MINUTES: of the meeting of the Planning and Regulatory Committee held at 10.30am on 9 November 2011 County Hall, Kingston Upon Thames.

These minutes are subject to confirmation by the Committee at its meeting on 14 December 2011.

Members

** Marisa Heath (Chairman)  
** Keith Taylor (Vice Chairman)  
** Ian Beardsmore  
** Bill Chapman  
** Margaret Hicks  
Stuart MacLeod  
** Ernest Mallett  
A David Munro  
** Michael Sydney  
** Denise Turner-Stewart  
** Fiona White  
** David Wood

Appointed substitutes:  
** Denis Fuller

** = Present  
* = Present for part of the meeting  
A = Apologies for absence given

PART ONE  
(In Public)

[All references refer to the agenda for the meeting]

132/11 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies were received from David Munro. Denis Fuller was a substitute.

133/11 MINUTES OF THE LAST MEETING: 19 October 2011 [Item 2]

An update sheet was tabled in respect of this item (Annex A). The minutes were agreed as a true and correct record, subject to the amendment in the update sheet.

134/11 PETITIONS [Item 3]

There were none.

135/11 PUBLIC QUESTION TIME [Item 4]

There were none.

136/11 MEMBERS’ QUESTION TIME [Item 5]
There were none.

137/11 DECLARATIONS OF INTEREST [Item 6]

There were none.

138/11 MINERALS AND WASTE APPLICATION: RE10/2089:
Land off Horse Hill, Hookwood, Horley, Surrey [Item 7]

An update sheet was tabled (Annex B)

This was an application for the construction of an exploratory wellsite to include plant, buildings and equipment; the use of the wellsite for the drilling of one exploratory borehole and the subsequent short term testing for hydrocarbons; the erection of security fencing; construction of a new access onto Horse Hill and an associated access track with passing bays, all on some 1.16 ha, for a temporary period of up to 3 years, with restoration to agriculture and woodland.

It was noted that the local Member, Mrs Kay Hammond, was not able to attend the Committee but had attended the site visit with Members of the Committee the previous week.

One Member of the public had registered to speak in opposition to the application.

Mr Lowe presented his representations to the Committee:
- Represents Norwood Hill residents
- Has lived in Norwood Hill area for 40 years
- All points relate to highways:
  - Access to the site is on Horse Hill – some Members saw this in good conditions on site visit, not during rush hour and not in winter when it is dark, wet and slippery.
  - Serious accidents have happened in past years.
  - Busy rat run – sure traffic has increased since last measured 2 years ago.
  - Concerned that site traffic coming from the North will cross the A217, across the dual carriageway, in order to enter Horse Hill. Lorries coming from the North and crossing here will have to go across the vehicles from Horsehill heading towards Gatwick or Crawley.
  - Normally there are few vehicles crossing from the North, so this is an increased in risk.
  - When a gap on the A217 does appear, both the applicant’s traffic and the traffic from Horse Hill will compete to cross at the same time.
  - Mole Valley’s Development Control Committee and the Parish Council have strong concerns.
  - Safer approach would be for site traffic to proceed another half mile to the Hookwood roundabout and come back northwards, entering Horse Hill from the northbound lane. Ask that this is considered by Committee.
  - Ask the County Council to ensure that there is a robust traffic management plan in place and to carry out close monitoring of the vehicle movements across the A217 and to and from the site entrance.
  - If the crossing at the Black Horse proves dangerous, the Highways Authority must be aware straight away and in a position to vary the route via Hookwood for all except the very largest HGVs.
The Planning Development Control Team Manager introduced the item and drew the Committee’s attention to paragraph 25 of the officer report, where consultation and publicity was summarised.

Paragraph 59 – 109 dealt with the need for hydrocarbon development, including energy and climate change. It was noted that the UK had an energy policy goal to ensure secure and affordable energy supplies, but not at the expense of the environment. The Committee were advised that Minerals Policy Statement 1 (MPS1) set out national planning policy on the planning control of onshore oil and gas and the government’s aim to maximise the potential of the UK’s reserves. This was detailed in paragraph 86 of the report. Alternative fuels, including renewable energies was set out in paragraph 94, which detailed that 9.6% of UK electricity was currently produced by renewable energies. With reference to paragraph 104, it was explained that onshore oil and gas production should continue to make a modest but necessary contribution to the country’s oil and gas requirements.

