demonstrate that the southern access has safely accommodated the level of HGV traffic on any given day without leading to any accidents. Whilst accident data does not point to a history of collisions, Officers have further looked at the suitability of Chalkpit Lane to accommodate significant volumes of HGV's. Measurements of Chalkpit Lane taken in 2016, indicate that Chalkpit Lane varies in width, mostly between 4.3m and 5.6m. In the vicinity of the railway tunnel the width increases to 6.7m max and to 6.0m outside no.8. Barrow Green Road between the A25 and Chalkpit Lane varies in width between 4.2m and 5.6m.
195. Guidance in 'Manual for Streets' indicates that 4.1m is the minimum carriageway width required for 2 cars to pass or for an HGV and a bicycle to pass; 4.8m is the minimum for a car and an HGV to pass. A typical HGV width including mirrors is 3.0m. The maximum permitted national vehicle width without mirrors is 2.55m. Two HGV's passing each other without any clearance therefore requires 5.1m. In 10 of the locations surveyed, this dimension is not achievable. This 5.1m width excludes any space needed for pedestrians, cyclists or vehicle mirrors, space between vehicles or to the carriageway edge. Manual for Streets states that these are '*what carriageway widths can accommodate – are not necessarily recommendations*', it then goes on to state that 'bends require greater width to accommodate the swept path of larger vehicles'. It is clear therefore that for large parts of the route, vehicles cannot pass without mounting/over-running the verge. The chances of this occurring increase with an increase in HGV traffic generation. In geometric terms Chalkpit Lane is unsuitable for HGV use.
196. Conditions 19 and 20 deal with the access into and out of the application site on Chalkpit Lane. Those conditions are to ensure that the applicant only uses those access points and that there should be no further obstruction to visibility that could cause a highway safety issue. Notwithstanding this Officers have concern about the forward visibility for HGVs exiting the site from the lower access.
197. The vehicle access is also constrained with visibility in a northerly direction particularly limited. When measured to the edge of the nearside edge of the carriageway, the Transport Assessment notes that a distance of 20m is achievable. This increases to 32.7m when measured to the centre line, which in this instance is when an approaching vehicle is first likely to come into view. The CHA is of the view that visibility in Chalkpit Lane should be measured using DMRB criteria, requiring a visibility splay of 120m. Commonly, speed data may be presented by an applicant to justify a lowering of a visibility distance, matching actual vehicle speeds with the required visibility distance; the applicant has not done so in this instance. The applicant also claims that lesser Manual for Streets criteria for measuring visibility may be used and that the application of DMRB trunk road visibility standards is inappropriate on non-trunk roads, such as Chalkpit Lane. However table 10.1 of Manual for Streets clearly indicates that where speeds are over 37mph and where a road carried all vehicle types (HGVs as well as light vehicles and cars), the stopping sight distance values in DMRB should be used.
198. Even if that were to be acceptable to the CHA, a speed of 40mph would require a visibility distance of 86m, allowing for HGV's and the gradient of Chalkpit Lane. Whilst the applicant and Officers disagree with regards to which standards should be used to calculate the visibility of the lower access, the net effect is a disagreement over how substandard the visibility splays are. Irrespective of the criteria used to assess the visibility requirement, both sets of criteria require significantly more visibility than is achievable and land ownership constraints prevent any improvement.
199. Officers consider that given the quadrupling of tonnage allowed by the Environmental Permit since the last ROMP review for this site in 1995 when the visibility splays would have been last considered; and given the application site has planning permission until 2042; Officers recognise that whilst the visibility splays cannot physically be improved

the number of HGV movements should be restricted given the inadequacy of the visibility splays.

Severance

200. Severance is used to describe a complex series of factors that separate people from places and other people. Severance may result from the difficulty of crossing a busy road or the physical barrier of the road itself. It can also relate to quite minor traffic flows if they impede pedestrian access to essential facilities. All road users including pedestrians, cyclists and motorists may be affected. The measurement of severance is extremely difficult. There are no predictive formulae which give simple relationships between traffic factors and levels of severance. In general, marginal changes in traffic flow are unlikely to create, or remove, severance.
201. Different groups in a community may be more affected by severance than others. Older people or young children may be more sensitive to traffic conditions than others. Any assessment of severance should aim to estimate the current severance caused by traffic and related factors, and the extent to which the additional traffic will exacerbate this problem. It is generally accepted, based on studies of major changes in traffic flow, that changes in traffic flow of 30%, 60% and 90% are regarded as producing 'slight', 'moderate' and 'substantial' changes in severance respectively.
202. In this particular case, the 18-hour 5-day annual average daily two-way traffic flow on Chalkpit Lane is 1624 (based on data from 2014 which is the latest 12 month period available³⁹). The daily average number of HGVs is 28⁴⁰. If the application site were to generate a maximum of 150 HGV movements in any one day, an additional 150 HGVs to the daily average traffic flow of 1624 would result in a change in traffic flow of 9.2%. This is below the levels required to produce a 'slight' change in severance outlined in the above paragraph. The daily average of 74 vehicle movements proposed for the site would have led to a 4.6% change and a daily average would result in a 6.2% change.
203. If the HGVs were converted to PCUs (passenger car units) the results would be different. It would also be necessary to convert the existing daily average of HGVs to PCUs. An HGV is equal to 3.95 cars. The existing 28 HGVs would therefore be 110.6, the proposed daily average of 74 HGVs would be 292.3 and the maximum 150 HGVs would be 593.
204. The existing annual average figure of 1624 already includes 28 HGVs. The amount to be added to this to convert them to PCUs is $110.6 - 28 = 82.6$. The daily figure would therefore be 1707 (rounded). The daily average of 74 HGVs/221.2 PCUs would lead to a change in severance of around 17%. The daily maximum of 150 HGVs/593 would result in a change in severance of around 35%, which would be described as 'slight' on the basis of the methodology above.
205. These calculations need to be considered cautiously. The 'slight' impact would only occur on the days when the numbers of HGVs are at the upper end of the daily maximum, it would not occur every day. The 'slight', 'moderate' and 'substantial' change figures were derived from studies looking at major changes in traffic flow. It is not considered that Chalkpit Lane could be described in this manner. The only conclusion that can be drawn therefore is that there may be a slight impact on severance on the days that the site generates the maximum permissible HGVs.

³⁹ There are no full data sets for Chalkpit Lane after this year due to issues with the Automatic Traffic Counter.

⁴⁰ In 2014.

Driver delay

206. Traffic delays to non-development traffic can occur at several points on the network surrounding the site including at the site entrance where there will be additional turning movements; on the highway passing the site where there is likely to be additional traffic; at other junctions along the route that may be affected by increased traffic; at side roads where the ability to find gaps in the traffic may be reduced, thereby lengthening delays; and where access roads narrow, due to the constraints of the highway or on-street parking, and two-way traffic cannot occur. Driver Stress, as outlined in the DMRB Volume 11, Section 3, Part 9 'Vehicle Travellers' has three principal elements: frustration, fear of potential accidents and uncertainty relating to the route being followed. It is recognised that the weight of these factors varies depending on the individual driver. Any resulting delays are only likely to be significant when the traffic on the network surrounding the development is already at, or close to, capacity. This is not considered to be the situation in this case. A vehicle may have to give way momentarily to allow an HGV to pass but there will be no significant delay or congestion as a result.

Pedestrian delay

207. Changes to the volume, composition or speed of traffic may affect the ability of people to cross roads. In general, increases in traffic levels are likely to lead to greater increases in delay. Delays will also depend upon the general level of pedestrian activity, visibility and general physical conditions of the site. Chalkpit Lane has a footway on the eastern side for part of its length, from the junction with Gordons Way north to outside number 66. There is no footway on the western side, except for a very short stretch at the junction with Barrow Green Road, or on the remainder of the eastern side. There are approximately 30 residential properties with no footway that access direct onto the carriageway of Chalkpit Lane. Hamfield Close, which is cul-de-sac off the western side of Chalkpit Lane, has footways that link into Chalkpit Lane.
208. Chalkpit Lane is on the western edge of the built up area of Oxted. Almost all of the facilities within the town are to the east and south east. Only those living on the western side or with no footway have the potential to be adversely affected when walking to access facilities within Oxted. Barrow Green Road has a footway on the northern side from the junction with Chalkpit Lane to opposite Ridgeway Manor where it crosses onto the southern side. It continues from here off Barrow Green Road around into Sandy Lane. There is no footway for the remainder of the road between here and the A25, except at the roundabout junction itself. Given the proximity of Barrow Green Road from the facilities in Oxted, it is unlikely residents will be walking to access these.
209. Research by the TRL (Transport Research Laboratory) in the early 1990s indicated that a 10 second delay for a link with no crossing facilities equates to a two-way flow of about 1400 vehicles per hour. The daily average on Chalkpit Lane is only 1624. On this basis, there is unlikely to be any significant pedestrian delay as result of this proposal and this cannot be used as a basis for forming a daily cap.

Pedestrian amenity and fear and intimidation

210. Pedestrian and cyclist amenity is broadly defined as the relative pleasantness of a journey and is considered to be affected by traffic flow, traffic composition, footway and cycleway widths and their separation from traffic. This potentially significant effect is considered to be a broad assessment category which also encompasses fear, intimidation and exposure to noise and air pollution. A tentative threshold for judging the significance of changes in pedestrian and cyclist amenity is described as instances where total traffic flow or its Heavy Goods Vehicles (HGV) component halves or doubles. There is neither formal guidance nor a consensus on the thresholds for the assessment of the level of fear and intimidation experienced by pedestrians. However, the degree of

fear and intimidation experienced is generally dependent on traffic volumes, composition and the presence of protection such as wide footways or guardrails.

211. IEMA guidance suggests the use of degree of hazard thresholds as set out in the table below in order to assess fear and intimidation in the first instance.

| Degree of hazard | Average traffic flow over 18 hour day (vehicle/ hour) | Total 18 hour HGV flow | Average speed over 18 hour day |
|------------------|---|------------------------|--------------------------------|
| Extreme | 1800+ | 3000+ | 20+ |
| Great | 1200-1800 | 2000-3000 | 15-20 |
| Moderate | 600-1200 | 1000-2000 | 10-15 |

Chalkpit Lane is separated from the carriageway by a grass verge, meaning that any HGVs are not in the immediately adjacent to pedestrians. This does not apply to the 30 properties accessing parts of Chalkpit Lane without a footway. Fear and intimidation applies equally to cyclists as it does to pedestrians. The steepness of Chalkpit Lane to the north of the Chalk Pit is likely to deter all but the most able cyclists from using the road, with the exception of those with a local origin and/or destination south of the M25. Barrow Green Road is identified as a recommended cycle route into Oxted so it would not be unexpected to come across cyclists utilising it. Being overtaken by or approaching an HGV can be intimidating to a cyclist but is more likely to be an issue for those that are inexperienced or nervous. It is not uncommon in rural areas for cyclists to come across tractors, farm delivery and collection HGVs and other vehicles associated with rural businesses.

212. The OLRG have raised within their recent comments the impact of the HGVs on intimidation of vulnerable road users including children, cyclists and horse riders. The OLRG refer to the IEMA guidance where it states *“the impact of this is dependent on the volume of traffic, its HGV composition, its proximity to people or the lack of protection caused by such factors as narrow pavement widths”*. The OLRG refer to the sentence that the table above is a *“first approximation of the likelihood of pedestrian fear and intimidation, although other factors need to be included, e.g. proximity to traffic, pavement widths”*. Officers too note that the Transport Statement 2018 makes no reference to these sentences from the IEMA guidance, however officers do also note that there is no methodology to use these factors against the above table.

213. As can be seen above, a number of representations have raised concerns about the speed at which the HGVs travel along the network. Some representations have requested that the speed limit along Chalkpit Lane be reduced from 40mph to 30mph in the section to the north of the M25 (9 representations) because the HGVs associated with the application site travel at speed. Concerns have also been raised about the speed limit on Barrow Green Road also. The County Council has a ‘Setting Local Speed Limits’ policy. For a 20mph speed limit, the existing mean speeds would need to be below 24mph otherwise traffic calming would be required. To ascertain the current speed on the road the CHA would have to carry out surveys and take into account other factors such as safety. No surveys have been carried out and there is currently no funding for this work to take place. Traffic calming would create environmental and amenity issues, and the County Council has no budget for it. The applicant operates a voluntary routing agreement which asks HGV drivers to drive at a speed of 20mph along Chalkpit Lane. No condition is proposed to restrict or reduce the speed limit of site related HGVs along Chalkpit Lane or Barrow Green Road as there no mechanism for enforcing the speed limit other than traffic calming measures.

Accidents

214. The most obvious and immediate health risk from transport is the risk of fatal and serious injuries from collision with vehicles. All accidents involving a personal injury have to be reported to the Police. Non-injury accidents do not have to be reported to the Police and

there is no reliable way of collating information about them. Accident analysis is therefore always on the basis of personal injury accidents. The IEMA guidelines state that an assessment of road safety on the highway network should be undertaken on recent collision records.

215. The 2018 TS sets out that the original TS considered collision data for the 5 year period from 1 February 2007 to 31 January 2012. Within that period there were three collisions involving HGVs:
- April 2007 a collision occurred between a car and an HGV as a car was turning right into the filling station opposite Church Lane from the A25. The rear of the HGV travelling westbound on the A25 collided with the nearside of the car result in slight injury to the car driver.
 - September 2010 a collision between an HGV travelling south and a car travelling north along Chalkpit Lane. This was in the bends to the south of the site and was due in part to an HGV travelling from the Chalk Pit occupying over half of the road and in part to a car driver travelling north at speed and unable to react in time.
 - June 2011 an HGV collided with a cyclist at the roundabout junction between the A25/ Barrow Green Road and Tandridge Lane, resulting in slight injury. Both the cyclist and HGV were travelling from east to west through the junction.
216. There were a number of other accidents, two south of the M25 motorway bridge and one at the junction of Chalkpit Lane with Barrow Green Road involving single vehicles. There are a number north of the Chalk Pit access, including several cycle accidents. None of these accidents involved HGVs, including those during the period the Chalk Pit was operational. The 2018 TS states that the review carried out show three recorded collisions involving HGVs all occurred in different locations and had notably different characteristics. The 2018 TS also states that as part of producing the TS updated collision data was obtained from 1 January 2012 – end of February 2018, which is the most recent information available where it was found that there had been no recorded injury accidents involving HGVs on the local road network during that additional period.
217. This data shows that whilst there may be a number of ‘near misses’, as referred to in letters of representation, or non-injury accidents which may go unreported; based on the data for accidents on the route taken by HGVs associated with the application site there is no evidence to demonstrate that there is such a highway safety issue that can assist in formulating a maximum daily cap on HGV movements.

Hazardous loads

218. Given the nature of the proposal there are not to be any hazardous load movement. Therefore, no further assessment with regards to Hazardous and Abnormal Loads is required.

