

Supplementary Agenda (1)

Planning and Regulatory Committee

**Date & time**

Wednesday, 27 July
2022 at 10.30 am

Place

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

Contact

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Chief Executive

Joanna Killian

GENDA**2 MINUTES OF THE LAST MEETING**

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- 4)

Updated minutes for approval.

**7 SURREY COUNTY COUNCIL PROPOSAL RU.21/2018 - LAND AT
JUNCTION 10, A320 GUILDFORD ROAD, OTTERSHAW**

(Pages 5
- 10)

Update sheet.

Joanna Killian
Chief Executive
Published: 26 July 2022

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MINUTES of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 29 June 2022 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= *):

Ernest Mallett MBE*
Jeffrey Gray*
Jonathan Hulley (Vice-Chairman) *
Victor Lewanski*
Catherine Powell*
Richard Tear*
Jeremy Webster*
Mark Sugden (as substitute) *
Tim Hall
David Lewis (attended virtually)
Scott Lewis
Penny Rivers

48/22 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies were received from David Lewis, Tim Hall and Scott Lewis. Mark Sugden acted as a substitute for David Lewis. Having appointed a substitute David Lewis attended Virtually Jonathan Hulley, Vice-Chairman, acted as Chairman of the meeting.

49/22 MINUTES OF THE LAST MEETING [Item 2]

Members agreed to amend the draft minutes of the previous meeting to include that Sonia Sharp, Senior Highways and Planning Solicitor, was in attendance.

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

50/22 PETITIONS [Item 3]

There were none.

51/22 PUBLIC QUESTION TIME [Item 4]

There were none.

52/22 MEMBERS' QUESTION TIME [Item 5]

There were none.

53/22 DECLARATIONS OF INTERESTS [Item 6]

There were none.

54/22 APPLICATION FOR VILLAGE GREEN STATUS, LAND AT ELMBRIDGE RECREATION GROUND, KINGFIELD [Item 7]**Officers:**

Catherine Valiant (Countryside Access Officer)

Adam Malins (Solicitor)

Judith Shephard (Senior Lawyer)

Speakers:

The Local Member, Will Forster, made the following comments:

1. That he was in support of the application.
2. That the application had been supported by around 50 residents that had used the land for recreational purposes. This appeared to meet the requirement of Section 15 of the Commons Act.
3. Noted that Woking Borough Council said they had held the land by them under Section 12 of the Housing act and that it was available for people to use 'by right', but not, 'as of right'. The Member stated that local residents were not aware of this as signage was not present on site.
4. That residents' believed the land was available to use 'as of right' and are therefore keen for the land to receive village green status.

Key points raised during the discussion:

1. Officers introduced the report and provided a brief summary.
2. Members asked whether there was any legal responsibility on Woking Borough Council to advise the public that they could use the land. The legal officer at the meeting confirmed that the local authority was not required to inform the public of this where this right was derived by statute.
3. Members asked for confirmation on whether signage on the land's permitted use was present on site. Officers stated that they believed there was no signage present.
4. The committee noted that the grass was maintained on the land and that football goals were present on site.

Resolved:

The Committee voted to reject the application with 6 votes for the recommendation, 0 votes against the recommendation, and 2 abstentions

55/22 DECISION ON PLANNING APPEAL REF: APP/B3600/W/21/3268579 AND ON COSTS APPLICATION - LOXLEY WELL SITE - LAND SOUTH OF DUNSFOLD ROAD AND EAST OF HIGH LOXLEY ROAD, DUNSFOLD, SURREY, GU8 4BW.

[Item 8]

Officers:

Caroline Smith (Planning Group Manager)
David Maxwell (Senior Planning Policy Officer)
Stephen Jenkins (Planning Development Manager) (online)
Sonia Sharp (Senior Highways and Planning Solicitor)
Nancy El-Shatoury (Principal Highways and Planning Solicitor) (online)

Key points raised during the discussion:

1. Officers introduced the report and noted that it provided details of the outcome of a recovered appeal against that decision and an associated application for partial costs.
2. A Member stated that Members should also consider the national, business and economical need for applications when making a decision. The Member further stated that he felt some Members had previously been emotional in their decision making.
3. A Member of the committee stated that he could decide for himself on how much weight to give to different viewpoints on an application.
4. The Chairman asked for clarification on the process for challenging the decision outlined in the report. Officers explained that they could seek to apply for leave for a judicial review if it was felt that there were grounds to do so. However, it was officers opinion that there were no obvious points within the decision to be challenged. The officer further stated that she believed the weight given to the matters considered within the decision were to be decided by the decision maker and therefore it would be difficult to sustain the challenge.
5. In regard to lessons-learned, a Member asked for officers opinion on how the committee could act differently when considering reports going forward. Officers said that Members needed to come to their own view when considering what matters to give weight to. There were no obvious learning points but, if there were, then officers would consider them further.
6. Members thanked officers for the report.