The Committee were advised that in terms of highways, traffic and access it was considered that the junction design, turning room and dimensions on the carriage way within Horse Hill were suitable to accommodate the traffic generated by this short term activity. Mole Valley District Council, the Parish Council and local residents had expressed concern about the accident record on the route. Paragraph 133 set out officers’ careful consideration of this matter.

Paragraphs 151 – 287 covered environment and amenity considerations. Officers had concluded that there would be a low level of visual impact. It was noted that the rig mast would be difficult to view from distant viewpoints and would only be instated for a short period of 6 weeks.

The Committee were advised that policy required that issues included woodlands, protected species, noise, lighting and air quality be considered in terms of adverse impact in relation to the proposal. In terms of Green Belt, the Committee were informed that as this was an application for mineral working, development in the Green Belt need not be inappropriate as long as it was well maintained and restored. Officers believed that the site was acceptable, the application technically sufficient and that there would be no significant adverse environmental impacts of the proposed development.

The Transport Development Planning Officer advised the Committee on highways and traffic issues. He explained that although the traffic survey had been completed 2 years ago, there would have been no significant change to traffic flow on this D Class road. During the worst 8 days of the proposed development, it was expected that there would be a maximum of 36 heavy goods vehicle (HGV) movements per day. On the assumption that vehicles would be approaching the junction from one direction, there would be a maximum of 18 HGV movements crossing the junction on any given day. Accidents on the route had been assessed and no patterns or trends had been identified. Therefore, officers had concluded that there would be no reason to require routing of vehicles to the roundabout. The accident record for the last 5 years had been studied, which was in line with Department for Transport guidance. There had been 7 slight accidents during this period, with varying causes. Officers were satisfied that the width of Horse Hill was suitable. There were 2 small sections where the road was narrower, but overall the road was long and straight and it was fairly unlikely that two HGVs would need to cross each other at one of those 2 narrower points. Taking all points into account and the fact that the application was for a temporary period of time, the Highways Authority did not object to the proposal.
During the discussion the Committee raised the following key points:

- Members asked whether it would be possible to impose a condition that required the applicant to raise awareness amongst contractors about the potential for road accidents in the area. The Planning Development Control Manager advised that it might be appropriate to use an informative to express the concern of the Committee.
- The Committee asked whether there was any record of non-injury accidents on Horse Hill. The Transport Development Planning Officer advised that the accidents assessed were those recorded on the police database.
- During the discussion it was queried whether there was a way of monitoring the highways situation during the proposed development period. The Transport Development Planning Officer advised that any concerns raised by residents during the period would be investigated.
- It was noted that the site would be operational for 20-21 weeks during a 3 year period, if permission was granted. Members queried when these 20-21 weeks might occur, with the deterioration of road conditions during the winter in mind. The Transport Development Planning Officer advised that this could not be dictated once planning permission had been granted. The Committee noted that the timing of the operation would be determined to some extent by the availability of the rig. It was acknowledged that Condition 11 would ensure that a Construction and Method Statement, to include a programme of works, would have to be approved in writing prior to commencement of the development.
- Members queried whether the additional traffic movements as a result of the development could be managed by way of phasing. The Planning Development Team Manager advised that the level of traffic was not sufficient to consider alternative means of managing additional traffic movements.
- During the discussion, one Member reflected on the site visit that had taken place the week before the Committee. The Members had not visited the area in rush hour, but noted that the road was relatively quiet.
- Members asked for assurance that any decision that was reached today would not constrain the Committee if a future application was to come back following the exploratory stage of oil and gas production process. The Chairman confirmed that any decision reached at this meeting would not fetter the Committee’s ability to make any future decision. The Principal Lawyer confirmed that each application comes before Committee as a new application and that any decision reached at this meeting would not jeopardise any future decision.
- It was noted that the residents had suggested vehicles use the Hookwood Roundabout for northern access to the site. Members queried the increased distance of this. The Transport Development Planning Officer explained that the route had not been measured as the Highways Authority was satisfied with the route proposed within the application. One Member proposed that a condition be attached to any permission granted that required the use of the Hookwood Roundabout for northern access to the development site. Some Members of the Committee expressed concern that this might just create another problem further down the road on a route that had not been technically appraised by the Highways Authority.
- The Committee agreed that if permission was granted, the following informative be added:

(1) The Site operator should endeavour to point out to HGV drivers travelling to the site via the southbound carriageway of the A217 that the Hookwood roundabout should be considered as a means to gain access to Horse Hill as an alternative route to crossing the northbound carriageway at the A217/Horse Hill junction.
RESOLVED:

That subject to the inclusion of an informative encouraging the site operator to communicate the need for caution to contractors when using the A217/Horse Hill junction and subject to the inclusion of the informative (1) set out above,

that the application be PERMITTED subject to conditions.

139/11 SURREY COUNTY COUNCIL PROPOSAL RE11/1053: Land at Sandcross Primary School, Sandcross Lane, Reigate, Surrey RH2 8HH [Item 8]

This was an application for the construction of a single storey extension to form infants' accommodation; associated external works and alterations to existing building; permanent retention of four demountable classrooms, granted temporary permission under ref: RE09/0459, with associated cladding to elevations.

One member of the public had registered to speak in opposition to the application. Mrs Barraclough presented representations to the Committee:

- South Park resident since 1982.
- Sandcross Lane is unsuitable for this proposal and lacks the necessary infrastructure to support such an intense development.
- Increase in traffic congestion to already congested area.
- Roads to the north and west of the site are merely lanes.
- Parked cars at collection times reduces Sandcross Lane to single track, with few gaps to allow passing.
- Already a very busy area, within 300 metres of the school is a community centre, driving test centre, private day nursery, sports clubs and social clubs, garage, supermarket and garden centre.
- Very dangerous to walk or drive in area at start and end of the school day.
- Inconsiderate parking such as on yellow lines and across residents driveways.
- Rise in pollution from running car engines.
- Noise from car radios.
- Restricted pedestrian access due to cars parking on kerbs.
- Buses and lorries have difficulty at the junction.
- Emergency vehicles would probably have difficult accessing by this route.
- Parking restrictions are not enforced.
- More likely car journeys as a result of application.
- After school clubs will not alleviate the situation, just prolong it.
- Travel plans do not help with regards events such as parents evenings.
- Area becomes no-go area for residents.
- Proposal for densely packed site on designated Green Belt with the removal of hedgerows and trees will impact on views and will be detrimental to the semi-rural area, giving way for future development.
- Temporary classrooms are supposed to be temporary.
- Meeting at Sandcross School cannot be considered a public consultation.
- Planning proposal would make situation twice as bad.
- Environmentally damaging.
- Ask that you reject proposal on behalf of Reigate & Banstead residents.
Mark Burton, School Place Planning Manager, made the following points on behalf of the applicant:

- With regards to the intensification of the site: already a large number of pupils attend the school, there is a need for the school site.
- The pupils attending the infant school, some distance away, would now attend this school. Therefore not accurate to say that the number of pupils is increasing.
- When people are attending two separate sites, they are more likely to drive. Increasing the school capacity by putting infants and juniors together does not mean that there will be an increase in car journeys.
- School has surveyed parents. The survey has indicated that a number of parents who travel to both sites by car, would not need to if both children attended the same school site.
- Number of pupils is increasing across the County and particularly in this area.
- Extremely unlikely that children from more distant villages would attend school in future, as schools are more frequently serving local children.

The Planning Development Team Manager introduced the item and advised that the application would result in an increase of 120 pupils on the site of the current junior school. Granting the application, which included permanent retention of four demountable classrooms, would increase the total pupil numbers on site to 660. It was noted that as the proposed development was in the Green Belt, any permission granted would be subject to referral to the Secretary of State as a departure. The Committee were advised that Sport England had objected to the areas of new hardstanding which would encroach onto the playing field, proposed as part of the application. Paragraph 34 of the officer report outlined where officers had attempted to accommodate Sport England’s concerns, however, overall it was considered that the benefits accrued from co-location of the two school sites would outweigh any harm brought on by the loss of playing field.

Visual impact was covered in paragraphs 38 – 52. The development would be low rise and would blend with existing structures. Design was covered in paragraph 46.

In terms of highways, officers believed that there would be a short term impact and this was detailed in paragraph 65. Based on technical judgement and assessment, officers believed that the co-location of the schools outweighed the congestion difficulties at the beginning and end of the school day.