Air pollution

219. A number of concerns have been raised by residents with regards to the health implications from diesel fumes (including particulates) from the number of HGVs accessing/ egressing the application site. Transport is a leading source of emissions to air in the UK and the predominant exposure source within urban areas. At the strategic level, the health effect of air pollution is typically addressed through air quality standards and air quality management areas set to protect environment and health. However, the distribution, magnitude and significance of potential health outcome is also dependent upon local community circumstance and the existing burden of poor health⁴¹.
220. The EPUK and IAQM Guidance “Land-use Planning and Development Control: Planning for Air Quality” comments that it there is a clear link between air quality and health in

⁴¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/215815/dh_123629.pdf

relation to PM₁₀, PM_{2.5} and nitrogen dioxide. The guidance outlines that any air quality issue that relates to land use and its development is capable of being a material planning consideration. The weight given to air quality in making a planning application decision, in addition to the policies in the local plan, will depend on such factors as:

- The severity of the impacts on air quality
 - The air quality in the area surrounding the proposed development
 - The likely use of the development i.e. the length of time people are likely to be exposed at that location;
 - The positive benefits provided through other material considerations
221. The control of air pollution is the responsibility of local authorities and other government regimes. The role of local authorities is covered by the Local Air Quality Monitoring (LAQM) regime which in this case, the responsibility for monitoring and declaring Air Quality Management Areas (AQMA's) falls to Tandridge District Council (TaDC). In the 2018 Annual Status Report for Tandridge District Council, the document states that local monitoring for NO₂ indicates that there are no current breaches of the UK air quality objectives or EU limits. There are no continuous monitoring for PM₁₀ within TaDC however the document states that "a review of the monitoring results for PM₁₀ from three permanent monitoring sites in the South East region shows that both the annual mean and 24 hour UK objective for PM₁₀ were complied with in 2017". TaDC are not monitoring PM₁₀ within the borough as they consider that there are no roads within residential areas with high flows of HGVs and there are no roads which have had increases of more than 25% traffic flow in the district. TaDC has not declared any AQMAs.
222. The document states that local authorities are expected to work towards reducing emissions and/ or concentrations of PM_{2.5} as there is clear evidence that particular matter has a significant impact on human health. The document details that major sources of primary PM_{2.5} are industrial combustion, road transport, off road transport, residential sources and small scale waste burning. Road transport sources of PM_{2.5} include mainly exhaust emission from diesel vehicles together with non-exhaust emissions from tyre wear, brake wear and road surface abrasion. The document states that although PM_{2.5} is not monitored in the district, the Council is working with the Surrey Air Alliance to facilitate further investigation and targeted projects across the county.
223. For a change in traffic flows to occur which can be deemed significant, guidance suggests that a 25% increase in all traffic would amount to a significantly changed traffic flow. Annual Average Weekday Traffic (AAWT), for the current year (base year) were 1634. A 25% increase in such flows would be an increase to 2043 or an additional 408.5 vehicles on Chalkpit Lane per day. If divided by 3 (3 car = 1 lorry in terms of passenger carrier units) this would mean that there could be an increase of an average of 136 lorries per day (above the baseline) alone without there being a 25% increase in traffic flow on Chalkpit Lane to warrant there being a significant change that would result in further air quality monitoring being carried out on site.
224. In terms of the air quality impacts associated with traffic, the Environmental Protection UK(EPUK)/Institute of Air Quality Management (IAQM) '*Land-Use Planning & Development Control: Planning For Air Quality*' document provides indicative criteria for determining when an air quality assessment is likely to be required. For developments outside an Air Quality Management Area, such as this, an air quality assessment is likely to be required for developments generating a change in traffic of annual-average daily 100 HGVs or more⁴². An air quality assessment is undertaken to inform the decision making process. It does not, of itself, provide a reason for granting or refusing planning permission. Almost all development will be associated with new emissions if the development is considered in isolation. Any impacts should be seen in the context of air quality objectives and existing air quality.

⁴² The criteria is that the development will cause a significant change in Heavy Duty Vehicle (HDV) flows on local roads with relevant receptors.

225. With regards to this particular case, the current proposed annual average daily traffic for HGV movements is 74, this would not trigger the requirement for an air quality assessment. However should the annual average HGV numbers proposed go above 100 that does not mean that the air quality impacts above this level are likely to be significant, it just means that more detailed consideration would be required before reaching a judgement. However, the condition proposed by Officers seeks to impose a daily maximum HGV cap to which this guidance cannot provide any assistance with.

Ecological impacts

226. The Woldingham and Oxted Downs Site of Special Scientific Interest (SSSI) abuts Chalkpit Lane from the hair pin bend down to some 44m south of 41 Chalkpit Lane, immediately north of where footpath 94 enters on to the public highway; and then extends eastwards some 540m. For most of the SSSI's time near to Chalkpit Lane, the SSSI is positioned away from the extent of the highway (i.e. there is a green space between the public highway and the SSSI of (on average) some 1.5m). However, there is a small section of the SSSI, immediately north of where footpath 94 enters the public highway, which directly abuts the public highway. This would mean that any vehicles that overrun the verge at this point would actually be causing direct damage to the SSSI.
227. Section 28G of the Countryside and Rights of Way Act imposes a duty on "public bodies" in exercising their functions to take reasonable steps to further the conservation and enhancement of the special features on a SSSI. Officers consider as part of this planning application that the reasonable steps for conservation of the SSSI would be the imposition of a condition limiting the number of HGVs that carry waste materials to/from Oxted Chalkpit to a daily cap alongside the requirement that the applicant carry out a survey of the condition of the road before the site re-opens and then for subsequent surveys to establish the condition of the road particularly near to the SSSI.
228. Natural England were consulted on this particular aspect of this planning application. Natural England had originally responded stating they would be extremely concerned if any of the activities associated with Oxted Quarry were to impact upon this designated site, particularly about HGVs running over the verges of Chalkpit Lane and potentially therefore damaging the SSSI. Natural England supported Officers proposals to impose a condition restricting the number of HGVs to/ from the site and also for a highway condition survey to be carried out prior to the commencement of operations. However, Natural England do not specify what figure should be imposed on HGV movements.
229. The applicant provided in August 2018 as part of the further information pertaining to the Environmental Statement, a letter from Applied Ecology Ltd dealing specifically on this issue. The letter outlines that a survey was carried out in May 2018 of the eastern side of Chalkpit Lane either side of 72 and 74 Chalkpit Lane as to the condition of the SSSI where it meets Chalkpit Lane. The survey found that the majority of the road length showed no evidence of vehicle overrun as there was a concrete curb. The southern end of the survey section, however, did show some minor damage to the immediate road edge in the form of a length of muddy vehicle damaged ground as a result of vehicle overrun. The report states that there is a steeply sloping earth bank along the entire road edge and this would mean that progressive damage to the verge and adjoining trees is very unlikely. The report concludes that evidence of direct over running damage and erosion of the SSSI was limited to a few sections where traffic had mounted the curb and flattened or eroded a narrow section of adjoining earth bank and that as such future damage is considered very unlikely.
230. Natural England were consulted on this report and comment that they agree with the findings of the survey and that if erosion and run over of verges and curbs continues for years to come resulting in impact on the SSSI, they reserve the right to raise issues in

the future if significant changes occur. Officers wrote back to Natural England with regards to the daily number of HGVs the applicant wishes to access/ egress the site. Natural England responded raising no objection to the maximum daily cap of 200 movements per day with an annual average daily average of 100 movements and consider this would not impact on the Woldingham and Oxted Downs SSSI.

231. The County Natural Environment and Assessment Team Manager (CNEATM) reviewed the further information submitted with regards to the impact on the SSSI and also Natural England's comments. The CNEATM comments that despite Natural England's position, he is still concerned that the increase in vehicles which are larger than most using the route at present, could cause increased damage to the SSSI and there would be no way that the numbers could be reduced once agreed as part of this planning application, until any further ROMP review. The CNEATM comments that notwithstanding Natural England's position, the County Council are subject to Section 28G of the CROW Act and for this reason would support HGV limits below that proposed by the applicant.

Conclusion for Condition 20

232. Officers consider that due to the nature of Chalkpit Lane that there should be a daily limit on the number of HGVs going to/ from the application site. Notwithstanding the severe limitations of Chalkpit Lane and limitations on Barrow Green Road, Church Lane and East Hill Road, the site does have an unrestricted use and Officers are mindful that any restriction must not adversely affect the commercial interest of the site. The applicant originally stated that the local highway network could accommodate 362 HGV movements which was the highest number of HGV movements experienced on one day in 2010. Through dialogue with the applicant, the applicant now proposes that any such condition should limit the number of HGV movements to a maximum daily cap of 200 with an annual average daily traffic of 100 HGV movements. This is based on the Environmental Permit for the application site. However, Officers disagree with this figure considering it too high.
233. In order to establish both a maximum daily cap and an annual average figure, Officers have taken an objective and quantitative approach using the weighbridge data alongside best practice and guidance. There is no one set of standards that can be used to establish these figures. On this basis, Officers are satisfied that the weighbridge data demonstrates that the site has on average received 74 HGV movements per day associated with the importation of materials for the restoration of the site. Officers have reviewed both the recent and historic data for the export of chalk from the site, and acknowledge that whilst the applicant states that chalk markets still exist and "*are pursuing discussions with potential market outlets*" no evidence has been provided to demonstrate that the site would export circa 40,000tpa of chalk. Calculations instead show that on average chalk exports would account for 2 movements per day. Consequently Officers consider that the annual average daily traffic number of HGV movements should be 76 per day.
234. With regards to the daily cap, as shown above there are few technical exercises that can be carried out to assist in the formulation of a maximum daily cap figure. The OLRG have criticised the County Planning Authority for proposing a maximum daily cap of 156 HGV movements however no other figures (based on objective and quantifiable evidence or methodology) has been advanced. Through the assessment as described above, whilst Officers recognise the limitations and undesirability of the road network, Officers have sought to identify a maximum daily cap and consider the approach taken does this and in doing so does not restrict the working rights, economic viability or asset value of the application site; and meets criteria in guidance for the protection of the environment and amenity.

Condition survey of Chalkpit Lane: Condition 26

235. The County Highway Authority have requested the imposition of this condition which would require the applicant to carry out a survey of the physical condition of Chalkpit Lane. The condition survey would then set the baseline for that public highway in terms of existing potholes, any kerb damage or any other defects. The condition then requires the condition survey be carried out a 6 monthly intervals by the applicant to document whether there has been any change in the condition of the highway. The condition requires the information gathered from the condition survey be submitted to the County Planning Authority for approval and if any repairs are required as a result of damage knowingly caused by HGVs accessing the application site, then the applicant is to fund their repair.
236. The applicant disagrees with the imposition of this condition. The applicant outlines that Chalkpit Lane is already in a poor state and that the applicant should not be made to fund existing highway damages. The applicant has stated that the County Highway Authority has the ability to seek costs for damage to the public highway under Section 59 of the Highways Act for 'the recovery of expenses due to extraordinary traffic'. Section 59 seeks recompense where it appears to the County Highway Authority that *"the average expense of maintaining the highway or other similar highways in the neighbourhood extraordinary expenses have been or will be incurred by the authority in maintaining the highway by reason of the damage caused by excessive weight passing along the highway, or other extraordinary traffic thereon the highway authority may recover from any person ("the operator") by or in consequence of whose order the traffic has been conducted the excess expenses"*. The applicant also questions why they should fund any damage to Chalkpit Lane when other HGVs use that public highway.
237. The County Highway Authority have commented that Oxted Chalkpit generates the largest number of HGV movements along Chalkpit Lane. This is because there is a weight restriction sign approximately 180m north of the main site entrance to the application site on Chalkpit Lane, and approximately 3m from the application site's northern access. The weight restriction has been imposed for reasons which have been identified as unsuitable for use by heavy goods vehicles, and where there is a better and equally convenient alternative and to prevent HGVs from using minor roads as an inappropriate short cut. There are normally exemptions to weight restrictions such as emergency service vehicles, for access to a property or vehicles working on the road. Enforcement of weight restrictions is carried out by the police. Consequently, aside from any local deliveries to properties on Chalkpit Lane, the majority of HGVs travelling along Chalkpit Lane will be to visit the application site. This is demonstrated in table 4.1 of the applicant's Transport Statement which is replicated below:

Traffic Flows on Chalkpit Lane – March 1 – 31 2012 inclusive (table 4.1)

| | Time | 7 Day Average (Monday – Sunday) | | | | 5 Day Average (Monday – Friday) | | | | |
|-----------|------------|---------------------------------|-------------|------------|------------|---------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| | | 24 Hour | 12 Hour | AM peak | PM peak | 24 Hour | 18 Hour ⁴³ | 12 Hour ⁴⁴ | AM peak ⁴⁵ | PM peak ⁴⁶ |
| Direction | Southbound | 690 (2) | 591 (2) | 70 (0) | 59 (0) | 766 (13) | 755(13) | 656 (11) | 90 (1) | 68 (0) |
| | Northbound | 721 (4) | 608 (4) | 60 (1) | 68 (1) | 793 (10) | 781 (10) | 665 (10) | 76 (1) | 78 (1) |
| | Total | 1411 (6) | 1199 (6) | 131 (1) | 127 (1) | 1559 (23) | 1536 (23) | 1321 (21) | 166 (2) | 146 (1) |

⁴³ 18 Hour = 06:00 – 24:00

⁴⁴ 12 Hour = 07:00 – 19:00

⁴⁵ AM peak = 08:00 – 09:00

⁴⁶ PM peak = 17:00 – 18:00

238. As the table above shows, the total volume of traffic using Chalkpit Lane to the north of the M25 had low numbers of HGV movements during this specific period which was when the application site was closed and was not operating or receiving HGVs. The 24 hour flow between Monday – Friday was 1559 movements of which 23 (1.5%) were classified as HGVs. During the AM peak hour a total of 166 movements including 2 (1.2%) HGVs were recorded and during the PM peak hour flow 1 HGV was recorded. This information within the Transport Statement demonstrates that when the application site is closed there are a very limited number of HGVs using Chalkpit Lane.
239. Traffic flow data for the site when was operating before it closed in 2012 and then since it re-opened in 2016 are provided below:

Daily HGV Loads During Peak Weeks 2007 – 2011 (Table 4.2 Transport Statement May 2017)

| Dates | Mon | Tues | Weds | Thurs | Fri | Sat | Total |
|----------------------|-----|------|------|-------|-----|-----|-------|
| 14-18 February 2011 | 30 | 47 | 48 | 70 | 69 | 0 | 264 |
| 7-11 March 2011 | 71 | 82 | 64 | 8 | 42 | 0 | 267 |
| 14-18 March 2011 | 73 | 86 | 90 | 60 | 42 | 0 | 351 |
| 21-25 March 2011 | 17 | 34 | 53 | 91 | 64 | 0 | 259 |
| 25-29 July 2011 | 91 | 86 | 75 | 63 | 33 | 0 | 348 |
| 22-26 August 2011 | 43 | 86 | 70 | 53 | 62 | 0 | 314 |
| 12-16 April 2010 | 181 | 52 | 56 | 63 | 36 | 0 | 388 |
| 7-11 December 2009 | 67 | 70 | 61 | 59 | 61 | 0 | 318 |
| 8-12 September 2008 | 66 | 76 | 62 | 64 | 73 | 0 | 341 |
| 22-26 September 2008 | 56 | 66 | 78 | 73 | 69 | 0 | 342 |
| 29 Sept – 4 Oct 2008 | 71 | 67 | 70 | 65 | 69 | 30 | 342 |
| 6-10 October 2008 | 71 | 68 | 84 | 81 | 76 | 0 | 380 |
| 20-24 October 2008 | 77 | 81 | 76 | 74 | 72 | 0 | 380 |
| 27-31 October 2008 | 70 | 72 | 88 | 76 | 25 | 0 | 330 |
| 3-7 October 2007 | 65 | 82 | 76 | 91 | 92 | 0 | 406 |

Traffic Flows on Chalkpit Lane May 15 21 2018 Inclusive (Table 5.1 from the Transport Statement 2018)

| | Time | 7 Day Average (Monday – Sunday) | | | | 5 Day Average (Monday – Friday) | | | | |
|-----------|------------|---------------------------------|--------------|------------|------------|---------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| | | 24 Hour | 12 Hour | AM peak | PM peak | 24 Hour | 18 Hour ⁴⁷ | 12 Hour ⁴⁸ | AM peak ⁴⁹ | PM peak ⁵⁰ |
| Direction | Southbound | 913 (33) | 774 (33) | 90 (1) | 66 (0) | 988 (46) | 972 (46) | 836 (46) | 111 (2) | 76 (0) |
| | Northbound | 906 (29) | 766 (28) | 77 (2) | 89 (0) | 988 (39) | 973 (39) | 837 (39) | 97 (2) | 106 (0) |
| | Total | 1819 (62) | 1540 (61) | 167 (3) | 155 (0) | 1976 (85) | 1945 (85) | 1673 (85) | 208 (4) | 182 (0) |

240. As can be seen from the tables above, when Oxted Chalkpit is operating, the number of HGVs travelling along Chalkpit Lane increases significantly such that it clearly is the prime originator of HGVs on that highway. The County Highway Authority recognises that residential properties on Chalkpit Lane may have an odd delivery however the predominant source of HGV traffic on Chalkpit Lane is related to delivering to and from Oxted Chalkpit.

