

SUPPLEMENTARY AGENDA 1

Planning and Regulatory Committee



Date & time
Wednesday, 26
January 2022 at
10.30 am

Place
Surrey County
Council, Woodhatch
Place, 11 Cockshot
Hill, Reigate, Surrey,
RH2 8EF

Contact
Joss Butler

joss.butler@surreycc.gov.uk

Chief Executive
Joanna Killian

SUPPLEMENTARY AGENDA

- 2 MINUTES OF THE LAST MEETING** (Pages 1 - 4)

Due to an error publishing the minutes of the previous meeting within the main agenda, the minutes have been republished within this supplementary agenda. The committee are asked confirm the minutes of the meeting held on 13 October 2021.

- 7 MINERALS/WASTE EP21/00223/CMA - LAND AT THE CHALK PIT, COLLEGE ROAD, EPSOM, SURREY KT17 4JA** (Pages 5 - 8)

The committee are asked to consider the contents of the update sheet.

- 8 SURREY COUNTY COUNCIL PROPOSAL MO/2021/1912 - LAND AT HEADLEY COURT, HEADLEY ROAD, LEATHERHEAD, SURREY KT18 6JW** (Pages 9 - 10)

The committee are asked to consider the contents of the update sheet.

- 9 SURREY COUNTY COUNCIL PROPOSAL WA/2021/02235 - THE ABBEY SCHOOL, MENIN WAY, FARNHAM, SURREY GU9 8DY** (Pages 11 - 12)

The committee are asked to consider the contents of the update sheet.

Joanna Killian
Chief Executive
Published: 25 January 2022

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MINUTES of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 13 October 2021 at Surrey County Council, Woodhatch Place, 11 Cockshot Hill, Reigate, Surrey, RH2 8EF.

These minutes are subject to confirmation by the Committee at its next meeting.

Members Present:

Tim Hall (Chairman)
Ernest Mallett MBE
Penny Rivers
Jeffrey Gray
Jonathan Hulley
Victor Lewanski
David Lewis
Catherine Powell
Jeremy Webster (Vice-Chairman)
David Harmer (as substitute)

Apologies:

Scott Lewis
Richard Tear

31/21 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies for absence were received from Richard Tear and Scott Lewis. David Harmer substituted for Richard Tear.

32/21 MINUTES OF THE LAST MEETING [Item 2]

The Minutes were APPROVED as an accurate record of the previous meeting.

Mr Mallet asked for an update on an action agreed at a previous meeting which was to provide paper copies of the National Planning Policy Framework and Minerals and Waste Policy documents to Members at Woodhatch Place. Officers confirmed that a Members' library of key documents was in the process of being made available and that an update would be provided outside the meeting.

33/21 PETITIONS [Item 3]

There were none.

34/21 PUBLIC QUESTION TIME [Item 4]

There were none.

35/21 MEMBERS' QUESTION TIME [Item 5]

There were none.

36/21 DECLARATIONS OF INTERESTS [Item 6]

Catherine Powell declared a non-pecuniary interest as she was a member of the Community Liaison Group for the Runfold South Quarry site.

37/21 MINERALS/WASTE WA/2021/01282 - LAND AT RUNFOLD SOUTH QUARRY, GUILDFORD ROAD, RUNFOLD, FARNHAM, SURREY GU10 1PB [Item 7]

The Chairman agreed to discuss the four applications (Item 7, 8, 9 & 10) under item 7.

Officers:

Stephen Jenkins, Planning Development Manager
 Caroline Smith, Planning Group Manager
 Helen Forbes, Senior Lawyer

Speakers:

The Local Member for Farnham Central, Andy Macleod, spoke for three minutes and made the following points:

- SUEZ Recycling and Recovery UK had consistently failed to meet target dates and then applied for extensions and that officers and Members should make clear to SUEZ that this was not acceptable.
- That the extension to the expected completion date was too long and in contrary in the council's policy.
- That SUEZ seemed to be focused on maximising profits and had no plan to complete the works by the earliest possible date.
- That in November 2019, SUEZ had assured the Community Liaison Group (CLG) that restoration by December 2021 was still achievable and then, two months later in January 2020, SUEZ announced that restoration was no longer achievable in 2021.
- That there was no detailed schedule which outlined why a four year extension was required.
- That the condition for six-month updates was welcomed however a condition was needed to provide a schedule which clearly showed where works were against a base plan.
- That the condition to extend the aftercare period was welcomed by the community as well as the increase in bio-diversity however there was disappointment that guidance on the meadow was not followed.
- That the above comments applied to all four of the applications

Key points raised during the discussion:

1. Officers introduced the report and provided a brief summary. Members noted that the applications reported to this committee were all seeking an extension of time for completion of restoration for a period of four years. Officers also highlighted that objections had been received from resident groups and the town council. Members noted further detail on

the applications, including references to site plans, which were outlined within the reports.