The Committee were advised that, as the school site was in the Green Belt, they needed to be satisfied that there were very special circumstances that would justify harm. Officer opinion was that there were no suitable alternative sites. It was noted that the infant part of the school was not located in the Green Belt; however, due to the size it was not feasible to co-locate at that site. The Planning Development Team Manager explained that there was a general need in respect of places in the Redhill and Reigate area. Officers were confident that any impact in terms of openness had been minimised and coupled with the lack of alternative sites available and the need for the development, very special circumstances could be proven that outweighed the harm to the Green Belt.

**During the discussion the Committee raised the following key points:**

- It was clarified that the total of 660 pupils would be a result of merging the junior school (480) and the infant school (120).
- The Committee queried whether access to Alexander Road (the infant school location) was any easier than access via Sandcross Lane (the junior school location).
location). The Transport Development Planning Officer explained that the two parts of the school experienced the same congestion issues and heavy parking at the same time of day. The Planning Development Team Manager explained that there were additional difficulties with the two sites being separate as staff, pupils and catering needed to be transferred at different points during the day.

- During the discussion, one Member commented that the proposed development could help alleviate some of the congestion problems, as parents with children at both schools would no longer need to travel between the two.
- Members asked whether consideration had been given to an alternative access point to the school, not on Sandcross Lane. The Transport Development Planning Officer explained that there was access off Whitehall Lane to a staff parking area. Officers had considered this access, but it was concluded that the implications would be worse than at Sandcross Lane. The Transport Development Planning Officer advised that some permanent improvements were planned, including the widening of footpaths and proposals to put parking restrictions on the edge of Sandcross Lane.
- Some Members expressed concern about the limited number of parking spaces for teachers. It was noted that the headteacher had responsibility for ensuring staff could attend school on time. If staff were not able to park on site, they would need to park legally and safely on the highway. The school travel plan, which would discourage car use, would also apply to teachers. It was confirmed that the school were satisfied that teachers would be able to get to school on time, despite potential parking shortages.
- Members queried what would happen to the infant school site if planning permission was granted. The Planning Development Team Manager explained that the Reigate & Banstead Borough Council would be the relevant planning authority for an application for change of use. With reference to the update sheet (Annex C), Members commented that the Local Plan Policy Cf1 sought to retain community facilities in community use, except for where there was no longer a need. The Planning Development Team Manager clarified that any development plans for the infant school site would be subject to separate planning applications and would be within the remit of the Borough Council.
- Members queried whether there was any way of insisting that the land at Alexander Road be used as open green space, in exchange for the loss of Green Belt at the Sandcross Lane site. The Principal Lawyer advised that if seeking development on Common Land then exchange land must be provided, however, there was no such requirement in terms of Green Belt.

**RESOLVED:**

That subject to referral to the Secretary of State as a Departure, the application be PERMITTED, subject to conditions.

**140/11 SURREY COUNTY COUNCIL PROPOSAL RE11/1455: Land at Epsom Downs Primary School, St Leonards Road, Epsom Downs, Surrey, KT18 5RJ [Item 9]**

This was an application for the construction of single storey extension to provide special education needs facilities and teachers room; creation of new enclosed play area incorporating shade sail canopy.
The Planning Development Team Manager introduced the item and advised that this was a small proposal that represented a very small amount of floorspace. There had been one objection to the proposal on the grounds of increased noise and anti social behaviour, but officers were confident that there would not be an adverse impact in terms of residential amenity.

**During the discussion the Committee raised the following key point:**
- It was noted that there was no Parish Council to consult, but Members requested that it was ensured that residents associations were consulted on future applications.

**RESOLVED:**

That, pursuant to regulation 3 of the Town and Country Planning General Regulations 1992, application no.RE11/1455 be PERMITTED subject to conditions.

**141/11 MINERALS AND WASTE APPLICATION MO10/1123: Land south of Old Reigate Road, known as Common Field, Betchworth, Surrey** [Item 10]

An update sheet was tabled in respect of this item (Annex D)

This was a detailed Dust Management Scheme submitted pursuant to Condition 20 of planning permission ref: MO07/1036 dated 7 March 2008 for the extension of Reigate Road Quarry involving the extraction of sand and progressive restoration to agriculture by infilling with inert waste.