⁴⁷ 18 Hour = 06:00 – 24:00

⁴⁸ 12 Hour = 07:00 – 19:00

⁴⁹ AM peak = 08:00 – 09:00

⁵⁰ PM peak = 17:00 – 18:00

241. It is clear that approximately 80-90% of HGV travelling along Chalkpit Lane would be travelling to/ from the application site placing a high probability that damage caused to the public highway of Chalkpit Lane would be caused by vehicles travelling to/ from the application site. On this basis, Officers consider it reasonable, related to planning and related to this planning application that a condition be imposed requiring the applicant to carry out a survey of the condition of the road and then to fund repairs to Chalkpit Lane.

No HGVs leaving as part of a convoy: Condition 27

242. As identified above, much of the road network leading to and from the application site is unsuitable and undesirable for HGVs to use with parts of the road network so narrow it is difficult for a car and a HGV to safely pass each other. This is exacerbated when HGVs travel in convoy. This condition seeks to restrict HGVs from travelling in convoy. The applicant disputes this condition.

Use of weighbridge: Condition 28

243. This is a new condition and seeks to ensure all HGVs accessing the site use the weighbridge for recording purposes.

General Permitted Development Order Rights (Condition 29)

244. Planning permission TA93/0765 imposed a condition restricting the Permitted Development Rights of the application site (condition 10). The applicant submitted a proposed condition within their schedule also restricting Permitted Development Rights (applicant's condition 12) however the applicant's proposed condition removed the word 'moveable' from the condition as imposed on planning permission TA93/0765 so that the condition would only prevent the erection of fixed plant, buildings or machinery. The applicant's proposed condition also removed the reference to lights or fences requiring prior approval.
245. Officers sought to include the word 'moveable' back into the condition to replicate the wording as per the TA93/0765 permission on the basis that the site is located within the AONB and that in doing so this would result in no greater impact on the applicant as the condition wording would be the same as imposed on TA93/0765 (to which the applicant has not appealed). Following dialogue with the applicant, the applicant has agreed that proposed condition 29 should include both a reference to 'moveable' plant, machinery and buildings; and also lighting and fencing by way of the wording 'structures'. The wording of proposed condition 29 is the same as that imposed on TA93/0765 albeit the reference to the Town and Country Planning (General Permitted Development) (England) Order (the 'Order') has been updated to reflect the 2015 Order which came into force on 15 April 2015. The applicant no longer challenges the wording of this condition.

Pollution Control (Conditions 30 - 32)

246. The applicant submitted as part of the ROMP application a hydrogeological and hydrological assessment including a model. The assessment recognises that as the application site is a chalk aquifer and within SPZ3, there is potential for groundwater and surface water quality derogation as a result of spillages of potential contaminants at the application site (oils, lubricants and solvents). The assessment also recognises that there is potential for a reduction in hydraulic recharge of the aquifer following restoration due to the nature of the materials that would be used to restore the quarry including the provision of an artificial barrier. The Environment Agency have confirmed that they are satisfied with the groundwater modelling provided with regard to recharge rates and that protection of the groundwater can be covered under the Environmental Permitting regime.

247. Proposed conditions 30 - 32 seek to protect the water environment from the proposal and any potential for spillages. Condition 30 was proposed by the applicant (the applicant's condition 18) and Officers have not amended the wording of this condition. Condition 33 was proposed by the applicant (the applicant's condition 19). Officers have amended the wording of this condition so that it precisely refers to the specific sections in the Hydrogeological and Hydrological Assessment of the Environmental Statement and have added best practice wording that the scheme shall be implemented as approved.
248. Condition 32 was proposed by the applicant (the applicant's condition 17) and Officers have not amended the wording of this condition.

Drainage (Conditions 33 and 34)

249. The application outlines that all surface water from both the operational phases and the restored profile would drain in a southerly direction towards an infiltration pond as has been historic practice. The infiltration pond is located along the southern boundary of the application site. The application site lies in Flood Zone 1 (the low possibility of flooding) and other sources of flooding such as groundwater do not present a risk at the site. Water would be captured in the infiltration pond and would infiltrate to the soakaway situated on the central-southern boundary of the site back into the groundwater system.
250. The applicant has provided a Flood Risk Assessment (FRA) as part of the Environment Statement. The FRA recognises that due to the increased surface area of less permeable materials as part of the restoration process, the peak rate of runoff would increase above the current baseline situation where there is more chalk exposure and the FRA has modelled this. The County Geological Consultant (CGC) comments that the FRA is satisfactory and appropriate. However the CGC comments that the applicant is proposing that the existing storage/ infiltration basin on the southern boundary would be a permanent solution as the site drains naturally to this point. The CGC comments that whilst this concept is acceptable as it utilises infiltration drainage and this is at the top of the sustainable drainage hierarchy, the existing facility does not function as stated in the FRA. The CGC comments there is an overflow pipe from the attenuation pond that discharges on to adjacent land and clear evidence that it has operated in the past. This suggests the current size of the pond is not big enough and/ or the infiltration rate is not high enough. The CGC comments this could lead to an impact on the adjoining property downhill. However the CGC comments that there is no reason to suggest that an improved and enlarged infiltration basin, with a maintenance regime, would not perform satisfactorily as a drainage scheme for the proposed restored landform.
251. The CGC recommends a condition be imposed that meets all of the requirements he has raised with regards to size, infiltration coefficients and taking into account climate change, as a scheme to be submitted. The CGC comments the pond would require infiltration testing, detailed design calculations and details of how the maintenance will be covered over the long term. The applicant did not propose any conditions in relation to the infiltration pond therefore Condition 33 is a new condition proposed by the County Planning Authority on request by the CGC. The condition requires the submission of a scheme for all of the points raised above by the CGC and the applicant has agreed to the imposition of this condition.
252. As stated above, the applicant submitted as part of the Environmental Statement a Hydrogeological and Hydrological Impact Assessment document including modelling and borehole data. The document recognises the application's position on a SPZ3 and a Principal Aquifer and the need for safeguarding of the water environment during the operation and restoration of the proposed development. Condition 34 is a new condition proposed by the County Planning Authority to ensure protection of the aquifer from any potential contaminants from the wheel cleaning facility, refuelling and plant and vehicle maintenance area by stipulating that any discharge from these areas must drain to foul

mains drainage or a sealed tank to be contained separately and suitably disposed of. The applicant has agreed to the imposition of this condition.

Noise (Conditions 35 – 38)

253. The applicant proposed three conditions with regards to noise arising from site operations such as extracting the chalk and infilling the phases and restoration. The application site has continued to operate the site using the same on site plant and equipment (an hydraulic excavator, dump truck, mobile screening unit and wheeled loading shovel for extraction activity, dozer and lorries for infill). The locality where the application site is, is affected by noise from the M25 and generally the background noise from the motorway traffic is above the appropriate 55 LAeq limit for the surrounding houses. The applicant has submitted as part of the Environmental Statement a Noise Assessment for site operations only⁵¹. The Noise Assessment has set out the calculated noise levels arising from activity within the remaining extraction and infill phases and considers mitigation measures where necessary. The NPPG states that when considering a planning application for minerals development the prevailing acoustic environment should be taken into account to consider if the proposal would give rise to significant adverse effect or an adverse effect⁵².
254. Paragraph 021⁵³ of the NPPG states that “*Mineral planning authorities should aim to establish a noise limit, through a planning condition, at the noise-sensitive property that does not exceed the background noise level (LA90,1h) by more than 10dB(A) during normal working hours (0700-1900) [...] In any event, the total noise from the operations should not exceed 55dB(A) LAeq, 1h (free field)*” and “*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*”. Paragraph 022⁵⁴ recognises there are some activities that may be particularly noise in the short term such as soil stripping, the construction and removal of soil storage mounds; and aspects of site road construction; and in such circumstances an increase of temporary daytime noise limits of up to 70dB(A) _{1h (free field)} would be acceptable for periods of up to 8 weeks in order to facilitate such activities.
255. The Noise Assessment sets out that the daytime background noise as measured at the application site is in excess of 45 dB LA90 1 hour, free field and therefore there is no justification for a site noise limit lower than 55 dB LAeq, 30 minutes free field at dwellings, for activity taking place within the operation hours. The Noise Assessment considers that the temporary noise level of 70dB(A) _{1h (free field)} would be achievable and that noise from machinery used at mineral workings does not usually contain a distinguishable tone nor does it tend to be impulsive. The Noise Assessment recommends that where reversing sirens or beepers are used on mobile site plant and give rise to noise problems, the use of quieter or silent types of alarm or warning devices should be explored.
256. The County Noise Consultant reviewed the Noise Assessment and the proposed conditions and agrees with the Noise Assessment findings. Condition 35 (the applicant's proposed condition 20) has been modified to state the hours the condition would cover and these are in line with the site's operating hours (Condition 16).
257. The applicant proposed a condition (the applicant's proposed condition 21) limiting noise levels from temporary activities (as recommended by the NPPG) to 70dB (A). Officers have amended the applicant's wording to reflect the temporary activities expressed in the

⁵¹ The Noise Assessment does not assess the potential noise and vibration impacts associated with off-site vehicle movements.

⁵² Paragraph: 020 Reference ID: 27-020-20140306

⁵³ Paragraph: 021 Reference ID: 27-021-20140306

⁵⁴ Paragraph: 022 Reference ID: 27-022-20140306

NPPG so that the condition is consistent with Government planning advice. The applicant agrees to this amendment.

- 258. The applicant proposed a condition that all vehicles, plant and machinery be maintained and fitted with silencers (the applicant’s proposed condition 22). This is to ensure that such items run efficiently and effectively and not lead to whines or tonal changes. Officers have made no changes to the wording and it is shown in Condition 37.
- 259. Officers have also imposed Condition 38 which is a new condition seeking to ensure that all reversing alarms on company owned HGVs are fitted such not to emit a warning noise that could have an adverse impact on residential amenity (i.e. a bleeper). This is similar to the recommendations made in the Noise Assessment for plant and machinery and is to safeguard residential amenity. The applicant has raised no objection to the imposition of this condition.

Dust (Conditions 39 - 41)

- 260. Many of the operations and activities proposed on site have the potential to generate dust. This includes lorry movements, movement of chalk and movement of infilling materials, placement of soils; alongside mobile plant exhausts and cooling fans. The extraction of chalk would be carried out with a hydraulic excavator and the applicant states, loaded either into a dump truck for stockpiling or directly into delivery vehicles. The applicant states that there may be times when a mobile screen would be brought onto site for processing chalk. The NPPG states that a dust assessment study should be provided and the Institute of Air Quality Management (IAQM) states that dust impacts and the effects of mineral development should be assessed. The applicant provided an Air Quality Assessment as part of the Environmental Statement and has set out what dust control measures would be used at the application site:

| Site operation | Dust control measures |
|-------------------------------------|--|
| Site restoration | Site restoration area to be seeded immediately upon completion of restoration |
| Mineral extraction/ movement | Controlled use of fixed short haul routes Haul routes to be regularly maintained by grading to minimise dust generation Water to be used as required via site water bowser Speed controls to be implemented on all haul routes (5mph) Drop heights to be minimised Mobile plant exhausts and cooling fans to point away from ground All plant to be regularly maintained |
| Mineral processing | Processing screen and stockpiled material to be protected from prevailing wind where possible Water to be used as required |
| Access road | Use of water on access road when required Use of road sweeper on access road and Chalkpit Lane when required Speed controls to be implemented on access road All lorries leaving site to be sheeted Wheel wash to be utilised. |

- 261. The County Air Quality Consultant (CAQC) reviewed the submitted Air Quality Assessment and commented that they agreed with the conclusions that when taking into account the source, pathway and receptors that the risk of nuisance dust and PM10 is

deemed low to medium for the receptors identified. The CAQC is satisfied with the submitted Air Quality Assessment and raises no concerns with it.

262. *Conditions 39 and 41* - This condition seeks to ensure that if any dust emissions are being generated that the site cease operating until dust emissions are controlled and that dust monitoring be carried out in accordance with the approved Dust Monitoring Plan requested in condition 41 (Condition 23 of the applicants proposed conditions). The applicant agrees to this wording. These conditions are to ensure monitoring of potential dust emissions take place on site and are acted upon.
263. *Condition 40* - The condition proposed by the applicant has been amended so that it is precise by referring to specific sections within the Environmental Statement and that the methods set out within the Environmental Statement are adhered to. The condition removes the word 'unless otherwise agreed in writing' so that the condition meets the six tests. The CAQC is satisfied with the wording of this condition and the applicant raises no objection to the changes in wording.

Ecology and Nature Conservation (Conditions 42 and 43)

264. The applicant as part of the ROMP application has submitted an ecological assessment, including an extended phase 1 habitat survey and further ecological surveys. The assessment highlights that the site contains areas of broadleaved woodland and calcareous grassland including UK BAP Priority Habitats, protected species and species of conservation concern, including bats, birds, reptiles, invertebrates and badgers.
265. The assessment recognises that the continuation of the operations at the site including the clearance, extraction and restoration phase of the development in the absence of any mitigation measures will result in the loss of valued habitats and protected species within the boundary of the ROMP, totalling approximately 1.52ha. Furthermore, it is identified within the assessment that reptiles, invertebrates and birds are likely to be negatively impacted by the site clearance, extraction and restoration works and recommendations are therefore proposed to minimise and mitigate these impacts within Volumes 2 and 3 of the Ecology Chapter of the Environmental Statement.
266. The Wildlife and Countryside Act 1981 (as amended) is the primary legislation which protects animals, plants and habitats in the UK. Protected species, including birds, reptiles and invertebrates as set out in Schedule 5 of the Act, are protected against intentional killing or injury and if any person intentionally kills, injures or takes any wild animal included in Schedule 5, he shall be guilty of an offence. Section 40 of the Natural Environment and Rural Communities Act 2006, also places a duty on public authorities in England and Wales to have regard, in exercising of their functions, to the purpose of conserving biodiversity. Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat. As such, Conditions 42 and 43 have therefore been recommended by the County Natural Environment and Assessment Team Manager (CNEATM) and supported by the Surrey Wildlife Trust, as no conditions were previously provided to secure the suitable mitigation and protection of protected species including reptiles and invertebrates.
267. Accordingly, Condition 42 requires the submission of a mitigation strategy 24 months prior to the commencement of the clearance and extraction of Phase 5 of the development. The CNEATM considers that a 24 month lead in period prior to the working of Phase 5 is reasonable given the strategy would need to be approved and any receptor site would need to be made available in a suitable state to receive reptiles before working commences. The condition sets out a list of criteria the strategy is expected to include as specified in section 10.1.3 of the Ecology Chapter in Volume 3 of the Environmental Statement. The aim of this strategy would be to ensure at least no net loss of reptile populations and numbers and minimise the potential short term adverse

effect of clearance disturbance on reptile species utilising areas on site as a receptor site.