2. A Member stated that there was a need to restore the site and that market conditions for filling material, as well as the availability of Heavy Goods Vehicles and drivers, needed to be taken into consideration. The Member further stated that the enforcement team would monitor the site on the Committee's behalf. The Member also felt that a four year extension was appropriate to complete the works and may prevent the need for further extensions.
3. A Member said that it was concerning that the applicant was unable to meet the original timescale and asked whether conditions could be implemented to ensure there were no further delays.
4. The Committee discussed the need for a detailed schedule for the site's works which allowed for proper monitoring and accountability and that, once created, should be shared with the Community Liaison Group and Technical Support Group.
5. A Member raised the possibility of alternative solutions to filling such as reducing infilling or creating a lake and community water sports centre on the site.
6. Following discussion related to issues across the county regarding lack of materials for infilling, officers confirmed that the council's Minerals and Waste Plan was due to begin consultation in the coming months and that, with this, was an opportunity to revise policy to take into account when less material was available for infilling. The Committee agreed to write a note to the Chairman of the Communities, Environment and Highways Select Committee outlining concerns to be considered as part of the development of the Plan.
7. The Committee noted a clarification that the end date for the restoration was originally 31 December 2021.
8. The Chairman asked that any updated conditions be made available on the Surrey County Council website.
9. In regard to Condition 32, a Member asked whether the wording could be amended to include that the existing biodiversity baseline be from a survey completed within the following six months. Officers stated that they were guided by specialist officers and that it was officers opinion that the baseline be set following the completion of restoration. The Committee agreed to review the wording with the Environmental Enhancement Officer.
10. The Committee felt that the detail in the report was not correctly reflected within the conditions. In regard to Condition 34 , A Member suggested that the conditions be amended to not only include infilling but also progressive restoration.
11. Following the end of the discussion, the Chairman clarified the following points:
 - a. That Condition 32 be reviewed by an Environmental Enhancement Officer to consider whether the biodiversity baseline should be set within the next six months or following restoration.
 - b. That Condition 34 be amended to include reference to a schedule of works and report. The schedule would also to be shared with the Community Liaison Group and Technical Sub-Group.
 - c. That the detail outlined within paragraphs 72 and 73 of the report be reflected within the schedule of works and that references to the detail were included within the appropriate

conditions. This should also include reference to progressive restoration.

Resolved:

The Committee agreed to **PERMIT** planning application ref: **WA/2021/01282** subject to the conditions from page 31, amended conditions and the update sheet.

38/21 MINERALS/WASTE WA/2021/01283 - LAND AT RUNFOLD SOUTH QUARRY, GUILDFORD ROAD, RUNFOLD, FARNHAM, SURREY GU10 1PB [Item 8]

Resolved:

The Committee agreed to **PERMIT** planning application ref: **WA/2021/01283** subject to the conditions from page 71, amended conditions and the update sheet.

39/21 MINERALS/WASTE WA/2021/01284 - LAND AT RUNFOLD SOUTH QUARRY, GUILDFORD ROAD, RUNFOLD, FARNHAM, SURREY GU10 1PB [Item 9]

Resolved:

The Committee agreed to **PERMIT** planning application ref: **WA/2021/01284** subject to the conditions from page 111, amended conditions and the update sheet.

40/21 MINERALS/WASTE WA/2021/01285 - LAND AT RUNFOLD SOUTH QUARRY, GUILDFORD ROAD, RUNFOLD, FARNHAM, SURREY GU10 1PB [Item 10]

Resolved:

The Committee agreed to **PERMIT** planning application ref: **WA/2021/01285** subject to the conditions from page 151, amended conditions and the update sheet.

41/21 DATE OF NEXT MEETING [Item 12]

The date of the next meeting was noted as 17 November 2021.

Meeting closed at 11.45 am

Chairman

Planning & Regulatory Committee 26 January 2022

UPDATE SHEET

MINERALS/WASTE EP21/00223/CMA

DISTRICT(S) EPSOM & EWELL BOROUGH COUNCIL

Land at The Chalk Pit, College Road, Epsom, Surrey KT17 4JA

Change of use of an existing Waste Transfer Station to a Materials Recycling Facility and extension of this site to incorporate a new Waste Transfer Station, including: demolition of existing building; reinforcement of retaining wall; provision of new site surfacing and drainage; construction of buildings for the bulking and processing of mixed skip waste and skip storage, and the sorting and transfer of inert waste materials; use of an office; retention of existing workshop; installation of weighbridge; retention of entrance gates and fencing; and, provision of car parking [part retrospective].

