



Morants Holdings Ltd
C/o D K Symes Associates
Appletree Farmhouse
39 Main Road
Middleton Cheney
Banbury
Oxon
OX17 2ND

Planning Applications Group
First Floor, Invicta House
County Hall
Maidstone
Kent ME14 1XX
Tel: 03000 411200

Website: www.kent.gov.uk/planning
Email: planning.applications@kent.gov.uk
Direct Dial/Ext: 03000 413394
Text relay: 18001 03000 417171
Ask for: Mrs Andrea Hopkins
Your ref:
Our ref: PAG/KCC/SCO/SE/0164/2017
Date: 16 August 2017

Dear Sir/Madam

**THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2017
SCOPING OPINION UNDER REGULATION 15**

PROPOSED DEVELOPMENT: Request for a Scoping Opinion on the Environmental Impact Assessment for stabilisation works using imported suitable engineering material to restore the site to agriculture, landscape planting and biodiversity. Covers Sandpit, Westerham, Kent, TN16 2EY.

I am writing in response to your application dated 5 June 2017.

Please see attached scoping opinion under Regulation 15 of the above Regulations.

Yours faithfully

Sharon Thompson
Head of Planning Applications Group

As part of the Council's commitment to equalities if you have any concerns or issues with regard to access to this information please contact us for assistance.



Reference: KCC/SCO/SE/0164/2017

**KENT COUNTY COUNCIL
THE TOWN AND COUNTRY PLANNING
(ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017
SCOPING OPINION UNDER REGULATION 15**

To: Morants Holdings Ltd
c/o D.K. Symes Associates
Appletree Farmhouse
39 Main Road
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Banbury
Oxfordshire
OX17 2ND

Proposed development: Request for a Scoping Opinion on the Environmental Impact Assessment for stabilisation works using imported suitable engineering material to restore the site to agriculture, landscape planting and biodiversity at Covers Sandpit, Westerham, Kent, TN16 2EY.

The County Council considers that the environmental statement necessary to accompany the planning application for the above EIA development should include those matters set out in the document titled "Covers Sand Quarry Westerham, Kent – scoping request for stabilisation works using imported suitable engineering material to restore the site to agriculture, landscape planting and biodiversity". For the avoidance of doubt these are as follows:-

- **Quantity (of material to be imported)**
- **Traffic**
- **Access**
- **Timescale**
- **Hours of Operation**
- **Site Infrastructure**
- **Water Management**
- **Phasing**
- **Engineering Works**
- **Reclamation Works**
- **Amenity Mitigation**
- **Ecology**
- **Restoration**
- **Landscape and Aftercare**

In addition to these and the matters set out in Schedule 4 of the EIA Regulations, the County Council considers the following matters should also be addressed:-

The assessment will need to determine the significance of any noise impacts and demonstrate that the predictions conform to the appropriate levels as per guidance and advice detailed above. Should mitigation be deemed necessary in order to achieve the appropriate levels then details of such mitigation should be provided.

In preparing any noise assessment, it is recommended that you take into consideration the attached views received from consultees, particularly those of the County Council's Noise Consultant and the Parish Council.

Air Quality: The application must be accompanied by a detailed air quality assessment report identifying the potential impact on sensitive receptors taking into account guidance, advice and good practice provided in the National Planning Policy Framework (NPPF) and Planning Policy Guidance (PPG) Minerals. Any assessment would need to be consistent with paragraph 124 of the NPPF and the Institute of Air Quality Management provide supplementary guidance which can be used to support the assessment of amenity impacts.

It is recommended that the assessment addresses the potential for health and amenity impacts from dust because there is potential for intermediate sized particles (10 to 30µm) to travel up to 400m from the site boundary under poor dispersion conditions. Health impacts from exhaust gas emissions should also be assessed where there is potential for human exposures both inside and outside any AQMAs. This would utilise the results of a traffic assessment to identify haul routes and expected numbers of HGVs.

