

Planning & Regulatory Committee 25 May 2022 Item No 8

UPDATE SHEET

MINERALS/WASTE TA2020/434 RE20/00463/CON

DISTRICT(S) TANDRIDGE DISTRICT COUNCIL

REIGATE & BANSTEAD BOROUGH COUNCIL

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

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

Officers would like to insert the following paragraph into the report.

Paragraph 211 of the NPPF states that in considering proposals for mineral extraction, mineral planning authorities should:

- a) *As far as practical, provide for the maintenance of landbanks of non-energy minerals from outside AONB and Conservation Areas;*
- b) *Ensure that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety; and take into account the cumulative effective of multiple impacts from individual sites and/ or from a number of sites in a locality;*
- c) *Ensure that any unavoidable noise, dust and particle emissions are controlled, mitigated or removed at source and establish appropriate noise limits for extraction in proximity to noise sensitive properties;*
- e) *Provide for restoration and aftercare at the earliest opportunity, to be carried out to high environmental standards, through the application of appropriate conditions.*

In relation to a), Officers recognise that the application site is partly within the Surrey Hills AONB and the proposal is for a non energy mineral. The proposed extension area is identified within the Surrey Minerals Plan 2011 as a preferred area and Officers have carried out the exception test exercise in accordance with Paragraph 177 of the NPPF and have concluded the proposal meets the requirements of the exception test. Officers recognise the proposal is next to a Conservation Area and have assessed the proposal in accordance with the requirements of the NPPF and Section 72 of the Listed Buildings and Conservation Area Act 1990. Officers recognise minerals can only be worked where they are found and that this is a nationally important mineral resource.

In relation to b), Officers have assessed the proposal with regards to the natural environment including habitat, protected species and trees including Ancient Semi Natural Woodland. Officers are satisfied that with the imposition of conditions that there would not be an unacceptable adverse impact. Officers have assessed the proposal in relation to the historic environment and note Historic England and the County Historic Building Officers comments that the proposal would lead to less than substantial harm. No objection or comments have been raised by Gatwick Airport in relation to aviation safety. Human health has been considered as part of air quality. Officers have taken into account the cumulative impact of the proposal in relation to the site itself in assessing the proposal and are satisfied that with the imposition of suitably worded conditions, there would be no unacceptable adverse impact.

In relation to c), Officers have assessed the potential impacts of the proposal with regards to noise, dust and particle emissions. A Dust Management Plan has been provided to ensure control of dust and the County Air Quality Consultant raises no objection with regards to dust or air quality matters. The County Noise Consultant has reviewed the noise assessment and information provided and is satisfied that subject to the imposition of conditions the proposal would comply with national guidance with regards to noise.

With regard to e) Officers are satisfied that restoration and aftercare at the application site would be carried out to high environmental standards given the restoration that has previously taken place there. Officers recognise concerns have been raised about the timely manner of restoration of parts of North Park Farm Quarry but recognise the need to blend various grades of sand for consumer requirements. The applicant has submitted phasing plans which show how the application site would be worked including when areas of the site would be restored. Given the application site's location within the AONB and the concerns raised from third parties Officers propose to amend condition 60 to include a requirement that areas of the application site are restored before commencement of further extraction takes place.

Points d), f) and g) are not relevant to this proposal.

RECOMMENDATION

Condition **26** should be amended as follows:

Prior to the commencement mineral extraction in Phase 4 as shown on drawings 60471763-BSP-009 rev C Pendell and Brewer Street Phase 4 dated November 2021 and 60471763-COMP-033 rev B dated November 2021, the Applicant shall undertake a further review of:

- the groundwater level monitoring data to determine whether any change to the maximum depth of excavation determined under **Condition 22** is necessary.
- the groundwater sampling and laboratory testing data to determine whether any changes are required to the Trigger and Control Concentrations determined under Condition 21 and the Contingency Action Plan

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

Condition **39** should be amended as follows:

Prior to the commencement of mineral extraction within Phase 3 of Pendell and the Brewer Street Extension Site as shown on drawing 60471763-BSP-008 rev C dated November 2021 and 60471763-COM-031 rev C dated January 2022 ~~Twelve months prior to soil stripping or removal; and bund construction taking place in Phase 3 and 4 of Pendell and Brewer Street Quarry in accordance with drawing 60471763-BSP-008 rev C Pendell and Brewer Street Phase 3 dated November 2020 and drawing 60471763-BSP-009 rev C Pendell and Brewer Street Phase 4 dated November 2020. Prior to the working of Phase 3 and 4 a revised Dust Management Plan shall be submitted and approved in writing by the County Planning Authority providing additional details of the locations of the Dust Monitoring Equipment to be located at the Brewer Street extension area.~~