A legal opinion has been provided by local residents which considers that there is a credible argument that could be made to suggest that the use rights under the extant Certificate of Lawful Existing Use or Development (**CLEUD**) may have been extinguished. While Officers agree that unlawful operational development has occurred within the land covered by the **CLEUD**, namely the installation of drainage and the covering of the surface of the land with concrete hardstanding and tarmacadam, it is not agreed that such operational development has either significantly or radically altered the physical nature of the site, and it is not agreed that such operational development has altered the character and overall use of the site.

Furthermore, Officers are aware of the report titled Noise Impact Assessment – NJB and Epsom Skip Hire, Chalk pit, Epsom dated 2 July 2021 authored by Jon Tofts on behalf of the Environment Agency (**EA**). This report was written as internal advice to be used within the EA, to consider the levels of noise pollution and compliance with Environmental Permits, with any interpretation outside of the EA being beyond its intended scope. Therefore, this report does not speak to Officers of the County Planning Authority (**CPA**) or the planning application to be considered.

Finally, Officers are also aware of the report titled Independent Internal Review of complaints and regulation of the former chalk pit, College Road Epsom dated 19 November 2021 authored by Kevin Ward on behalf of the EA. As the title of this report would suggest, it contains an assessment of whether complaints received had been handled appropriately and whether the regulatory and operational decision taken were sound. Therefore, this report does not speak to Officers of the CPA or the planning application to be considered.

The above-mentioned EA reports can be viewed on our website.

CONSULTATIONS AND PUBLICITY

Consultees (Statutory and Non-Statutory)

Add the following to Environment Agency response:

The Environment Agency has received a significant number of reports regarding noise and of dust emanating from this site and its operations treating waste and continue to receive

complaints. This is related to the intensification of the use at the site, and we have no objection in the reduction in the waste tonnage through put at this site. With reference to the Environment Agency document Non hazardous and inert waste: appropriate measures for permitted facilities we have no objection to all of the proposed waste activities to be carried out in a building. We also support the regularising of operational hours on site and the proposed reduction of waste tonnage to 26,000 ton per year. Our view is that reduction in waste through put, enclosure of all waste activities within a building, dedicated permitted hours of operation and improvements in the site surface will reduce noise and dust emissions from the site operations.

Additional key issues raised by public

Since the publication of the Officer Report, additional letters of representation from objectors have been received by the CPA in relation to planning application ref: EP21/00223/CMA, although no additional matters have been raised beyond those identified within the original consultation exercise.

RECOMMENDATION

Amend Condition 5 wording as follows:

Within two months of the date of this permission space shall be laid out within the application site in accordance with Drawings Nos. 193091/PL/D/006 Rev C Proposed Block Plan dated May 2021 and 193091/PL/D/012 Overnight HGV Parking Plan dated June 2021 for cars, HGVs and cycles to be parked and for the loading and unloading of 12 HGVs and for all vehicles to turn so that they may enter and leave the site in forward gear.

A four hoop Sheffield toast rack cycle stand with sufficient space for eight bicycles shall subsequently be installed within the cycle parking area as shown on Drawings Nos. 193091/PL/D/006 Rev C Proposed Block Plan dated May 2021 and 193091/PL/D/012 Overnight HGV Parking Plan dated June 2021 within one month of the laying out of the space as detailed above.

Thereafter the parking/loading and unloading/turning areas shall be retained and maintained for their designated purposes.

Amend Condition 8 wording as follows:

There shall be no more than an annual average of 68 daily movements of HGVs to and from the application site. This shall include the transporting of waste that is deposited at, the transporting of waste and/or recovered materials that are removed from, and the movement of empty skips. The operator shall maintain accurate records of the daily number of such HGVs accessing and egressing the application site and these records shall be submitted to the County Planning Authority by the first day of April, July, October and January each year.

Amend Condition 10 wording as follows:

The Rating Level, L_Ar, Tr, of the noise emitted from all plant, machinery and vehicle movements on the application site shall not exceed the existing representative LA90 background sound level at any time by more than +5dB(A) at the nearest noise sensitive receptor.

Should this noise limit be exceeded the source(s) of the noise causing the exceedance shall cease until the operator has submitted a scheme to attenuate noise levels which has been approved by the County Planning Authority in writing and that scheme has been implemented.

Amend Condition 12 wording as follows:

Waste processing operations within the application site involving the use of any type of mechanical screener for any materials recycling hereby permitted shall cease until Building 2

has been fully constructed and fitted with roller shutter doors as shown on Drawing No. 193091/PL/D/008 Rev A Proposed Cross Sections and Elevations dated Jan 2021.

Building 1 shall subsequently be fully constructed and fitted with roller shutter doors as shown on Drawing No. 193091/PL/D/008 Rev A Proposed Cross Sections and Elevations dated January 2021 within six months of the completion of Building 2.