268. Condition 43, has been recommended to ensure the mitigation measures set out with respect to invertebrates within section 5.2.5 of Volume 2 of the Environmental Statement and sections 10.1.6 and 10.2.4 of the Ecology Chapter of Volume 3 of the Environmental Statement are implemented in full and maintained through the lifetime of the development. The measures as set out in these sections are provided in the table below:

| Environmental Statement Vol/Section | Species | Mitigation Measures |
|---------------------------------------|---------------|--|
| Clearance and Extraction Phase | | |
| Vol 2 – 5.2.5 and Vol 3 – 10.1.6 | Invertebrates | Dingy skipper habitat can be retained in 10m buffer of grassland scrub margin on the northern margin of Phase 1 which will ensure lineage of suitable areas of habitat elsewhere within the quarry and provide a suitable density of foodplants. Current rabbit activity within this area will maintain a bare ground mosaic and ensure habitat structure is maintained. This will also maintain habitat suitable for all local species recorded during survey; and Translocation for Roman snails (<i>Helix pomatia</i>) is recommended prior to commencement of works to translocate any snails to adjacent suitable habitats outside the working area. |
| Restoration Phase | | |
| Vol 2 – 5.2.5 and Vol 3 – 10.2.4 | Invertebrates | Control of buddleia and wall cotoneaster will be required to maintain a range of suitable habitat areas through the site in open condition suitable for colonisation by dingy skipper and cinnabar moth, including within the 10m buffer area: and Small areas of habitat should be biannually disturbed and left to naturally recolonise to maintain suitable breeding habitat for cinnabar moth. |

269. The OLRG have commented that there has been no mention of the existence of a Priority Habitat on the site, as required by the Natural Environment and Rural Communities (NERC) Act 2006. The application site is not listed as part of the Priority Habitat Inventory⁵⁵. The relevant section of the NERC Act 2006 is Section 41 which relates to the UK BAP priority species and habitats. UK BAP priority species and habitats were those that were identified as being the most threatened and requiring conservation action under the UK Biodiversity Action Plan. Since then Habitat Priority Areas (HAPs) have had their place taken by Biodiversity Opportunity Areas (BOAs) to present a more landscape approach. The application site lies within the North Downs Scarp; Woldingham which sets out objectives and targets for this BOA. The relevant target is to provide 8ha calcareous grassland by 2020, 1.5ha of beech and yew woodland by 2020; and to obtain mixed deciduous woodland 75% by area. This application seeks as part of the restoration and aftercare scheme to provide calcareous grassland on site. This application also seeks further detail on the restoration scheme in terms of planting species to which the BOA objectives and targets can be fed into. Officers are satisfied

⁵⁵ This data is taken from Natural England’s MAGIC database.

that the proposed restoration scheme is corresponds to the objectives and targets and aims for the North Downs Scarp;Woldingham.

Soil Movement and Storage (Conditions 44 - 47)

270. The applicant proposed conditions 25 – 27 with regards to soil movement and handling. Natural England commented with regards to the applicants proposed condition 25 (now Condition 44) that the heights proposed for the storage of soils took a precautionary approach in that the heights being proposed are lower than the usual best practice requirement of 3m for topsoil and 5m for subsoil. Natural England did not raise an objection to the proposed heights. In addition to this Natural England recommended the condition be amended to state that topsoils, subsoils and subsoil substitutes be stored separately, where continuous bunds are to be used dissimilar soils (i.e. alternating between top and sub soil storage) should be should be separated by a third material; and that materials should be stored like upon like. Natural England also requests that all storage bunds intended to remain in situ for more than six months or over the winter period should be grassed over and weed controlled.
271. Proposed condition 45 adopts all of Natural England's requests except the requirement for the grassing over of storage bunds left in situ for a period greater than 6 months. This detail is set out in a separate condition, Condition 41, with the requirement for the seed mixture and application rates to be the same as that set out in Condition 15.
272. The applicant proposed condition 26 (now Condition 46) which states how and when soils should be stripped and handled. Soils should be handled in a dry and friable manner in accordance with MAFFs Good Practice Guide for Handling Soils. Natural England have reviewed the draft condition and recommend the condition is amended to include a working definition of dry and friable. Condition 46 reflects this. In addition to this, the applicant's proposed condition also stated that soils should not be handled during the months of October – April unless undertaken using hydraulic excavators and dump trucks. Natural England commented that they would be prepared to accept a reduction in the period where soil handling and movement should not be undertaken, i.e. from November to March inclusive as opposed to the current October to April. However they strongly recommended that removal of the caveat that would allow soil movement in the restricted period using hydraulic excavators and dump truck not be entertained. This is due to the difficulty in getting vegetation to establish in the restricted period, the lack of which could significantly affect the quality of any soil bunds created or restoration works carried out at this time and could leave soils vulnerable to erosion. Consequently, and following dialogue with the applicant, Condition 46 does not contain the wording to allow the use of hydraulic excavators or dump trucks during this restricted period.
273. There are no proposed changes to Condition 47 (Condition 27 of the applicants proposed conditions). The applicant agrees to these conditions.

Submission of Programmes (Condition 48)

274. A Cultural Heritage Assessment has been submitted with the application, which considers both the direct and indirect effects of the continued operations of the site upon cultural heritage.
275. The Assessment provides an overview of the remaining archaeological interest of the site and recognises that the nature of mineral extraction and past ground works, particularly the stripping of soil, have resulted in the loss of the potential for any remaining unidentified pre-industrial archaeological resources. The final phase of soil stripping (Phase 4) was also monitored by archaeologists, followed by excavation under planning Condition 25 of the 1997 consent (Ref: TA93/0765) and therefore the potential for the on-going operations to impact on pre-industrial sites is negligible.

276. A set of lime kilns with post-war chimneys, including a short stretch of railway above the kilns are evident on the site and survive in varying conditions. These are not listed structures but are reflective of the sites industrial past and are therefore considered to be of industrial archaeological interest. The applicant proposed a condition which sought the removal of plant growth and prevention of re-growth on the lime kilns only. The County Archaeologist stated that in addition to this the applicant should provide details of a scheme for how conservation and repair works to the kilns would be carried out as this would have the benefit of not only conserving the structures but off-setting possible future costs. The applicant has agreed that the condition be amended from their original wording to include the removal and management of the vegetation that is growing upon them, together with some structural consolidation where necessary to make safe to ensure the continued survival of the identified heritage assets throughout the operation of the quarry.
277. The rest of the condition wording remains as the applicant proposes for the submission of schemes for the maintenance of landscape woodland/ hedgerow, soil bunds and restoration programme.

Stability (Conditions 49 and 50)

278. The applicant did not advance any conditions on stability as part of their submission but did provide a Geological Conservation and Stability Report submitted as part of the Environmental Statement. As described above, the mineral of the site is Lower and Middle Chalk which can be seen by the exposed outcrop of the steeper slopes. These strata are underlain successively by Upper Greensand and Gault Clay. The County Geological Consultant (CGC) has reviewed the Geological Conservation and Stability Report submitted as part of the ES and commented that there was insufficient information on how the stability of the northern faces of the site would be managed and monitored. The applicant submitted further information in April 2014 on this point including a topographical survey of the site, a stability report cross section with topographical survey details and information from a February 2013 LiDAR scanning exercise, a report prepared following a further LiDAR scanning exercise carried out on the quarry faces in April 2014; and a photograph taken at the 'top' of the quarry face near the Bungalow.
279. The stability of quarry faces and spoil heaps during the operational phase of the quarry will be regulated by the Mines and Quarries Inspectorate and the stability of any waste deposited will come under the Environmental Permit regime. It is the long term stability of the final restored quarry faces and the soil slopes forming the restored and landfilled areas and ensuring there would be no potential impact on the landscape or third party property or persons that is of concern to the Minerals Planning Authority. The applicant states that there has been no record of any significant instability of the northern slopes since their formation and there is no evidence of any persistent features currently exposed that could give rise to such failure. The applicant has referred to a number of Geotechnical Assessment reports that have been produced for the site to comply with the requirements of the Mines and Quarries Inspectorate since 2000.
280. The monitoring information provided by the applicant in 2014 outlines that there had been no movement in the slopes in terms of stability. The information also sets out that if in the future concerns were raised over the stability of the North West boundary adjacent to The Bungalow options to stabilise the slope such as localised soil nailing/ bolting and/ or meshing would need to be assessed and implemented. The applicant stated that any future remedial works be targeted to slopes showing signs of failure and boundary security is at risk. However the reports state there is no evidence of such failure and the face where the CGC raised concern has not been worked for many, many years nor has it suffered from any recent instability or failures.

281. The CGC reviewed the further information submitted in 2014 and concurs that all of the slopes (current quarry faces, current soil slopes and proposed final restoration slopes) are unlikely to suffer from large scale sudden instability problems. The CGC agrees with the report that the potential for un-vegetated slopes at angles of greater than 53 degrees to suffer from continual erosion. This erosion would be reduced through the presence of vegetation and a slope angle of 45 degrees. The CGC confirms that their concerns regarding the northern area around The Bungalow has been addressed and is satisfied with the proposed mitigation measures of bolting and netting/ meshing as necessary. The CGC states this is an acceptable means of control. The CGC notes that annual monitoring would be carried out and stabilisation measures undertaken as necessary.
282. The CGC proposes two new conditions specifically on stability of the chalk faces for when the site is restored and no longer falls within the remit of the Quarries Regulations. The first condition is for assessing and dealing with the stability of the cliff faces in the short term as part of the restoration scheme. The second condition is for long term monitoring of the restored chalk faces after the restoration /stabilisation scheme has been put in place. It commences on commencement of aftercare and is required to have stabilisation options identified in case contingency action is required. The scheme would cover all the faces not just a particular section. The applicant agrees to the imposition of these conditions.

Landscape and Planting (Conditions 51 -53)

283. The applicant proposed a condition (applicant's condition 31) that where existing on-site woodland is to be retained and not disturbed as part of the remaining extraction and infilling restoration operations, this should be shown on a plan. Having reviewed the planning submission, Officers are of the view that the condition wording should be amended as drawings 00355/01 – 00355/05 r.1 already show the extent of existing tree planting at the application site. There is no need for a further plan to be submitted but instead that the condition be amended to state that all tree planting that is shown on these plans be maintained until 21 February 2042 or the cessation of operations, whichever the sooner. This is set out in Condition 51. The condition is being proposed at the request of the County Landscape Architect who is seeking protection and retention of those trees for the duration of the development. The applicant has agreed to the amendment of their condition wording.
284. The applicant proposed a condition (applicant's condition 32) that where existing vegetation is to be retained on site which is in close proximity to future quarry/ restoration operations, there should be details provided as to how the vegetation would be protected. The County Landscape Architect requested this condition be amended to provide more detail to ensure the existing woodland/ vegetation is protected during the life of the proposal. Condition 52 now includes a list of information that should be forthcoming as part of a scheme to be submitted but the key purpose of the condition as proposed by the applicant remains which is to describe how vegetation is to be protected.
285. Condition 53 is proposed by the County Landscape Architect to ensure that, if any trees or shrubs planted or seeded on site fail, then those trees or shrubs and any seeding is replaced to maintain a consistent amount of planting during the life of the application site. This is a new condition and the applicant agrees to it.

Aftercare (Conditions 54 and 55)

286. Aftercare conditions are required to ensure that, following site restoration, the land is brought up to the required standard which enables it to be used for the intended afteruse⁵⁶. Where progressive restoration is taking place on a mineral site, the aftercare

⁵⁶ Paragraph 050 Reference ID: 27-050-20140306

period for each part of the site will begin once the restoration condition for the relevant part of the site has been met⁵⁷ i.e. as each individual phase of a site completes its restoration it can enter into aftercare at that point rather than waiting for the whole site to complete restoration.

287. The applicant had originally submitted three conditions covering the proposed aftercare for the site. These were condition 35 for the submission of an aftercare scheme, condition 36 which requires the aftercare scheme to include strategic aims and objectives for the site; and condition 37 requiring an annual aftercare review meeting to be held with officers of the County Planning Authority once the five year aftercare period commences.
288. Officers reviewed the proposed conditions and, in consultation with consultees, considered that proposed conditions 36 and 37 could be combined into one condition. Paragraphs 056 and 057 of the NPPG⁵⁸ set out what an aftercare scheme should contain and what an outline strategy for an aftercare regime should contain. This can include timing and pattern of vegetation establishment, cultivation practices, drainage, management of soils and irrigation/ watering.
289. Condition 54 sets out the requirement for an Aftercare Scheme and Management Plan to be submitted. Bullet points a), b), c), e) and f) cover standard requirements for Aftercare Schemes and Management Plans to cover the strategic aims and objectives for the site; requirements for hard and soft landscaping elements that would be carried out during the aftercare period; details of how the land would be managed to ensure it meets the requirements of being a calcareous grassland, provision for an annual meeting and details of an annual programme to be provided.
290. Bullet point (d) deals with how the RIGS would be maintained. The NPPF para 170 looks to protect and enhance sites of geological value. As can be seen from the attached plan, the RIGS designation at Oxted Chalkpit extends along the northern boundary of the site. The applicant does not propose to place any restoration/ infilling materials on the eastern most part of the RIGS. However the applicant does state that some restoration/ infilling materials will need to be placed along the base of the RIGS in Phases 1 and 3 to achieve the restoration profile. Where the most infilling on top of the RIGS would take place would be in the most western extent of the RIGS designation area in Phase 3. However none of the proposed restoration would reach the 700ft contour so any exposure of the boundary between the Middle and Lower Chalk would be preserved. As outlined above, it is this exposure and the point where the Middle and Lower Chalk meet each other that is of geological interest. The area of Phase 3 where materials would be placed onto the RIG would cover less than 10% of the total RIGS area at Oxted Chalkpit. The applicant considers that even with the restoration covering some 10% of the RIGS designation, there would be sufficient and suitable geological exposures left of the geological/ geomorphological formation.
291. The applicant does not propose that public access be provided to access the RIGS exposure. However the applicant states that access can be provided for interested parties subject to prior agreement and under the direct supervision of site management, to view the RIGS exposure. The Surrey RIGS group were consulted on the planning application and originally commented that the aim of the site would be to ensure a lasting example of the chalk succession in one place for future educational and professional visits. This is because it would clearly show the differences in the rock types of the chalk. The importance of this site comes from having an exposure of the succession of rock strata. The Surrey RIGS group commented on the application in 2013 saying that the importance of the site lies in the exposure of the succession of rock strata and that the RIGS group would look into this.

⁵⁷ Paragraph 053 Reference ID: 27-053-20140306

⁵⁸ Paragraphs 056 and 057 Reference ID: 27-056-20140306 and 27-057-20140306

292. The applicant provided further information in relation to RIGS in 2014 stating that the site represented an 'exposure' site rather than an 'integrity' site in terms of the geological interest. Exposure sites provide general examples of geological features such as the common rock layers of an area, and are of interest for general education purposes. However they do not represent unique occurrences as similar exposures can be found elsewhere. The applicant states that there is no duty upon the land owner to preserve a RIGS exposure site and, in the event that essential engineering works are required in the future on the quarry faces, the presence of a RIGS should in no way restrict or limit such works. The applicant states that a representative of the Surrey RIGS Group visited the site in 2013 and was unable to locate the particular geological feature of interest, namely the interface between the Lower Chalk and the Middle Chalk as represented by the Plenus Marls marker horizon. The applicant states that they consider neither feature remains exposed at the quarry and that the approved restoration scheme does not affect the vast majority of the quarry faces and therefore a large part of the existing geological exposure would not be disturbed or covered. The Surrey RIGS group have been consulted on this matter but have not responded.
293. The applicants proposed Condition 37 set out an aftercare period of 5 years. The NPPG states⁵⁹ that the aftercare period of a mineral site is five years unless otherwise agreed with the applicant. The Surrey Minerals Plan Restoration SPD states that usually the County Planning Authority will seek to impose aftercare conditions for a period of up to five years on all restoration schemes in accordance with the statutory maximum period for aftercare. However, in certain circumstances, a five year aftercare period may be insufficient to secure aftercare objectives and in such circumstances the MPA will seek a planning obligation to extend the aftercare period. The SPD goes on to say that for nature conservation and woodland sites, these afteruses require longer periods of aftercare to allow for habitats to establish fully.
294. The applicant had sought a five year aftercare period. Given the restoration scheme as proposed contains elements of woodland and calcareous grassland which take longer to establish than agricultural land, the CPA considers there remains a requirement for a longer aftercare period to ensure the establishment of these aftercare uses. Much dialogue with the applicant has taken place with regards to this condition and the length of time the additional aftercare period should be. The County Planning Authority had originally requested a longer period of time however the applicant has stated that the condition written with a longer timescale would be unduly onerous and does not accord with Government policy. Following this dialogue, the applicant and the County Planning Authority have agreed to the wording set out in the proposed Condition 55 which proposes an additional 5 year period post the standard 5 year aftercare period (i.e. a total of 10 years). Whilst this period of time is somewhat shorter than originally discussed with the applicant

HUMAN RIGHTS IMPLICATIONS

295. The Human Rights Act Guidance for Interpretation, found at the end of this report, is expressly incorporated into this report and must be read in conjunction with the following paragraph.
296. Decision makers must weigh any adverse impacts of development for which planning permission is sought against the benefits of that development for the public at large. This application is not for a new planning permission but relates to the review and updating of planning conditions for an existing development. Officers consider the

⁵⁹ Paragraph: 056 Reference ID: 27-056-20140306

introduction of modern planning conditions to the mineral extraction development granted in 1947 should ensure that adequate operational standards are met and will secure restoration and landscaping to an afteruse which provides contour levels that will key in with the surrounding landscape, be reflective of the surrounding calcareous grassland and in keeping and sympathetic to its position within the AONB. Officers do not consider the revised proposals for working, restoration and landscaping and scale of any impacts are sufficient to engage Article 8 or Article 1 and that potential impacts will be mitigated through the mitigation measures incorporated into the proposals and through the recommended conditions and other regulatory regimes. This proposal is not considered to interfere with any Convention right.