The Planning Development Team Manager introduced the item and referred to Committee’s attention to Aerial 2. It was noted that the site operator had amended the scheme over time to try and meet the Parish Council’s interests and concerns. The current application met most of the Parish and residents concerns, as well as satisfying the County Dust Consultant.

**RESOLVED:**

That the application be APPROVED.

Meeting closed: 12.25pm

Chairman
Item 2 – Minutes of the last meeting

Change highlighted in bold:
The Commons Registration Officer introduced the item and advised that objections to the application had been received from the land owner. An investigation was undertaken and the facts surrounding the application were thoroughly tested at a public inquiry. **At the inquiry it was concluded that there was not sufficient evidence that a significant number of the inhabitants of an area of land which qualifies as a neighbourhood had used the whole of the application land throughout the relevant 20 year period as of right.**
Update on Item 7

Minerals & Waste Application: RE10/2089
Land off Horse Hill, Hookwood, Horley

1. Minor changes to the wording of three conditions, these are:

   **Condition 1**  The wording preceding the table of Drawings and Plans should read. ‘The development hereby permitted shall be carried out in accordance with the following approved plans:’

   **Condition 15**  Add the word ‘other’ between the words ‘no’ and ‘time’ at the end of the penultimate sentence.

   **Condition 17**  Change to: 'During the hours of 1830 to 0800 hours the level of noise arising from the drilling operations and any associated activity, when recalculated as at a height of 4 m above ground level and 3.5 m from the façade of a residential property or other noise sensitive building that faces the site shall not exceed 42 LAeq, during any 30 minute period.'

2. Please note that since the photographs attached to the committee report were taken, the farmer has cut the hedgerow between the proposed drillsite and the right of way (shown on Figure 9). The hedgerow has been flailed to a height of approximately 2.1 metres.
Planning and Regulatory Committee  
9 November 2011  
Update Sheet

Item 8

Surrey County Council Proposal RE11/1052 – Land at Sandcross Primary School, Sandcross Lane, Reigate

Para 10

Reigate & Banstead Borough Council reasons for objection

a) The proposed development and amalgamation of the two school sites at Sandcross Primary School would, by reason of the significant intensification of the use of the site, result in additional pressure on the surrounding roads and adverse impact on the residential amenity and character of the locality.

Officer comment: discussed in paragraphs 53 – 65 and 71 – 74.

b) The consequence of the proposed development would, in the absence of plans of an alternative use or development on the Alexander Road site, result in an unsatisfactory situation where that site would be left with out a use and therefore be harmful to the character and amenity of the locality of Alexander Road.

Officer comment: The potential use of the site at Alexander Road does not form part of the considerations in determining this current application. An applicant would not normally be expected, when applying for permission for new development, to set out plans for premises they would vacate. If development was involved, either through change of use or redevelopment, any plans would be the subject of a separate applications and a different set of planning considerations, including the application of Local Plan Policy Cf1, which seeks to retain community facilities in alternative community uses unless there is no longer a need. Officers are not aware of any plans at this stage to re-develop the infant site.

c) The Council is not satisfied that the primary reason for the Very Special Circumstances put forward by the application to override the harm to the Green Belt, namely the educational benefits of amalgamation of the two school sites onto the one site, has been demonstrated sufficiently to outweigh the issues of development and intensification that would arise from the combining of the school sites.

Officers comment: discussed in paragraphs 94 – 107.

d) The intensification of the use and associated development on the Sandcross Lane school site would result in a displacement of the hardstand into the undeveloped green space parts of the site and therefore introduce further urban development characteristics in the Green Belt.

Officer comment: discussed in paragraphs 30 and 106 – 107.