Resolved:

The Committee noted the report.

56/22 DATE OF NEXT MEETING [Item 9]

The date of the next meeting was noted.

Meeting closed at 10.55 am

Chairman

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Planning & Regulatory Committee 27 July 2022 Item No 7

UPDATE SHEET

SURREY COUNTY COUNCIL PROPOSAL RU.21/2018

DISTRICT(S) RUNNYMEDE BOROUGH COUNCIL

Land at Junction 10, A320 Guildford Road, Ottershaw, Surrey

Proposed development on land at the junction of A320 Guildford Road with A319 Chobham Road, Foxhills Road, Murrey Road and Brox Road, Ottershaw. Planning application to carry out improvements to the existing highway including a new roundabout, junctions, access, pedestrian/cycle connections and crossings, public car park, landscaping and associated infrastructure and engineering works

Amending / Amplifying Documents:

Amend/add to the documents/plans already listed. The changes are following a review and to add those not included before plus anything new received since the report was drafted.

Change:

“Email received from Arcadis dated 18 May 2022 – attaching SCC junction 10 planning checklist” to “Arcadis spreadsheet SCC junction 10 planning checklist.” to

“Email received from Arcadis dated 8.7.22 providing plans showing the location of the off-site habitat provisions” add “(drawing refs 10041683-ARC-EGN-ZZ-DR-ZZ-00006 rev 01 Drawing 2 Proposed Habitat Creation Plan Junction page number 1 dated 8 July 2022 and 1004-1683-ARC-EGN-ZZ-DR-ZZ-00007 rev 01 Drawing 2 Proposed Habitat Creation Plan Junction page number 2 dated 8 July 2022)”

Replace “Revised Drainage Strategy (received on 14/1/2022) January 2022 ref: 10041683-ARC-HAC-PKC_JC10-RP-ZZ-00009” with “Revised Drainage Strategy rev 4 dated January 2022 ref: 10041683-ARC-HAC-PKC_JC10-RP-ZZ-00009”

Add:

Applicant document ref 10041683-ARC-GEN-PKC_JC10-CO-CE-00007 dated 7 July 2022 - response on issues raised by Murray Road Residents

Applicant document ref 10041683-ARC-GEN-PKC_JC10-CO-CE-00008 dated 7 July 2022 – further response to Motion

Applicant document ref 10041683-ARC-GEN-PKC_JC10-CO-CE-00009 dated 7 July 2022 - response on issues raised by Murray Road Residents

Email from applicant dated 19 July 2022 (relating to CPRE response).

Please note the following additional plan has been submitted.

10041683-ARC-EGN-ZZ-DR-ZZ-00007 Rev 03 Drawing 1 Proposed Habitat Creation Plan Junction 10 July 2022.

Consultations And Publicity

The consultation and publicity section of the officer's report (paragraphs 24-55) is updated as follows:

The Murray Road Residents Association (MRRA) have submitted additional representations and continue to object to the proposal. The residents have included the following documentation within their representations:

- Arboricultural Impact Assessment – prepared by Arbor Cultural Ltd
- Murray Road Residents & Expert 03.04.2022
- Drawing TCP-01 Rev C-A1 Landscape TCP-01
- Drawing TCP-01 RevC-A1 Landscape TCP-02
- Ottershaw Roundabout – HIF A320 North of Woking Improvements – Murray Road Residents representation dated 3.7.22 v4.
- Final letter – Surrey County Council re: Ottershaw Roundabout – 19.11.21 v1.3

Officer's comments:

The officers report provides a summary of the issues raised by residents and interested parties. All of the comments raised in representations have been considered by officers.