CONCLUSION

297. Having taken consultees views and the environmental information provided in the Environmental Statement into consideration, Officers consider the submitted conditions as modified and with the additions are necessary and should ensure modern standards of environmental control are maintained for the working of the remaining mineral and restoration of Oxted Chalkpit.
298. Highway matters are clearly the key concern with this proposal as evidenced by the number of objections and concerns raised within letters of representation on this particular topic. These are also the only conditions which are not agreed with the applicant. This is covered by a wide range of issues raised all relating to the inadequacies of the local road network, safety for other road users, the volume of HGVs accessing the site and the speed at which the HGV drivers drive at to identify a few. Officers recommend that a restriction on the number of HGV movements to/ from the site be limited with a daily maximum cap and an annual average daily traffic cap too. Officers recommend this given the level of public concern and the deficiencies of the local road network to the application site. However as covered in detail earlier in the report, there is no one set of rational and methodology that sets out how a maximum daily cap and annual average is set but a combination of factors relevant and specific to the application site. The applicant is proposing figures based upon the Environmental Permit figures. No other figures based on quantitative and objective data has been advanced by other parties. Officers are satisfied that the approach taken to establish both the maximum and annual average daily traffic HGV figures have been established in a fair and objective manner.
299. Officers have assessed the proposal based on relevant guidance and methodologies alongside evidence provided by the applicant and available to officers. Officers also have to be mindful of Schedule 14 of the Environment Act 1995 and not restricting the working rights of the site and not to impose conditions that the effect of that restriction would be such as to prejudice adversely to an unreasonable degree either the economic viability of operating the site or the asset value of the site.
300. Officers consider that the modified highway conditions do not restrict the working rights of the site in respect of the size of the area which may be used for the winning and working of minerals or depositing of mineral waste, the depth to which any operations may extend, the height of any deposit of mineral waste, the rate at which any particular mineral may be extracted, the rate at which any particular mineral waste may be deposited, the period of expiry; or the total quantity of minerals which may be extracted from or of mineral waste which may be deposited. Officers also consider that those conditions that remain in dispute with the applicant do not prejudice adversely to an unreasonable degree either the economic viability of operating the site or the asset value of the site given the evidence advanced by the applicant.

RECOMMENDATION

The recommendation is to **APPROVE** the conditions as proposed by the applicant, with modifications and additional conditions as set out in Column 2 of “The Table of Conditions” and informatives.

Table of Conditions

| <p align="center">Column 1 APPLICANT'S PROPOSED CONDITIONS</p> | <p align="center">Column 2 RECOMMENDED CONDITIONS</p> |
|--|--|
| <p>Approved Scheme 1 The development hereby approved shall be carried out and completed in all respects strictly in accordance with this decision, the documents and plans contained in the ROMP submission and such details as are subsequently approved in writing by the County Planning Authority and no variations or omissions shall take place without the prior approval in writing of the County Planning Authority.</p> | <p>Approved documents 1. The development hereby approved shall be carried out in accordance with the following approved plans and drawings: M11.137.06 "Location Plan" March 2012 M11.137.07 "Site Plan" March 2012 M11.137.23 "Landholding Plan" June 2012 M11.137.02 "Local Landscape and Environmental Designations" February 2012 M11.137.03 "Landscape Character" February 2012 M11.137.04 "Existing Situation Zone of Theoretical Visual Influence" May 2012 M11.137.22 "Assessment Zones" May 2012 M11.137.19 "Photographic Viewpoint Locations" May 2012 M11.137.11 "Photographic Sheet 1" May 2012 M11.137.12 "Photographic Sheet 2" May 2012 M11.137.13 "Photographic Sheet 3" May 2012 M11.137.14 "Photographic Sheet 4" May 2012 M11.137.15 "Photographic Sheet 5" May 2012 M11.137.16 "Photographic Sheet 6" May 2012 M11.137.17 "Photographic Sheet 7" May 2012 M11.137.18 "Photographic Sheet 8" May 2012 M11.137.10 "Restored Landform Zone of Theoretical Visual Influence" May 2012 GQUA101/9499/1 "Extended Phase 1 Habitat Survey Map and Woldingham and Oxted Downs SSSI" April 2012 GQUA106/9500/1 "Stage 1 Bat Inspection Results" May 2012 GQUA106/9554/1 "Bat Transect Route and Results" May 2012 GQUA106/9502/1 "Reptile Survey Results and Potential Habitat Retention Areas" May 2012 GQUA106/9503/1 "Badger Survey Results and Potential Habitat Retention Areas" May 2012 OXT/BCL/01 "Landfills" May 2012 Figure 9 "Contoured Average Groundwater Levels and Piezometer Positions" 29 October 2012 version 3 Figure 11 "Unsaturated Thickness of Mineral beneath Current Floor of</p> |

| | |
|--|--|
| | <p>Development” 29 October 2012 version 2 OXT/BCL/06 “Existing Abstractions” May 2012 Figure 17 “Unsaturated Thickness Remaining at Completion of each stage of Proposed Development” 29 October 2012 version 4 OXT/CH1 “Cultural Assets in the Vicinity of the Site” 2009 1 “Site Survey 26 July 2011” August 2011 OXT/Geol “Published Geological Mapping” May 2012 00355/01 r.1 “Quarry Development Plan Site Survey” November 2011 00355/02 r.1 “Quarry Development Plan Phase 4 to 145m AOD” 00355/03 r.1 “Quarry Development Plan Phase 3 to 145m AOD” 00355/04 r. “Quarry Development Plan Ph 5 to 175m & Ph 3 to 145m AOD” 00355/05 r.1 “Quarry Development Plan Phase 5 to 160m AOD” M11.137.09 “Restoration Plan” May 2012 M11.137.20 “Restoration Cross Sections” May 2012 12-160-D-001 “RIGS Designation” May 2012 12-160-D-002 “Plans & cross sections for slope stability assessment” May 2011 12-160-D-003 “Restoration Design and Cross Sections” May 12 00355/01 r0 “Topographical Survey update OS Surround and Section Locations” 00355/02 r) “Cross sections (KeyGS Nos 6-10) Topographical and LiDAR Surveys”</p> |
| <p><i>Reason: for the avoidance of doubt and in the interested of proper planning</i></p> | |
| <p>2. From the date of this decision until the completion of the operations hereby approved, a copy of this decision including all documents hereby approved and any documents subsequently approved in accordance with this decision, shall be displayed on the site during working hours in a position which is readily accessible to any person undertaking the development.</p> | <p>2. From the date that any works commence in association with the development until the cessation of the development/ completion of the operations to which it refers, a copy of this decision including all documents hereby approved and any documents subsequently approved in accordance with this decision, shall be available to the site manager, and shall be made available to any person(s) given the responsibility for the management or control of operations.</p> |
| <p><i>Reason: to comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the operation so as to minimise its impact on the amenities of the local area and local environment in accordance with Surrey Minerals Plan Core 2011 Strategy Policy MC14 and Surrey Waste Plan 2008 Policy DC3</i></p> | |
| <p>Completion 3. Extraction of minerals and operations involving the deposit of waste hereby approved shall cease on or before 21 February 2042 by which date the site shall be restored in accordance with the details contained in the approved documents.</p> | <p>Duration 3. Extraction of minerals and operations involving the deposit of waste hereby approved shall cease and all buildings (with the exception of those shown on Plan M11.137.09 “Restoration Plan” dated May 2012), plant, machinery, sanitary facilities and their foundations and bases, together with any internal haul roads and vehicle parking shall be removed on or before 21 February 2042 and the</p> |

| | |
|---|--|
| | site shall be restored in accordance with the details contained in the approved documents and subsequently approved pursuant to Conditions X – X. |
| <i>Reason: 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</i> | |
| 4. In the event of a cessation of winning and working of minerals prior to the achievement of the approved restoration, a scheme including details of reclamation and aftercare, shall be submitted to the County Planning Authority, within three months of the cessation of working. The scheme when approved shall be fully implemented within two years of the written approval unless otherwise agreed in writing by the County Planning Authority. | 4. In the event of a cessation of winning and working of minerals prior to the achievement of the approved restoration, which in the opinion of the County Planning Authority constitutes a permanent cessation within the terms of paragraph 3 of Schedule 9 of the Town and Country Planning Act 1990 or where the developer has written to the County Planning Authority giving written notice of their intention of cease operations; a scheme including details of restoration, landscaping and aftercare shall be submitted for approval to the County Planning Authority within three months of the County Planning Authority issuing an order of suspension of winning and working of minerals or the cessation of working. The scheme shall be fully implemented strictly in accordance with the scheme within two years of its written approval |
| <i>Reason: In order to secure the proper restoration of the site within a reasonable and acceptable timescale and to accord with the objectives of Surrey Minerals Plan 2011 Core Strategy Policy MC17</i> | |
| | 5. In the event that mineral workings are temporarily suspended for a period exceeding 2 years, within 36 months from the date of suspension of mineral working an interim reclamation scheme for the site and timetable for its completion shall be submitted for approval to the Mineral Planning Authority. The interim reclamation scheme shall then be implemented in its entirety within 24 months of approval. |
| <i>Reason: In order to secure the proper restoration of the site within a reasonable and acceptable timescale and to accord with the objectives of Surrey Minerals Plan 2011 Core Strategy Policy MC17</i> | |
| | 6. If mineral workings are suspended for a period of 6 months or more, within 7 months of the date of suspension of mineral working, the operator shall give written notification to the Mineral Planning Authority of the date upon which mineral working was suspended. |
| <i>Reason: In order to secure the proper restoration of the site within a reasonable and acceptable timescale and to accord with the objectives of Surrey Minerals Plan 2011 Core Strategy Policy MC17</i> | |
| Nature and Extent of Operations 14. No operations hereby approved shall take place except in accordance with the details of working, filling, restoration, and aftercare comprised in the application or a variation thereof which | Nature and Extent of Operations 7. No operations hereby approved shall take place except in accordance with the details of working, filling, restoration, and aftercare comprised in the application and the conditions in this decision notice |

| | |
|---|--|
| has previously been approved in writing by the County Planning Authority | |
| <i>Reason: To enable the County Planning Authority to exercise planning control over the operation so as to minimise the impact on local amenity in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policies MC3 and MC14 and the Surrey Waste Plan 2008 Policies CW5 and DC3</i> | |
| 15. No excavations shall take place below 145m AOD or anywhere outside the operational Phase boundaries shown on the Quarry Development Plan reference 00355/01 hereby approved. | 8. No excavations shall take place below 145m AOD or anywhere outside the Phase boundaries accounting for ecological assessment as shown on the drawings 00355/01 – 00335/05 rev.1 “Quarry Development Plan” November 2011 |
| <i>Reason: To comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the operation in the interests of local amenities in accordance with the Surrey Minerals Plan 2011 Core Strategy Policy MC14 and Surrey Waste Plan 2008 Policy DC3</i> | |
| Nature and Extent of Working 16. No material other than strictly inert uncontaminated materials namely mineral waste arising from the site, clean non-toxic naturally occurring material, overburden and soils shall be used to achieve the restoration levels of the site. | Working Scheme and Restoration Programme 9. No material other than strictly inert, uncontaminated materials namely mineral waste arising from the site, clean non-toxic naturally occurring material, overburden and soils shall be used to achieve the restoration levels of the site. |
| <i>Reason: To comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the operation in the interests of local amenities and to ensure the protection of the water environment in accordance with the Surrey Minerals Plan 2011 Core Strategy Policy MC14 and Surrey Waste Plan 2008 Policy DC3</i> | |
| Submission of Programme 29. No works of extraction or restoration shall be undertaken except in accordance with the scheme shown on the Quarry Development Plan drawings reference 00355/01 – 00355/05 or a variation which has previously been approved in writing by the County Planning Authority. The scheme shall be reviewed at intervals not exceeding five years from the date of this decision. | 10. The phased working and restoration of the site, including the area not delineated to the east of Phases 2, 3 and 5 herein known as Phase 6; shall be carried out and completed strictly in accordance with the scheme shown on the Quarry Development Plan drawings reference 00355/01. 00355/02 r.1, 00355/03 r.1, 00355/04 r.1; and 00355/05 r.1. The scheme of phased working shall be reviewed at intervals not exceeding five years starting from the date of these conditions taking effect. |
| <i>Reason: To comply with the terms of the application and enable the County Planning Authority to exercise control over the development</i> | |
| | 11. A scheme of working and restoration for Phase 4 as shown on plans 00355/01 r.1 and 00355/02 r.1 “Quarry Development Plan” dated November 2011 shall be submitted to the County Planning Authority for approval in writing within six months of the date of this decision. The scheme should include: a. A soil audit of any existing soil materials either in-situ or stored in that phase. The soil audit shall identify clearly the origin, intermediate and final locations of soils for use in the restoration, as defined by soil units, soil type, together with details balancing the quantities, depths and areas involved to achieve a |

| | |
|--|---|
| | <p>calcareous grassland. The audit shall include a report incorporating an analysis of soil nutrient content, humus and the degree of acidity or alkalinity and identifying programmes to adjust those levels which are necessary. The audit shall contain details of the location, contours and volumes of all storage bunds currently on site, and identifying the soil types and units contained therein; and if original topsoil is in short supply the scheme details of how topsoil may be restricted in some areas and increased in other and justification for this;</p> <ul style="list-style-type: none"> b. volumes of material to be extracted (chalk and overburden); c. volumes of infill material to be used and settlement rates with the detail of the location and height of any stockpiling delineated on a drawing to be provided; d. method of working; e. profile drawings; f. methods of soil handling (movement, storage and replacement (including remedial treatments e.g. ripping and drainage)); g. locations and heights of topsoil, subsoil, mineral waste, excavated chalk stockpiles and imported waste materials as referred to in Condition 9 within the quarry associated with working and restoring this phase; h. a plan showing the locations or positions of any screen bunding alongside any phasing and repositioning of the screening bunds during this phase, the shape and angles of the screen bunding, the grassing up of the screening bunds including seed mix and application rates, weed control and any other maintenance; and information on their duration; and i. a timeframe for implementation and completion <p>The approved scheme shall be implemented in full for the duration of working in Phase 4.</p> |
| <p><i>Reason: To secure restoration to the required standard and assist in absorbing the site back into the local landscape in accordance with the Surrey Mineral Plan 2011 Core Strategy Policies MC17 and MC18, Surrey Waste Plan 2008 Policy WD7 and Tandridge District Core Strategy 2008 Policy CSP17</i></p> | |
| | <p>12. Within 12 months prior to the commencement of working and restoration of any of the individual Phases (1, 2, 3, 5 and 6) as shown on plans 00355/03 r.1 – 00355/05 r.1 dated November 2011, a scheme of working and restoration of that individual phase shall be submitted for approval in writing to the County Planning Authority for that individual phase. The scheme should include:</p> |