An additional condition should be added after Condition **58**:

Prior to the commencement of Phase 3 at land known as Brewerstreet as shown on drawing 60471763-BSP-008 rev C dated January 2022, an Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the County Planning Authority for the trees and groups of trees as shown on drawing CE-BS1182-DW-15 Final Compiled Tree Constraints, Arboricultural Implications Assessment and Tree Protection Plan dated 16 December 2019. The AMS shall include details of:

- Site access
- The intensity and nature of activities
- Phasing of on-site operations
- Parking, storage and welfare facilities
- Tree protection (barriers) and their distance
- Tree protection plan
- Removal of materials, facilities and protective measures for the final phase; and
- Monitoring

The development shall be carried out in accordance with the approved AMS.

Condition 59 should be amended as follows:

The development hereby permitted shall be carried out strictly in accordance with the Landscape and Ecological Management Plan (LEMP) Rev A dated December 2021. The LEMP shall be subject to review within 12 months of the date of this permission and thereafter periodically reviewed on a five year programme or following the annual review as set out in paragraphs 5.4.2 – 5.4.6 should this necessitate amendments until the site is restored. There shall be annual Restoration Steering Group site meetings as set out in paragraphs 5.3.3 – 5.3.7. The review shall include:

- The effectiveness of the LEMP in achieving its overarching strategy and management aims for each compartment;
- Changes in guidance and accepted best practice;
- Any relevant requirements of the County Planning Authority; and
- **The timescale for the submission of management plans for each compartment.**

Condition 60 should be amended as follows:

The restoration of the application site and all landscape planting shall be carried out in accordance with the phasing as shown on plans 60471763-COMP-029 rev C Composite Phasing Plan 2 Pendell and Brewer Street Phase 1 North Park Phase 1 January 2022, 60471763-COMP-030 rev C Composite Phasing Plan 3 Pendell and Brewer Street Phase 2 North Park Phase 2 January 2022, 60471763-COMP-031 rev C Composite Phasing Plan 4 Pendell and Brewer Street Phasing 3A North Park Phase 3 dated January 2022, 60471763-COMP-32 rev C Composite Phasing Plan 5 Pendell and Brewer Street Phasing 3B North Park Phase 4 dated January 2022, 60471763-COMP-033 rev C Composite Phasing Plan 6 Pendell and Brewer Street Phase 4A North Park Phasing 5 dated January 2022, 60471763-COMP-034 rev C Composite Phasing Plan 7 Pendell and Brewer Street Phase 4B North Park Restoration dated January 2022, 60471763-R-022 rev C Composite Restoration Plan (Mercers to Pendell) dated December 2021 and 60471763-R-023 rev D Composite Restoration Plan (Pendell to Godstone) dated December 2021. **Mineral extraction of Phase 4a as shown on drawing 60471763-COMP-033 rev C Composite Phasing Plan 6 Pendell and Brewer Street Phase 4A North Park Phasing 5 dated January 2022 shall not commence until restoration of Phase 2, with the exception of the conveyor belt and haul road, has been completed and signed into aftercare; and mineral extraction of Phase 4b as shown on drawing 60471763-COMP-034 rev C Composite Phasing Plan 7 Pendell and Brewer Street Phase 4B North Park Restoration dated January 2022 shall not commence until restoration of the Amber Hole within North Park Farm Quarry has been completed and signed into aftercare.**

An additional Informative should be added:

The applicant is reminded to notify the following properties (Becks Cottage, Whitehill Cottage, The Barn, Place Farm, Cleves Cottage, Granary Cottage, The New House, 1 – 12

Brewer Street, Brewer Street Farm House, The Granary; and Hawthorns School) a month in advance of the commencement Phase 3A as shown on drawing 60471763-COMP-031 rev C Composite Phasing Plan 4 Pendell and Brewer Street Phasing 3A North Park Phase 3 dated January 2022, of when soil stripping and the creation of soil stockpiles is to commence for that phase. The applicant shall adhere to best working practices minimising noise and the impact on local residents.