In summary, the requirements of the dust and air assessment are:

- a description of baseline conditions and how these could change
- relevant air quality concerns
- the assessment methods to be adopted and any requirements around verification of modelling air quality
- sensitive locations
- the basis for assessing impact and determining the significance of an impact
- acceptable mitigation measures.

Groundwater Contamination: The southern area of the site contains the historic landfilling area and is the most sensitive in terms of risk to Controlled Waters (Principal Aquifer and SPZ3). Consequently, a robust risk assessment will be required in order to establish whether there will be any increased pollution risk to underlying groundwater. This will need to be accompanied by a ground investigation to confirm the nature of the existing infill materials from the previous site activities. This should link into consideration given to surface water drainage.

Surface Water Drainage and Flood Risk: The site area exceeds 1ha in size and as such any application would need to be accompanied by a Flood Risk Assessment. The ES should therefore include assessment of potential impacts upon land drainage (surface water flows) as well as any physical disturbance of groundwater levels or flows and impacts upon the aquifer (detailed hydrogeological risk assessment).

Please note the comments received from the County Council's Flood Risk Project Officer and the Environment Agency in preparing the ES.

- **Vibration associated with traffic**
- **Potential impact on public health (including perceived impacts)**
- **Visual impact (including that associated with any lighting)**
- **Need and alternatives**

It is considered that these issues may be capable of being addressed within the other topic areas (e.g. within the noise and landscape sections) rather than requiring separate sections within the Environmental Statement.

In undertaking the EIA and preparing the Environmental Statement (ES) you should have regard to the attached schedule which contains the responses from those “consultation bodies” that have raised issues in response to the consultation undertaken in accordance with Regulation 15(4) and those other consultees who the County Council would normally seek advice from on such applications. These should be read alongside the County Council’s formal scoping opinion and any application should satisfactorily take account of them.

Issues of particular significance set out in the consultee responses and arising from the County Council’s own consideration of the scoping request and which need to be addressed in any Environmental Statement and/or the associated planning application are (for the avoidance of doubt) as follows:-

Topic areas scoped into the EIA

Transport and Access: The proposal would generate in the region of 150-200 HGV movements per day for a period of up to 5 years. This increase in vehicle movements has the potential to have a significant impact on the existing highway network. The ES should therefore include an assessment of the transport impacts as a result of the proposed development. This assessment should include details of the number of HGV movements generated, their distribution on the highway, final access arrangements, arrival and departure profile throughout the day together with the likely impact on highway safety and capacity.

Please note highways comments received from other consultees including the Parish Councils.

The ES should also consider the impact upon the local Public Rights of Way. The adverse effects of the proposed works on footpath users’ enjoyment and amenity, in terms of both visual and auditory impact and road safety along Croydon Road and at the proposed entrance point at Greencroft Farm Cottages, should be given consideration alongside the concerns of residents and road users.

Noise: The ES should include a noise report identifying the potential impact on noise sensitive receptors taking into account guidance, advice and good practice provided by the NPPF.

In summary the requirements are:

- Identify noise sensitive receptors
- Establish noise baseline
- Determine appropriate noise criteria
- Predict noise levels at receptors
- Assess predicted levels against noise criteria
- Identify mitigation requirements

Archaeology: There are two designated heritage assets near the quarry and there are known archaeological remains either within the site or nearby. There is also some potential for prehistoric or early medieval remains, although this is comparatively low in view of the quarried nature of the site. The heritage assets are the Covers Farmhouse Listed Building and a linear earthwork to the south west corner of the site that is a Scheduled Monument. There may be an impact on the Scheduled earthwork and the Listed Building from an increase in vehicle movements or associated works and therefore there should be an assessment of heritage and an assessment of the potential impact on cultural heritage included in the ES.