- a. A soil audit of any existing soil materials either in-situ or stored in any individual phase. The soil audit shall identify clearly the origin, intermediate and final locations of soils for use in the restoration, as defined by soil units, soil type, together with details balancing the quantities, depths and areas involved to achieve a calcareous grassland. The audit shall include a report incorporating an analysis of soil nutrient content, humus and the degree of acidity or alkalinity and identifying programmes to adjust those levels which are necessary. The audit shall contain details of the details of the location, contours and volumes of all storage bunds currently on site, and identifying the soil types and units contained therein; and if original topsoil is in short supply the scheme details of how topsoil may be restricted in some areas and increased in other and justification for this;
- b. volumes of material to be extracted (chalk and overburden);
- c. volumes of infill material to be used and settlement rate with the detail of likely broad locations of any stockpiling delineated on a drawing to be provided as part of the submitted scheme;
- d. Unless otherwise provided for under the provisions of the Environmental Permit, the Scheme of Working and Restoration shall include, for all areas outside the Environmental Permit boundary, a scheme using off site and onsite inspection, testing, and verification, that demonstrates all materials imported on to the site for any purpose including capping, cover, landscaping, drainage and growing media during restoration are suitable for their intended purpose in respect of their chemical characteristics and the site environmental conditions and proposed after-use, and also in consideration of the baseline condition of the ground and groundwater chemistry on or below the site ;
- e. method of working;
- f. profile drawings;
- g. methods of soil handling (movement, storage and replacement (including remedial treatments e.g. ripping and drainage));
- h. locations and heights of topsoil, subsoil, mineral waste and excavated chalk stockpiles and imported waste materials as referred to in Condition 9 within the quarry associated with working and restoring of each individual phase;
- i. details of what overburden and subsoil ripping would take place within that phase and where within that phase;
- j. a plan showing the locations or positions of any screen bunding alongside any phasing and repositioning of the screening bunds during any individual

| | |
|--|--|
| | <p>phase, the shape and angles of the screen bunding, the grassing up of the screening bunds including seed mix and application rates, weed control and any other maintenance; and information on their duration; and</p> <p>k. a timeframe for implementation and completion of each individual phase.</p> <p>The scheme shall be carried out strictly in accordance with the scheme as approved.</p> |
| <p><i>Reason: To secure restoration to the required standard and assist in absorbing the site back into the local landscape in accordance with the Surrey Mineral Plan 2011 Core Strategy Policies MC17 and MC18, Surrey Waste Plan 2008 Policy WD7 and Tandridge District Core Strategy 2008 Policy CSP17</i></p> | |
| <p>Restoration</p> <p>33. The site shall be progressively restored in phases to amenity, nature conservation and agricultural grazing afteruse by the creation of final levels, using mineral waste, imported inert waste, process waste, overburden and subsoil, by even spreading of topsoil and by seeding and planting and all such restoration shall be completed within two years of the cessation of mineral extraction all in accordance with the provisions of the Restoration Plan reference M11.137.09 and the application documents unless otherwise agreed in writing by the County Planning Authority.</p> | <p>13. The site shall be progressively restored to nature conservation and agricultural grazing strictly in accordance with the Restoration Plan M11.137.09 dated May 2012 using strictly inert uncontaminated materials namely mineral waste arising from the site, clean non-toxic naturally occurring material, overburden and soils by even spreading of topsoil and by seeding and planting. All such restoration shall be completed within two years of the completed placement of the artificially established geological barrier within any one phase and in the case of Phase 6 within two years of cessation of mineral extraction in Phase 5.</p> |
| <p><i>Reason: To secure restoration to the required standard and enhance biodiversity in accordance with the Surrey Mineral Plan 2011 Core Strategy Policies MC17 and MC18, Surrey Waste Plan 2008 Policy WD7 and Tandridge District Core Strategy 2008 Policy CSP17</i></p> | |
| <p>Restoration Programme</p> <p>30. The site shall be restored to a condition suitable for agriculture and nature conservation landuses. The approved restoration scheme shall be carried out in accordance with the following provisions:</p> <p>a) A person or persons with knowledge of and expertise in site restoration and with authority to require in the interests of restoration that operations be carried out or discontinued, shall supervise all activities concerning soil or soil making materials including restoration and aftercare;</p> <p>b) The uppermost 50cm of fill material or replaced overburden, excluding subsoil and topsoil shall be free from large objects which may obstruct cultivation. The fill or replaced overburden surface</p> | <p>14. The site shall be restored to a condition suitable for agriculture and nature conservation landuses in accordance with Plan M11.137.09 “Restoration Plan”. The approved restoration scheme shall be carried out in accordance with the following provisions:</p> <p>a. A person or persons with knowledge of and expertise in site restoration and soil science with authority to require in the interests of restoration that operations be carried out or discontinued, shall supervise all activities concerning soil or soil making materials including restoration and aftercare;</p> <p>b. The uppermost 50cm of fill material as described in Condition 9 or replaced overburden, excluding subsoil and topsoil shall be free from large objects which may obstruct cultivation. The fill material or replaced overburden surface shall be ripped in accordance with the details as</p> |

| | |
|---|--|
| <p>shall be ripped to a depth of 45cm at 30cm intervals in two directions at right angles so that any compact layers are effectively broken up;</p> <p>c) Subsoil or soil like material shall be evenly spread to a depth of not less than 30cm on the replaced overburden to follow the final contours. This soil shall be deeply ripped so that any compact layers are effectively broken up, except where the County Planning Authority agree in consultation with Natural England that such cultivation is not required;</p> <p>d) All available topsoil shall then be evenly spread on the replaced subsoil to achieve the final contours. The soils shall then be ripped so as to ensure that any compacted layers are effectively broken up;</p> <p>e) Within 12 months of soil placement on any phase of restoration, the applicant shall submit to the County Planning authority for approval a report incorporating an analysis of soil nutrient content, humus and the degree of acidity or alkalinity and identifying programmes to adjust those levels which programmes shall then be implemented;</p> <p>f) Both during and on completion of restoration, provision shall be made for the drainage of the site as necessary to bring the land back to grazing and conservation use.</p> | <p>approved by Conditions 11 and 12;</p> <p>c. Subsoil shall be evenly spread to a depth of not less than 20 - 30cm on the replaced overburden to follow the final contours. Subsoil shall be of an alkaline pH of between 7.5 – 8.5 and be calcareous nature. This soil shall be deeply ripped in accordance with the details as approved by Conditions 11 and 12;</p> <p>d. Topsoil shall be spread ideally to a minimum settled depth of 10 - 30cm where possible over the reinstated subsoil so as to form the final pre-settlement contours and to achieve the appropriate soil depths for restoration proposed for any particular area as shown on plan M11.137.09 dated May 2012. Topsoil shall be preferably of an alkaline pH between 7.5 - 8.5 and be calcareous nature.</p> <p>e. Within 12 months of soil placement on any phase of restoration, the applicant shall submit to the County Planning Authority for approval in writing a report incorporating an analysis of soil nutrient content, humus and the degree of acidity or alkalinity and identifying programmes to adjust those levels which are necessary. The programmes shall then be implemented strictly in accordance with the approved report.</p> |
| <p><i>Reason: To secure restoration to the required standard and enhance biodiversity in accordance with the Surrey Mineral Plan 2011 Core Strategy Policies MC17 and MC18, Surrey Waste Plan 2008 Policy WD7 and Tandridge District Core Strategy 2008 Policy CSP17</i></p> | |
| <p>34. Details of all new landscape planting works are to be provided within six months of the date of this decision. The location of the planting works is illustrated on the Restoration Plan reference M11.137.09. Details for the native planting works for trees and shrubs shall include species, planting size, bare root or container grown, the quantity for individual planting blocks together with the associated planting specifications shall include a variety of planting density levels. Details of the conservation mix/floristic rich/calcareous grassland to include the core native grass species proposed together with a range of associated herbs and flowering plants. The plant density shall be stated for any differing mixes. The seasonal timing of both planting and seeding works is to be stated.</p> | <p>15. Within six months of these conditions taking effect, details of all new planting works as shown on drawing M11.137.09 Restoration Plan dated May 2012, shall be submitted to the County Planning Authority for approval in writing. The details shall include:</p> <p>a. A plan showing the positioning of new planting and a schedule of plants noting the species, planting sizes, proposed numbers/ densities and planting specifications</p> <p>b. details of the conservation mix/floristic rich/calcareous grassland to include details of the seed mix and application rates, weed control and other necessary maintenance</p> <p>c. the seasonal timing of both planting and seeding works is to be stated in an implementation timetable</p> <p>The native planting works and seeding shall be carried out within the first</p> |

| | |
|---|--|
| | planting/ sowing season following the completion of any restoration phase as specified in Condition 10. The planting and grassland works shall be carried out and maintained strictly in accordance with the approved details. |
| <p><i>Reason: To secure restoration to the required standard and assist in absorbing the site back into the local landscape in accordance with the Surrey Mineral Plan 2011 Core Strategy Policies MC17 and MC18, Surrey Waste Plan 2008 Policy WD7 and Tandridge District Core Strategy 2008 Policy CSP17</i></p> | |
| <p>Hours of Operation 13. No lights shall be illuminated nor shall any other operation or activities authorised or required by this decision be carried out except between the following times: 0700 to 1800 hours Monday to Friday 0700 to 1500 hours Saturday</p> <p>Neither shall any operation be undertaken on a Sunday or Public Holiday. This condition shall not prevent the following activities: a) operation of pumps necessary for the control of water; b) operation of electrical generating equipment in the event of mains supply interruption; c) routine maintenance (such as the cleaning or lubrication of plant and equipment) during the hours of 1800 to 1830 Monday to Friday d) emergency repairs to machinery.</p> | <p>Hours of Operation 16. No lights shall be illuminated nor shall any other operation or activities authorised or required by this decision be carried out except between the following times: 0700 to 1800 hours Monday to Friday 0700 to 1500 hours Saturday</p> <p>Neither shall any operation be undertaken on a Sunday or Public, Bank or National Holiday. This condition shall not prevent the following activities: a) operation of pumps necessary for the control of water; b) operation of electrical generating equipment in the event of mains supply interruption; c) routine maintenance (such as the cleaning or lubrication of plant and equipment) during the hours of 1800 to 1830 Monday to Friday; and d) emergency repairs to machinery.</p> |
| <p><i>Reason: To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14, Tandridge District Local Plan 2011 Policy EV10; and Tandridge District Core Strategy 2008 Policy CSP15</i></p> | |
| <p>Access, Traffic and Protection of the Highway 5. Within six months of the date of this decision a scheme for the relocation of the weighbridge, the operation of wheel/lorry washing and cleaning/maintenance regimes for the site entrances to prevent the deposition of extraneous matter on the highway from vehicles which carry minerals or waste to or from the site shall be submitted for the approval of the County Planning Authority.</p> | <p>Access, traffic and protection of the public highway 17. Within three months from the date of these conditions taking effect a scheme for the operation of wheel/lorry washing and cleaning/maintenance regimes for the site entrances to prevent the deposition of extraneous matter on the highway from vehicles which carry minerals or fill materials as described in Condition 9 to or from the site, shall be submitted for the approval of the County Planning Authority. The shall be implemented strictly in accordance with the details approved within three months from the date of approval and maintained for the life of the decision.</p> |

| | |
|--|---|
| <i>Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15, Surrey Waste Plan 2008 Policy DC3, Tandridge District Local Plan 2001 Policies MO9 and MO13; and Tandridge district Core Strategy 2008 Policy CSP12</i> | |
| 6. Drivers shall ensure that all loaded vehicles are properly trimmed and sheeted or otherwise enclosed to prevent spillage or emission of dust before leaving the site. | 18. All loaded vehicles shall be properly trimmed and sheeted or otherwise enclosed to prevent spillage or emission of dust before entering or leaving the site. |
| <i>Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15, Surrey Waste Plan 2008 Policy DC3, Tandridge District Local Plan 2001 Policies MO9 and MO13; and Tandridge district Core Strategy 2008 Policy CSP12</i> | |
| | 19. The means of access to the development shall be in accordance with drawing numbers 9409/5a, 9409/5b and 9409/5c from Chalkpit Lane only. The access points are to be permanently maintained to the satisfaction of the County Planning Authority and the visibility zones shall be kept permanently clear of any obstruction. The County Planning Authority shall be notified within 7 days of when the visibility zones have been constructed in accordance with the above drawing numbers. |
| <i>Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15, Surrey Waste Plan 2008 Policy DC3, Tandridge District Local Plan 2001 Policies MO9 and MO13; and Tandridge district Core Strategy 2008 Policy CSP12</i> | |
| 8. The means of access to the development shall be from Chalkpit Lane only at the two existing access points shown on the Site Survey plan of 26 July 2011. | 20. The means of access to the development shall be from Chalkpit Lane only at the access points shown on Drawings 00355/01 – 00355/05 Quarry Development Plan November 2011. |
| <i>Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15, Surrey Waste Plan 2008 Policy DC3, Tandridge District Local Plan 2001 Policies MO9 and MO13; and Tandridge district Core Strategy 2008 Policy CSP12</i> | |
| 7. Unless otherwise agreed in writing with the County Planning Authority, all heavy goods vehicles leaving the site shall turn right and travel in a southerly direction down Chalkpit Lane. | 21. All Heavy Goods Vehicles (HGVs) shall access the application site by a left turn into the application site from Chalkpit Lane travelling from the south; and shall exit the application site turning right onto Chalkpit Lane. There shall be no HGVs accessing or egressing the site to or from the north. |
| <i>Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15, Surrey Waste Plan 2008 Policy DC3, Tandridge District Local Plan 2001 Policies MO9 and MO13; and</i> | |

| | |
|--|---|
| <i>Tandridge district Core Strategy 2008 Policy CSP12</i> | |
| | 22. The upper access, as shown in plans 9409/5b "Northern Access" and 9409/5c "Upper access entrance design", shall not be used by Heavy Goods Vehicles importing or exporting waste materials and Heavy Goods Vehicles exporting chalk until a scheme for the installation and operation of facilities to keep the public highway clean, plus details of any weighbridge, offices, fencing, gates, lighting or structures that are required at the upper access has been submitted to and approved in writing by the County Planning Authority. The details shall be implemented in accordance with the approved scheme prior to the use of the upper access by heavy goods vehicles. |
| <i>Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15, Surrey Waste Plan 2008 Policy DC3, Tandridge District Local Plan 2001 Policies MO9 and MO13; and Tandridge district Core Strategy 2008 Policy CSP12</i> | |
| 11. Notwithstanding the provisions of Condition 13 below, no goods vehicle shall enter or leave the site except between the following times: 0700 to 1800 hours Monday to Friday. 0700 to 1500 hours Saturday. Neither shall any goods vehicle enter or leave the site on a Sunday or a Public Holiday. | 23. Notwithstanding the provisions of Condition 24 below, no goods vehicle shall enter or leave the site except between the following times: 0700 to 1800 hours Monday to Friday. 0800 to 1500 hours Saturday. Neither shall any goods vehicle enter or leave the site on a Sunday or a Public, National or Bank Holiday. |
| <i>Reason: To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14, Tandridge District Local Plan 2011 Policy EV10; and Tandridge District Core Strategy 2008 Policy CSP15</i> | |
| | 24. There shall be no HGV departures under the control of the Developer from the Land between 0800 – 0900 and 1500 – 1600 hours Monday-Friday school term time only to avoid school run times. |
| <i>Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15, Surrey Waste Plan 2008 Policy DC3, Tandridge District Local Plan 2001 Policies MO9 and MO13; and Tandridge district Core Strategy 2008 Policy CSP12</i> | |
| | 25. There shall be no more than an average of 74 daily Heavy Goods Vehicle (HGV) movements (37 in and 37 out) to/ from the site Monday – Saturday over any 12 month rolling period with the maximum number of HGV movements in any one day not to exceed: <ul style="list-style-type: none"> • 156 (78 in and 78 out) Monday to Friday |