Amend Condition 18 wording as follows:

Upon full completion of Building 1 and Building 2 as shown on Drawings Nos. 193091/PL/D/006 Rev C Proposed Block Plan dated May 2021, 193091/PL/D/007 Rev A Proposed Site Zoning dated January 2021, 193091/PL/D/008 Rev A Proposed Cross Sections and Elevations dated January 2021, 193091/PL/D/009 Rev A Site Drainage Plan dated January 2021, and 193091/PL/D/012 Overnight HGV Parking Plan dated June 2021, the loading and/or unloading of waste and/or materials to/from lorries and/or machinery; the storage, sorting, segregation, bulking and/or stockpiling of waste and/or materials; and, the deposit and storage of skips, shall only be undertaken within Building 1 and Building 2.

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UPDATE SHEET

SURREY COUNTY COUNCIL PROPOSAL MO/2021/1912

DISTRICT(S) MOLE VALLEY DISTRICT COUNCIL

Land at Headley Court, Headley Road, Leatherhead, Surrey KT18 6JW

Erection of a modular building and retention of existing modular building, marquee, hoarding, infrastructure and plant for the temporary use of the site for a body storage facility.

Officer Report - Addendum

Addendum to “The Proposal” section and the “Summary Report”.

Paragraph 12 (the proposal section) which is echoed in the “Summary Report” states: Headley Court was permitted under part 12A “Development by Local Authorities and Health Service Bodies” Class A of the Town and Country Planning (General Permitted Development) (Coronavirus)(England)(Amendment) Order 20201 which came into force in April 2020 and was then subsequently amended in November 2020. Part 12A allows for certain types of work carried out by a Local Authority to take place without needing to apply for planning permission this being development for the purposes of: A) Preventing an emergency B) Reducing, controlling or mitigating the effects of an emergency; or C) Taking other action in connection with an emergency.

Under paragraph 13 (the proposal section): The establishment of a temporary mortuary at Headley Court is considered necessary to reduce, control and mitigate the effects of the current Coronavirus pandemic. S11243 allowed for these temporary permitted development rights until 31 December 2021.

On the 1st January statutory instrument 2021/1464 came into force which amended Part 12A (development by Local Authorities and Health Service Bodies), Paragraph A.2(b) (conditions) to substitute December 2021” for “31st December 2022.

This statutory instrument has therefore extended the Permitted Development rights for Local Authorities for Emergency Development until 31st December 2022.

For the purposes of Class A—

"emergency" means an event or situation which threatens serious damage to human welfare in a place in the United Kingdom;

Surrey County Council has the statutory responsibility for providing services for the Surrey Coroner. This includes responsibility for the storage of the deceased that come within the Coroner's jurisdiction.

The recent COVID19 pandemic has highlighted the continuing need for a facility for the storage of the deceased in Surrey as there was insufficient capacity during that time. The applicant is seeking temporary planning permission for this development in the event that the shortfall in body storage capacity does not fall under the definition of emergency and the permitted development rights cannot be fully relied upon for making this development lawful.

Officer Report

Paragraph 58. - Insert - “The proposal is therefore considered to accord with Policy CS15 of the Mole Valley Core Strategy and Draft Policy EN9 of the Draft Mole Valley Plan 2020-2037”

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UPDATE SHEET

SURREY COUNTY COUNCIL PROPOSAL WA/2021/02235

DISTRICT(S) WAVERLEY BOROUGH COUNCIL

9

The Abbey School, Menin Way, Farnham, Surrey GU9 8DY

The remodelling of the school buildings, erection of extensions, construction of a hard play area and associated landscaping and parking followed by the demolition of the caretakers bungalow.

Presentation:

Presentation Update: Aerial 3 of the presentation shows an incorrect blue line.

Conditions:

Amend wording of Condition 9 to allow for some archaeological works to take place:

With the exception of the archaeological investigation work as set out in the Written Scheme of Investigation dated May 2021. No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for: a) measures to minimise the noise (including vibration) generated by the construction process to include hours of work and use of noise mitigation barrier(s). b) the parking of vehicles of site operatives and visitors c) loading and unloading of plant and materials. d) measures to control the emission of dust and dirt during construction. e) a scheme for recycling/disposing of waste resulting from demolition and construction works. f) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination.

Amend wording of Condition 13 to remove tail piece in accordance with latest caselaw:

The approved sports hall known as "Block F" shall be used only for purposes in connection with the school and shall not be made available for community use.

Add informative

4. With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

5. There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting

our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

6. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

7. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents during the demolition and/or construction phases of the development. The applicant should follow the guidance provided in the Construction Code of Practice for Small Developments in Waverley.

8. The granting of any permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact the Environmental Health Service on 01483 523393.