Ecology: The proposal has the potential to result in ecological impacts including protected species, habitats, ancient woodland, designated nature conservation sites and local wildlife. The Kent County Council Ecological Advice Service have stated that they are satisfied with the scope of the ecological surveys that have been carried out and the provided mitigation measures, however they have further stated that they advise that clarification is provided justifying why botanical and invertebrate surveys have not been undertaken. Full details of all the ecological survey work carried out must be included within the application to ensure that an appropriate level of scrutiny can be applied, in accordance with the British Standard Biodiversity: Code of Practice for Planning and Development (BS 42020:2013).

The ES should also have regard to the advice from Natural England and the Environment Agency (EA) in its response to the scoping request (see letters dated 6 July 2017 and the EA dated 26 July 2017).

Landscape and Visual Impact: The ES should include an assessment of landscape and arboricultural effects. It is clear from comments received from consultees, including Natural England, the Kent Downs AONB Unit and the County Council's Landscape Consultants (Amey), that the responses emphasise the importance of a landscape assessment. The applicant should include sufficient information within any ES to allow an assessment of all the material considerations arising from the attached consultee responses and given the site is wholly within the Kent Downs AONB, a full Landscape and Visual Impact Assessment must be scoped into the ES. Assessment should also be given to the impact upon existing vegetation and planting on the site and wider vicinity. An assessment should be made of the sensitivity and magnitude of visual impact from all visual receptors in the wider area, and this should include, amongst other things, photographs and possibly photomontages from key viewpoints from locations likely to see the greatest change in views and/or affecting the most sensitive receptors.

Your attention is also drawn to the comments received from Westerham Town Council concerning the potential impacts of the quantity of the proposed infill material to be required for the restoration scheme, alongside those received from the County Council's Ecological Advice Service concerning the proposed restoration arrangements.

Potential effects on Public Health including any perceived risks: The assessment should seek to demonstrate that the potential effects would not be significant and enable the acceptability of the proposals in land use planning terms to be adequately assessed in the context of the surrounding land uses and environmental receptors. You may wish to consider submitting information that would also meet the requirement of an Environmental Permit.

Need and Alternatives: An assessment of the need for the development alongside an outline of the main alternatives to the final proposal works and the main reasons for the choice made, taking into account the environmental effects and the concept of sustainable development should be included.

It is worth noting that the planning statement would also need to explain the public interest required to justify the proposed development in an Area of Outstanding Natural Beauty (AONB), having specific regard to the content of paragraphs 115 and 116 of the National Planning Policy Framework (March 2012) in respect of proposals for major development in designated areas.

Cumulative and In-combination effects: The EIA Regulations 2017 require consideration of the whole development and any cumulative and in-combination effects of the proposed project. Any other major development plans or projects within the vicinity which have the potential, when considered together, to result in significant impacts should also be assessed. You may wish to refer to the adopted and emerging Sevenoaks District Local Plan(s), alongside any recent major planning decisions taken by the District within the local area.

NB: All assessments carried out as part of the Environmental Impact Assessment are expected to follow industry standards and guidance across the specialist areas.


Topic areas scoped out of the EIA

Odour - Kent County Council's Odour Consultants (Amey) consider it unlikely that odour emissions will be produced as excavated and imported materials are likely to be largely inert, and so on that basis odour can be scoped out of the assessment. In the event that these materials differ at the application stage the applicant should consider the need to address the impacts of odour.

The County Council would also strongly encourage the applicant to engage with the local community prior to the preparation and completion of the planning application. The application could then include details of this community engagement and explain how the proposed development has taken account of the opinions expressed during this process.

This opinion is made on the basis of the details which have been supplied so far and other information currently available and does not preclude the County Council from requesting further information when considering any future planning application and accompanying ES for this development, particularly if it relates to those matters highlighted in the attached schedule. In reaching this opinion the County Council has taken account of the specific characteristics of the particular development, the specific characteristics of development of the type concerned and the environmental features likely to be affected by the development as required under Regulation 15(6).

Dated this sixteenth day of August 2017

(Signed).....

Head of Planning Applications Group