| | |
|---|--|
| | <ul style="list-style-type: none"> • 114 (57 in and 57 out) Saturday <p>The site operator shall maintain accurate records of the number of HGVs accessing and egressing the site daily and shall submit these to the County Planning Authority in April, July, October & January each year.</p> |
| <p><i>Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15, Surrey Waste Plan 2008 Policy DC3, Tandridge District Local Plan 2001 Policies MO9 and MO13; and Tandridge district Core Strategy 2008 Policy CSP12</i></p> | |
| | <p>26. Within one month of the date of these conditions taking effect, the applicant shall have a condition survey of Chalkpit Lane carried out by a suitably qualified person and submit it within 2 weeks of completion to the County Planning Authority for approval in writing. The survey shall include carriageway, footway, verges and kerb edges and shall be from the site accesses to, and including, the junction with Barrow Green Road. The survey is to be repeated and submitted every 6 months during the operation of the site and upon completion of the restoration on site. The applicant is to fund any ongoing repairs adjudged to have arisen from the passage of HGVs to and from the site.</p> |
| <p><i>Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15, Surrey Waste Plan 2008 Policy DC3, Tandridge District Local Plan 2001 Policies MO9 and MO13; and Tandridge district Core Strategy 2008 Policy CSP12</i></p> | |
| | <p>27. No two or more Heavy Goods Vehicles shall leave the site together or as part of a convoy.</p> |
| <p><i>Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15, Surrey Waste Plan 2008 Policy DC3, Tandridge District Local Plan 2001 Policies MO9 and MO13; and Tandridge district Core Strategy 2008 Policy CSP12</i></p> | |
| | <p>28. All Heavy Goods Vehicles (HGVs) accessing the site using the Lower access, with the exception of HGVs bringing/ removing plant and equipment to the application site, shall enter the Land via the weighbridge as permitted by planning permission ref: TA/2018/970 dated 19 September 2018.</p> |
| <p><i>Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15, Surrey Waste Plan 2008 Policy DC3, Tandridge District Local Plan 2001 Policies MO9 and MO13; and Tandridge district Core Strategy 2008 Policy CSP12</i></p> | |

| | |
|--|--|
| <p>9. All drivers visiting the site should be made aware of the Site Rules.</p> | <p><i>This condition has not been taken forward.</i></p> |
| <p>10. The one way routing system for heavy goods vehicles shall be maintained during the life of the site unless otherwise agreed in writing with the County Planning Authority. The routing system is as follows:</p> <ul style="list-style-type: none"> • Incoming heavy goods vehicles approach from the A25/ Barrow Green Road roundabout to travel northeast along barrow Green Road before turning left into Chalkpit Lane then left into the site. • Outgoing heavy goods vehicles turn right and travel south along Chalkpit Lane to the junction with Barrow Green Road, then turn left and travel east along Barrow Green Road to Church Lane and across the roundabout into East Hill Road to join the A25. | <p><i>This condition has not been taken forward.</i></p> |
| <p>General Permitted Development Order 12. Notwithstanding any provision to the contrary under Parts 19 or 21 of the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent Order, a) no fixed plant, building or machinery shall be erected on the application site without the prior approval of the County Planning Authority in respect the location, design, specification and appearance of the installation, such details to include the predicted levels of noise emission and their tonal characteristics; b) no waste materials other than materials approved for use in the restoration of the site in accordance with Condition 16, shall be deposited at the site without the prior agreement in writing of the County Planning Authority.</p> | <p>General Permitted Development Order 29. Notwithstanding any provision to the contrary under Part 17 of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent Order, a. No plant, building, machinery or structures whether fixed or moveable shall be erected on the application site without the prior written approval of the County Planning Authority in respect of the location, design, specification and appearance of the installation, such details to include predicted levels of noise emission and their tonal characteristics; b. No waste materials other than materials approved for use in the restoration of the site in accordance with Condition 7 shall be deposited at the site without the prior agreement in writing of the County Planning Authority.</p> |
| <p><i>To safeguard the environment and protect the amenities of the locality in accordance with the terms of Surrey Minerals Plan 2011 Core Strategy Policies MC3 and MC14 and Surrey Waste Plan 2008 Policy DC3</i></p> | |
| <p>Nature and Extent of Operations 18. Measures shall be taken to ensure that operations carried out within the site do not give rise to the pollution of or silting of any surface watercourse, groundwater system or other land, cause any flooding not adversely affect the natural or artificial drainage of any adjoining land.</p> | <p>Pollution Control 30. Measures shall be taken to ensure that operations carried out within the site do not give rise to the pollution of or silting of any surface watercourse, groundwater system or other land, cause any flooding nor adversely affect the natural or artificial drainage of any adjoining land.</p> |
| <p><i>Reason: To protect groundwater, surface water and land from contaminant, pollution and flooding in accordance with paragraph 109 of the National</i></p> | |

Planning Policy Framework 2012 (NPPF), Surrey Minerals Plan 2011 Core Strategy Policy 14, Surrey Waste Plan 2008 Policy DC3 and Tandridge District Local Plan 2001 Policy EV6

19. Within six months of the date of this decision a scheme for the storage and handling of fluids based upon the template provided in the Hydrogeological and Hydrological Assessment in the Environmental Statement shall be submitted for the approval of the County Planning Authority. The scheme shall address the following:

- Bulk storage of fuels and oils, including waste oil
- Filling of bulk storage tanks
- Storage and handling of drums
- Refuelling operations
- Procedure for emptying bunded areas
- Fuel and oil spill

31. Within six months from the date of these conditions taking effect, a scheme for the storage and handling of fluids based upon the template provided in paragraph 4.3.3.3 and Appendix 7 of the Hydrogeological and Hydrological Assessment in volume 3 of the Environmental Statement shall be submitted to the County Planning Authority for approval in writing. The scheme shall address the following:

- Bulk storage of fuels and oils, including waste oil
- Filling of bulk storage tanks
- Storage and handling of drums
- Refuelling operations
- Procedure for emptying bunded areas
- Fuel and oil spill
- Decommissioning of the fuel and oil storage area(s)

The scheme shall be implemented within 6 months following approval of the scheme and shall be carried out and maintained strictly in accordance with the approved details.

Reason: To protect groundwater from contaminants and pollution in accordance with paragraph 109 of the National Planning Policy Framework 2012 (NPPF), Surrey Minerals Plan 2011 Core Strategy Policy 14, Surrey Waste Plan 2008 Policy DC3 and Tandridge District Local Plan 2001 Policy EV6

17. Any fuel, oil, lubricant or other potential pollutant shall be handled on the site in such a manner as to prevent pollution of any watercourse or aquifer. Oil and water borne material shall be stored in suitable tanks or containers which shall be housed within bund walls of sufficient height and construction to contain 110% of the total contents of the containers and associated pipework with fill pipes and sight gauges enclosed within its cartilage. The vent pipe should be directed downward into the bund. The floor and walls of the bunded areas shall be impervious to oil and water.

32. Any fuel, oil, lubricant or other potential pollutant shall be handled on the site in such a manner as to prevent pollution of any watercourse or aquifer. Oil and water borne material shall be stored in suitable tanks or containers which shall be housed within bund walls of sufficient height and construction to contain 110% of the total contents of the containers and associated pipework with fill pipes and sight gauges enclosed within its cartilage. The vent pipe should be directed downward within the inner walls of the bund. The floor and walls of the bunded areas shall be impervious to oil and water.

Reason: To protect groundwater from contaminants and pollution in accordance with paragraph 109 of the National Planning Policy Framework 2012 (NPPF), Surrey Minerals Plan 2011 Core Strategy Policy 14, Surrey Waste Plan 2008 Policy DC3 and Tandridge District Local Plan 2001 Policy EV6

Drainage
33. Within 6 months from the date of these conditions taking effect, a scheme of surface water and land drainage for the site, including each phase of mineral

| | |
|---|--|
| | <p>extraction, restoration and aftercare as necessary to bring the level and land drainage back to grazing agriculture and nature conservation, shall be submitted to the County Planning Authority for approval in writing. The scheme shall include detailed design calculations for runoff, proposals and details for long term maintenance, and design details for any infiltration basin on the southern boundary including:</p> <ul style="list-style-type: none"> • Design infiltration rates for the pond and details of infiltration testing undertaken • detailed design calculations • detailed drawings of the size and shape • details of a long term maintenance programme to ensure siltation does not occur <p>The scheme shall be implemented and maintained in strictly accordance with details as approved.</p> |
| <p><i>Reason: In accordance with paragraph 103 of the National Planning Policy Framework 2012 (NPPF) to ensure that flood risk is not increased onsite or elsewhere; Surrey Minerals Plan 2011 Core Strategy Policy MC14 and Tandridge District Local Plan 2001 Policy EV6</i></p> | |
| | <p>34. Drainage from the wheel cleaning facility, refuelling and plant and vehicle maintenance area must discharge to either foul mains drainage or to a sealed tank which will be regularly emptied. The drainage must not discharge to ground. Where the filling of vehicles takes place on site, this must occur on a concrete hardstanding area with suitable bunding and sealed drainage.</p> |
| <p><i>Reason: In order to minimise the risk of pollution of watercourses and aquifers and to accord with Surrey Minerals Plan 2011 Core Strategy Policy MC14 and Surrey Waste Plan 2008 Policy DC3</i></p> | |
| <p>Noise 20. The level of noise, arising from any operation, plant or machinery on the site, when measured at or recalculated as at a height of 1.2m above ground level and 3.6m from the facade of any residential property or other building occupied during normal working hours which faces the site, shall not exceed 55dB(A)Leq over any period of thirty minutes.</p> | <p>Noise 35. Daytime (07:00 to 18:00 hours Monday – Friday and 07:00 – 15:00 hours Saturdays) noise levels from normal operations at specified noise sensitive properties shall not exceed 55 dB L_{Aeq,1hr}(freefield).</p> |
| <p><i>Reason: To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14, Surrey Waste Plan 2008 Policy DC3; Tandridge District Local Plan 2001 Policy EV10 and Tandridge District Core Strategy 2008 Policy CSP15</i></p> | |

| | |
|---|---|
| <p>21. Notwithstanding Condition 20 during the removal of any overburden or quarry wastes, the creation of any screen mounds or reclamation works, the noise level when measured at or recalculated as at a height of 1.2m above ground level and 3.6m from the facade of any residential property or other building occupied during normal working hours which faces the site shall not exceed 70dB(A)Leq over any period of 30 minutes for a period of up to 8 weeks in any calendar year.</p> | <p>36. Daytime (07:00 to 18:00 hours Monday – Friday and 07:00 – 15:00 hours Saturdays) noise levels from short-term operations to facilitate essential site preparation and restoration works and the construction of baffle mounds shall be allowed up to 70 dB(A) $L_{Aeq,1hr}(freefield)$ at specified noise sensitive properties for a period of up to eight weeks in any one year.</p> |
| <p><i>Reason: To not overly restrict the carrying out of essential works but to restrict the period over which the levels for normal operations are relaxed to limit any loss of amenity at the specified noise sensitive properties in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14, Surrey Waste Plan 2008 Policy DC3; Tandridge District Local Plan 2001 Policy EV10 and Tandridge District Core Strategy 2008 Policy CSP15</i></p> | |
| <p>22. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufactures specification at all times and shall be fitted with and use effective silencers. Any breakdown or malfunction of silencing equipment or screening shall be treated as an emergency and should be dealt with immediately. Where a repair cannot be affected within a reasonable period, the equipment affected should be taken out of service.</p> | <p>37. All vehicles, plant and machinery operated within the site shall be serviced and maintained in accordance with the manufactures specification at all times and shall be fitted with and use effective silencers in accordance with the manufacturer’s recommendations at all times. Any damage, breakdown or malfunction of silencing equipment or screening shall be treated as an emergency and should be dealt with immediately. Where a repair cannot be carried out within a reasonable period, the equipment affected should be taken out of service.</p> |
| <p><i>Reason: To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14, Surrey Waste Plan 2008 Policy DC3; Tandridge District Local Plan 2001 Policy EV10 and Tandridge District Core Strategy 2008 Policy CSP15</i></p> | |
| | <p>38. All vehicles, plant and machinery, including company owned Heavy Good Vehicles, shall be fitted with white noise reversing alarms at all times when in operation at the site.</p> |
| <p><i>Reason: To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14, Surrey Waste Plan 2008 Policy DC3; Tandridge District Local Plan 2001 Policy EV10 and Tandridge District Core Strategy 2008 Policy CSP15</i></p> | |
| <p>Dust 23. No mineral working or waste disposal activity hereby approved shall emit dust from the site; should such emission occur that activity emitting dust shall be suspended until it can be resumed without</p> | <p>Dust 39. Dust monitoring shall be carried in strict accordance with the submitted and approved Dust Monitoring Plan (DMP) as required by Condition 41. Should any measured dust levels exceed the acceptance limits contained therein, action will</p> |

| | |
|---|---|
| <p>causing emission as a result of different methods of working, the adoption of addition dust suppression measures or changed weather conditions.</p> | <p>immediately be taken using all appropriate measures and controls (including suspension of activities) to reduce dust levels below the acceptance limits.</p> |
| <p><i>Reason: To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14, Surrey Waste Plan 2008 Policy DC3; Tandridge District Local Plan 2001 Policy EV10 and Tandridge District Core Strategy 2008 Policy CSP15</i></p> | |
| <p>24. Unless otherwise agreed in writing with the County Planning Authority dust suppression methods shall be implemented in accordance with the dust section of the Environmental Statement.</p> | <p>40. The dust control and mitigation measures set out in the environmental statement (including Table 5.11, Chapter 5.7 of Volume 2 of the Environmental Statement and the Air Quality Assessment in Volume 3 of the Environmental Statement) shall be implemented throughout the duration of the development.</p> |
| <p><i>Reason: To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14, Surrey Waste Plan 2008 Policy DC3; Tandridge District Local Plan 2001 Policy EV10 and Tandridge District Core Strategy 2008 Policy CSP15</i></p> | |
| | <p>41. Within six months from the date of this permission coming into effect, a Dust Monitoring Plan (DMP) shall be submitted to the County Planning Authority for approval in writing. The DMP shall include details of the location and frequency of dust monitoring at the application site. The DMP shall be carried out strictly in accordance with the approved scheme.</p> |
| <p><i>Reason: To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14, Surrey Waste Plan 2008 Policy DC3; Tandridge District Local Plan 2001 Policy EV10 and Tandridge District Core Strategy 2008 Policy CSP15</i></p> | |
| | <p>Ecology and Nature Conservation 42. Twenty four (24) months prior to the commencement of Phase 5 of the development as shown on plan 00355/04 r.1 "Quarry Development Plan Ph 5 to 175m & Ph 3 to 145m AOD" a reptile mitigation strategy shall be submitted to the County Planning Authority for approval in writing. The mitigation strategy shall include information on: a. the exclusion of reptiles from the site during the appropriate season (between March and June or September dependent on weather conditions) b. confirmation that the area of coarse grassland in the south of the site can be used as a receptor site (COG2 as shown on figure 4 "Reptile Survey Results and Potential Habitat Retention Areas"), including enhancements if</p> |

| | |
|---|--|
| | <p>required</p> <ul style="list-style-type: none"> c. installation of reptile exclusion fencing around COG1 as shown on figure 4“Reptile Survey Results and Potential Habitat Retention Areas” d. deployment of reptile refugia at a minimum density of 100 per hectare; e. habitat manipulation of the working area f. the capture and removal of reptiles g. a destructive search h. maintenance of reptile proof fencing; i. the capturing of slow worms being moved to the area of coarse grassland (COG2) in the south of the site and if this is not possible another suitable receptor site should be found. j. and post construction removal of reptile exclusion fencing <p>The mitigation strategy shall be implemented and maintained strictly in accordance with the approved details.</p> |
| <p><i>Reason: In the interests of amenity and wildlife conservation in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14, Surrey Waste Plan 2008 Policy DC3</i></p> | |
| | <p>43. The invertebrates mitigation measures set out in section 5.2.5 of Volume 2 of the Environmental Statement and sections 10.1.6 and 10.2.4 of the Ecology Chapter in Volume 3 of the Environmental Statement shall be implemented and maintained throughout the duration of the development.</p> |
| <p><i>Reason: In the interests of amenity and wildlife conservation in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14, Surrey Waste Plan 2008 Policy DC3</i></p> | |
| <p>Soil Movement and Storage 25. Topsoil stores shall not exceed 2.5m in height nor shall subsoil. Mineral waste stacks shall not exceed 8m in height. Subsoils shall not be placed on top of topsoil.</p> | <p>Soil Movement and Storage 44. The following materials shall not exceed the following stockpile heights:</p> <ul style="list-style-type: none"> • Topsoil shall not exceed 2.5m in height • Subsoil shall not exceed 4m in height <p>Subsoil shall not be placed on top of topsoil. Where continuous bunds comprise dissimilar soils, these shall be separated by a third material of which details shall be submitted to the County Planning Authority for approval prior to its use. The use of a third material between dissimilar soils shall be maintained for the life of the storage of the soils. Materials shall be stored like upon like, so that topsoil shall be stripped from beneath subsoil bunds and subsoil from beneath overburden bunds.</p> |