Para 95

The applicants have provided additional data on the forecasts and the extent of the shortfall in available places borough wide and in the Reigate school planning area. Demand for
places across the whole primary sector in the Reigate area is forecast to rise from 1739 places in 2010/11 to a peak of 1863 in 2013/14, falling back slightly to 1821 in 2018/19. The existing supply of permanent places across this area is 1650 places.
UPDATE SHEET FOR PLANING AND REGULATORY COMMITTEE

9 NOVEMBER 2011

SCC Ref: 2010/0147
District Reference: MO10/1123

SITE: Land south of Old Reigate Road, known as Common Field, Betchworth, Surrey

PROPOSAL: A detailed Dust Management Scheme submitted pursuant to condition 20 of planning permission ref: MO07/1036 dated 7th March 2008 for the extension of Reigate Road quarry involving the extraction of sand and progressive restoration to agriculture by infilling with inert waste

LETTER OF REPRESENTATION - Betchworth Parish Council

A further letter of representation was received on 7th November 2011 after the report was finalised. This letter makes the following points:

1. We have now had the chance to read the amended Dust Management Scheme (SLR Ref: 401-0409-00006 Revision 10) dated 10th August 2011, and your comprehensive report. The scheme now contains a number of improvements which are of significance to the Council and the Betchworth residents, and although not all our concerns have been fully addressed we now find this generally acceptable.

2. The Planning Permission contained a Condition (20) that required a “Dust Management Scheme” be imposed in the interests of local amenity. However in the Parish Council’s view the proposed scheme was originally merely an industry standard monitoring scheme which failed to properly safeguard the parishioner’s interests, particularly those who lived in close proximity to the Common Field i.e. within 100 meters of the extraction boundary. (See Table 2-1). A particular concern was Atkinson House, a residential home for 30 elderly parishioners located just 50 meters away.

3. The Council’s original objections to this scheme stemmed from our previous experience of legitimate complaints being brushed aside by SCC’s Enforcement Team despite photographic evidence. You have referred to this and similarly dismissed it in your report, Paragraphs 44 and 47. What more evidence could one have provided without installing continuous measuring equipment? The Council therefore sought to ensure that the monitoring scheme contained active and quantitative recording of dust deposition which would clearly quantify any dust deposition and allow any disputes to be swiftly and effectively resolved (Officers comment: This DMS now contains quantitative recording methods – also see point 4 below)

4. We are delighted that our lengthy negotiation with J & J Frank’s has resulted in Revision 10 of the DMS including in Section 3.2 the installation of three Frisbee Dust Monitors at locations around The Common Field (Drawing AQ1); and that sampling will commence from the outset of the work. This sampling will be undertaken throughout the year although analysis will only be undertaken from 1st May to 30th September, unless untypical dry weather is experienced or verified complaints are received (Section 4.2 etc). Equally important is the agreement (Section 4.2.2) that...
reports will be made available to both SCC and the Betchworth Parish Council during these periods.

5. Critically however the DMS fails to include the requested opportunity for the Parish Council to be involved in the Annual Reviews of the Dust Management Scheme (Section 4.4). The SCC’s Report proposes a compromise of “informal liaison between the Operator and the Parish Council” and includes this as an informative. Whilst informal communications with J & J Franks are expected to continue, this fails to provide a guarantee that future changes to the DMS, over the next 15 years, will continue to safeguard the nearby residents. Accordingly we still look to be included in the annual review of dust monitoring and would suggest that the informative should be amended to also include formal liaison between the Parish Council and SCC on any changes to the DMS which could be to the detriment of the local populace. This would ensure that the hard won protection afforded by the final DMS cannot be reduced, removed or amended (as will be necessary for later phases of the work), without due consideration of the interests of the residents of Betchworth (Officers comment: The Annual review of the Dust Management scheme is a matter for the operator and is not a mandatory planning requirement. It is not therefore considered reasonable to require the applicant to involve the Parish Council in its Annual Review as part of this planning permission and this was why the Informal Liaison Group was suggested as a compromise in order to continue to seek to secure the sharing of information with the Parish Council).

6. In conclusion Betchworth Parish Council considers that Rev 10 of the Dust Management Scheme is generally acceptable and wishes to express its gratitude for the time and effort expended by all parties in improving the originally proposed standard Scheme, to an effective Dust Management Scheme which is now specifically tailored to the needs of the residents who live so very close to this new quarry.

**Paragraph 64 under HUMAN RIGHTS IMPLICATIONS**

Delete current paragraph 64 and insert instead:

While impacts on amenity in the shape of nuisance dust are acknowledged these are not considered to be of a scale likely to engage any of the articles of the Convention.

**RECOMMENDATION (Page 16)**

The reason for Condition 1 should be:

For the avoidance of doubt and in the interest of proper planning