| | |
|---|---|
| | |
| <i>Reason: To prevent loss or damage of soil and to ensure that the land is restored to a condition capable of beneficial afteruse to comply with the Surrey Minerals Plan 2011 Core Strategy Policies MC14 and MC17</i> | |
| | 45. All topsoil, subsoil and overburden stockpiles and bunds intended to remain in situ for more than 6 months or over the winter period and are not to be used as screening bunds during the operational 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 in Condition 15. |
| <i>Reason: To prevent loss or damage of soil and to ensure that the land is restored to a condition capable of beneficial afteruse to comply with the Surrey Minerals Plan 2011 Core Strategy Policies MC14 and MC17</i> | |
| 26. 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 October to April unless they are undertaken using hydraulic excavators and dump trucks. | 46. 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. Soil shall only be moved when in a dry and friable condition. For soils containing more than 18% clay the criteria for determining dry and friable shall 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. For all soil types ((including sand loams, loamy sands and sands) no soil handling should proceed during and shortly after significant rainfall, and/ or when there are any puddles on the soil surface'. |
| <i>Reason: To prevent loss or damage of soil and to ensure that the land is restored to a condition capable of beneficial afteruse to comply with the Surrey Minerals Plan 2011 Core Strategy Policies MC14 and MC17</i> | |
| 27. No topsoil or subsoil shall be removed from the application site nor used for any purpose other than site restoration without the prior written approval of the County Planning Authority. | 47. No topsoil or subsoil shall be removed from the application site nor used for any purpose other than site restoration without the prior written approval of the County Planning Authority. |

| | |
|---|---|
| <p><i>Reason: To prevent loss or damage of soil and to ensure that the land is restored to a condition capable of beneficial afteruse to comply with the Surrey Minerals Plan 2011 Core Strategy Policies MC14 and MC17</i></p> | |
| <p>Submission of Programme 28. Within twelve months of this decision schemes shall be submitted to the County Planning Authority for approval:</p> <ul style="list-style-type: none"> • For the removal of plant growth and prevention of re-growth from the old lime kilns shown to be retained on the Restoration Plan reference M11.137.09 hereby approved. • For the maintenance of the landscape woodland/ hedgerow, soil bunds and restoration programme hereby approved. <p>Thereafter all work shall be undertaken in accordance with these schemes when approved.</p> | <p>Submission of Programme 48. Within 12 months from the date of these conditions taking effect, schemes shall be submitted to the County Planning Authority for approval in writing. The schemes shall include:</p> <ol style="list-style-type: none"> a. details for the removal of plant growth and the prevention of re-growth on the old lime kilns shown to be retained on drawing M11.137.09 Restoration plan b. details of how the lime kilns and any related Heritage Asset immediately surrounding it will be maintained. This should principally include information on the scope and methodology of the repair and consolidation of the Heritage Asset(s) and ensure their continued survival. c. woodland/hedgerow, soil bunds and restoration programme hereby approved. <p>Thereafter all work shall be undertaken and maintained strictly in accordance with these schemes as approved.</p> |
| <p><i>Reason: To enable the County Planning Authority to exercise planning control over the development so as to safeguard heritage assets in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14</i></p> | |
| | <p>Slope Stability 49. Within six months from the date of these conditions taking effect, the Applicant shall submit details of a scheme for assessing and ensuring the long term stability of the parts of the steep Chalk slopes in vicinity and in between cross sections 6-6', 7-7', 8-8', 9-9' and 10-10' as shown on drawing 12-160-D-002 "plans and cross sections for slopes stability assessment" dated May 2011. The scheme shall be submitted to the County Planning Authority for approval, and the scheme shall be implemented in accordance with the details as approved.</p> |
| <p><i>Reason: For the protection of third party property and persons on or off the site and to enable the County Planning Authority to exercise planning control over the development so as to provide safety and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14</i></p> | |
| | <p>50. Within six months from the date of these conditions taking effect, a scheme for monitoring the condition and stability of the exposed and restored chalk faces shall be submitted to the County Planning Authority for approval in writing. The</p> |

| | |
|---|---|
| | <p>scheme shall include measures for the frequency of the inspections and the frequency of submitting inspection reports to the County Planning Authority; and an assessment of options to stabilise the slope if required. The scheme shall be implemented and maintained strictly in accordance with the approved details on commencement of Aftercare at the site.</p> |
| <p><i>Reason: To enable the County Planning Authority to exercise planning control over the development so as to provide safety and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14</i></p> | |
| <p>Landscaping 31. Where existing on-site woodland is to be retained and not disturbed as part of the remaining extraction and infilling restoration operations it is to be illustrated and described on an appropriate scale plan drawing to be provided within six months of the date of this decision.</p> | <p>Landscaping and Planting 51. The tree planting as shown in green on drawings 00355/01 – 00355/05 r.1 “Quarry Development Plan” dated November 2011 shall be maintained until 21 February 2042 or the cessation of operations whichever the sooner.</p> |
| <p><i>Reason: To enable the County Planning Authority to exercise planning control over the development so as to safeguard the Surrey Hills Area of Outstanding Natural Beauty and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14 and Surrey Waste Plan 2008 Policy DC3</i></p> | |
| <p>32. Where existing vegetation that is to be retained is in close proximity to future quarry/restoration operations, proposals shall be provided to illustrate and describe how this vegetation is to be protected, such proposals to be provided within six months of the date of this decision.</p> | <p>52. A scheme detailing all site operational activities to be undertaken in the vicinity of retained trees, woodland frontages and vegetation shall be submitted for approval in writing to the County Planning Authority within six months from the date of these conditions taking effect. The scheme shall include but not be exclusive to:</p> <ul style="list-style-type: none"> a. a plan or plans showing the extent within the application site of the existing and retained woodland and vegetation on in accordance with BS5837: 2012 b. details of maintenance and monitoring programme of all planned planting and arboricultural operations, to include installation of protective fencing, on site induction, supervision and monitoring. c. details of all arboricultural and planting operations including all pruning works and removal. <p>The scheme shall be carried out and maintained strictly in accordance with the details approved.</p> |
| <p><i>Reason: To enable the County Planning Authority to exercise planning control over the development so as to safeguard the Surrey Hills Area of Outstanding Natural Beauty and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14 and Surrey Waste Plan 2008 Policy DC3</i></p> | |
| | <p>53. In the event of the failure of any trees or shrubs planted or grassland seeded, or required to be retained on site in accordance with any scheme</p> |

| | |
|--|--|
| | <p>approved by the County Planning Authority; such trees or shrubs or seeding shall be replaced with an equivalent number of live specimens or seeding density of such species.</p> |
| <p><i>Reason: To enable the County Planning Authority to exercise planning control over the development so as to safeguard the Surrey Hills Area of Outstanding Natural Beauty and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14 and Surrey Waste Plan 2008 Policy DC3</i></p> | |
| <p>Aftercare 35. An Aftercare Scheme shall be implemented for a period of 5 years from the completion of restoration, using such steps as may be necessary to bring land within the Site in line with the restoration scheme i.e. Agricultural Land, Woodland and Species Rich Conservation Area. This shall be submitted for the approval in writing of the County Planning Authority not later than six months from the date of this decision. The submitted scheme shall specify the steps to be taken and the period during which they are to be taken.</p> | <p>Aftercare 54. Within 12 months from the date of these conditions taking effect, an Aftercare Scheme and Management Plan shall be submitted to the County Planning Authority for approval in writing. The Aftercare Scheme and Management Plan shall include:</p> <ul style="list-style-type: none"> a. the Strategic Aims and Objectives for the Site and the identified land use within it for the five year Aftercare period b. detailed requirements and proposals for both hard and soft landscape elements c. details of how a mosaic of sub-habitats, including areas of short turf, bare ground, long grass and a limited amount of scrub, shall be achieved for the areas of calcareous grassland d. details of how the RIGS will be maintained e. details for the provision of an annual meeting between the applicant and the County Planning Authority f. details of an annual programme of aftercare to be provided no later than two months prior to the annual Aftercare meeting <p>The submitted scheme shall specify the steps to be taken and the period during which they are to be taken. The scheme shall be implemented and maintained for a period of five years from the completion of restoration, strictly in accordance with the approved details.</p> |
| <p>36. The Aftercare Scheme shall include the Strategic Aims and Objectives for the site and the identified land use within it, together with detailed requirements and proposals for both hard and soft landscape elements. The submitted scheme shall specify the steps to be taken and the period during which they are to be taken.</p> | |
| <p>37. An annual aftercare review meeting is to be held with Officers of the County Planning Authority once the 5 year aftercare period commences, to inspect the site and assess the progress of the aftercare programme.</p> | |
| <p><i>Reason: To secure restoration to the required standard and assist in absorbing the site back into the local landscape in accordance with the Surrey Mineral Plan 2011 Core Strategy Policies MC17 and MC18, Surrey Waste Plan 2008 Policy WD7 and Tandridge District Core Strategy 2008 Policy CSP17</i></p> | |
| | <p>55. The management and maintenance of the Aftercare Scheme and Management Plan for Oxted Quarry shall be for a period of 5 years post the five year aftercare period.</p> |

| | |
|---|--|
| | |
| <i>Reason: To secure restoration to the required standard and assist in absorbing the site back into the local landscape in accordance with the Surrey Mineral Plan 2011 Core Strategy Policies MC17 and MC18, Surrey Waste Plan 2008 Policy WD7 and Tandridge District Core Strategy 2008 Policy CSP17</i> | |

Informatives

1. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transport Development Planning Team of Surrey County Council.
2. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecute persistent offenders (Highways Act 1980 Section 131, 148, 149).
3. All drivers visiting the site should be made aware of the Site Rules.
4. The definition of cessation as required by Condition 4, is in accordance with the definition in the Town and Country Planning Act 1990 Schedule 9 Section 3(2).
5. The definition of a Heavy Goods Vehicle is 32 tonnes gross and 3 metres wide.
6. The applicant is advised it is an offence to obstruct or divert the route of a right of way unless carried out in accordance with appropriate legislation.
7. Attention is drawn to the requirements of Section 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings (British Standards Institution Code of Practice BS 5810: 1979) or any prescribed document replacing that code.
8. The Applicant's attention is drawn to the potential need to modify the existing Environmental Permit for the site prior to the commencement of any works.
9. The applicant is reminded 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.
10. In determining this application the County Planning Authority has worked positively and proactively with the applicant by: assessing the proposal against the National Planning Policy Framework including its associated planning practice guidance and European Regulations, providing feedback to the applicant where appropriate. Further, the County Planning Authority has: identified all material considerations; forwarded consultation responses to the applicant; considered representations from interested parties; liaised with consultees and the applicant to resolve identified issues. Issues of concern have been raised with the applicant including impacts of and on noise/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. This approach has been in accordance with the requirements of paragraph 38 of the National Planning Policy Framework 2018.
11. A large object as referred to in Condition 14 refers to any item exceeding 100mm diameter.

12. Planting as referred to in condition 52 refers to trees and shrubs. Seeding in the same condition refers to the sowing of a grassland sward.
13. The applicants attention is drawn to the request to allow access to the RIGS site by interested parties who are suitably insured, competent and have completed an appropriate risk assessment, ensuring due regard is given to the stability of all adjacent sections of rock face.

CONTACT

Samantha Murphy

TEL. NO.

020 8541 7107

BACKGROUND PAPERS

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

Legislation

The Highways Act 1980
 The Environment Act 1995
 The Planning and Compensation Act 1991
 The Wildlife and Countryside Act 1981 (as amended)
 The Natural Environment and Rural Communities Act 2006
 The Countryside and Rights of Way Act 2000

Government Guidance

[National Planning Policy Framework 2018](#)

[Planning Practice Guidance](#)

The Development Plan

[Surrey Waste Plan 2008](#)

[Surrey Minerals Plan Core Strategy Development Plan Document \(DPD\) 2011](#)

[Surrey Minerals Plan Primary Aggregates DPD 2011](#)

Tandridge District Core Strategy 2008

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

Other Documents

Planning permission TA93/0765

Environmental Permit EA/EPR/EB3603MF and variation application number EA/EPR/EB3603MF/V003

British Geological Survey Mineral Planning Factsheet 'Calcite', 2004

Hankinson Duckett Associates on behalf of Surrey County Council and the Surrey Planning Officers Association "Surrey Landscape Character Assessment: Tandridge District", April 2015

The Hurlstone Partnership "Consideration of Suggested HGV Limits by Surrey County Council", January 2016

The Hurlstone Partnership "Periodic Review (ROMP) at Oxted Quarry, Chalkpit Lane, Oxted, Surrey, RH9 0QW – Transport Statement", May 2017

The Hurlstone Partnership "Periodic Review (ROMP) at Oxted Quarry, Chalkpit Lane, Oxted, Surrey, RH9 0QW – Transport Statement", July 2018

Environment Agency, Environmental Permitting Regulations (England and Wales), "Working together: your role in our environmental permitting – our public participation statement", 2010, Ed2.

Tandridge District Council, "2018 Annual Status Report (ASR) for Tandridge District Council, June 2018

Environmental Protection UK (EPUK)/Institute of Air Quality Management (IAQM) '*Land-Use Planning & Development Control: Planning For Air Quality*'

Natural England, citation for "Woldingham and Oxted Downs" Site of Special Scientific Interest (SSSI), <https://designatedsites.naturalengland.org.uk/PDFsForWeb/Citation/1004502.pdf>

Design Manual for Roads and Bridges (DMRB) volume 11, 2009

Manual for Streets 2, 2010, <https://www.gov.uk/government/publications/manual-for-streets-2>

Institute of Environmental Management and Auditing (IEMA) 'Guidelines for the Environmental Assessment of Road Traffic', 1993.

Department for the Environment, Transport and Regions (DETR) 'The Environmental Effects of Traffic Associated with Mineral Workings – Main Report and Best Practice Guide', 1998

Automatic Traffic Counter data, Surrey County Council

BS 5228-2:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites – Part 2: Vibration

BS 6472:-1:2008 Guide to evaluation of human exposure to vibration in buildings – Part 1:

Vibration sources other than blasting BS 7385-2:1993 'Evaluation and measurement for vibration in buildings – Part 2: Guide to damage levels from groundborne vibration'.

Surrey Nature Partnership "Biodiversity Opportunity Areas: the basis for realising Surrey's ecological network", Appendix 6: North Downs Biodiversity Opportunity Area Policy Statements, ND07, December 2015.

ANNEX A - GLOSSARY

Economic viability – “Economic viability in the context of review of mineral permissions means the ability of a site to produce sufficient revenue to cover all of its operating costs (including finance costs and depreciation) and produce an appropriate return on capital. The key test is the extent to which the further restrictions imposed by new conditions would cause extra operating costs or restrict revenue to the extent that economic viability would be prejudiced adversely to an unreasonable degree” (NPPG).

Asset value – “Asset value of the site is value of the remaining minerals in the ground for which planning permission exists and stockpiled material, together with the land, buildings and fixed plant and machinery. The key test is whether a significant quantity of workable material would be lost relative to the amount of workable material in the site for which planning permission exists” (NPPG).

Mineral waste – waste derived from the winning and working of minerals at that mine or from minerals brought to the surface at that mine or from the treatment or the preparation for sale, consumption or utilisation of minerals from the mine.

ANNEX B – Flowchart: overview of review of mineral planning conditions (source NPPG)