Countryside Campaign to Protect Rural England (CPRE) consultation response:

The CPRE supports the Murray Road Residents Association's alternative road scheme (Motion). The applicant has provided a response to the consultation comments received from CPRE. The applicant's comments are as follows:

"SCC and our expert highway design team, consider that the Motion design, as presented, is not a suitable alternative, the layout provided creates additional issues and does not wholly comply with the standards used for our design. Some deficiencies include:

-proposed speed limit of 30mph commencing at junction of Murray Road with Clarendon Gate, the proposed curve would be two steps below desirable minimum radius and would also require the lane widths to be widened by 0.6m

- Motion drawing indicates proposed centreline alignment at the eastern end of the Link being a reverse curve arrangement of about 110m right hand radius leading to a 55m left hand radius.

- existing traffic using Brox Road and Murray Road includes buses and a range of heavy good vehicles going to and from the transport depot. The transport depot uses the largest size articulated lorry that has a very wide swept path. When traversing the Motion design, 10m kerb radius at the proposed junction of the link with 'old' Murray Road would result in those vehicles entering the eastbound right turn lane causing a safety issue.

-The proposed junction of 'old' Murray Road with the proposed link road would be on the inside of the 115m bend which presents a hazard. The traffic flows from Brox Road require visibility splays of 9m x 90m to be provided. This can be achieved but would require removal of some of the indicated retained vegetation either side of the junction.

- The alternative Motion layout could result in a conflict between the traffic turning right into 'old' Murray Road and traffic leaving the junction.

- The motion design has not undergone a Road Safety Audit, therefore the full impact from a safety perspective has not been assessed".

Officer's comments:

Accordingly, the applicant has not sought to amend the scheme which has been submitted under application ref: RU.21/2018. The application therefore falls to be considered as currently submitted.

Additional representations have been received from the Author of the resident’s alternative scheme (Motion), commissioned by MRRA. The author’s comments are as follows:-

- The layout prepared by Motion are partly based on DMRB guidance but also acknowledged Manual for Streets (MfS) which is applicable to all built-up areas where vehicle speeds are at or below 60kmph. SCC states that MfS only applicable for residential roads, however, MfS is very clear in that it should be a starting point for all junction designs on roads with speed at or below 60kmph. The scheme should consider MfS partly in respect of visibility and junction design.
- Visibility splays of 9m x 90m should be provided at all junctions although this is considered excessive and would have significant implications on vegetation loss. Visibility set-back of 9m is unsuitable for an urban environment and would only encourage higher vehicle speeds through the proposed junction.
- the attached drawings illustrate an alternative junction design for the new Murray Road link with the existing Murray Road. It provides a wider junction radii and additional vehicle tracking to demonstrate that it is possible to accommodate all relevant vehicle movements. This further reinforces how it is possible to find a design solution which meets with all relevant design guidance whilst minimising impact on existing trees and vegetation.
- It must also be reiterated that it is not our intention to suggest that Motions layout should be fully adhered to. It simply demonstrates that there are alternative layout options which better ensure the protection of existing mature trees and wider vegetation, which the SCC scheme impacts on. In this respect Motion has not undertaken vertical alignment drawings or reviewed utility diversions, as the scope is to principally demonstrate that an alternative alignment is possible.

Officer’s comments:

The applicant has not sought to amend the scheme which has been submitted under application ref: RU.21/2018. With regard to the landscape concerns officers have recommended planning conditions (6 and 7) which include the submission of a tree protection plan and method statement in order to ensure that the retained trees and roots are adequately protected during construction works.

Consultation:

Sustran have been consulted on this application and to date no response has been received

RECOMMENDATION

The following recommended conditions have been amended as follows:

Approved Plans

Condition 2:

Additional plan submitted:

10041683-ARC-EGN-ZZ-DR-ZZ-00007 Rev 03 Drawing 1 Proposed Habitat Creation Plan Junction 10 July 2022

Landscaping

Delete original condition and add amended condition as below.

Condition 5:

Within 6 months of the date of this permission, details of a Hard and Soft Landscaping Scheme shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include:

- 1) a scaled plan showing all existing vegetation and landscape features to be retained and trees and other plants to be planted;
- 2) location, type and materials to be used for hard landscaping including specifications, where applicable for:
 - a) permeable paving
 - b) tree pit design
 - c) underground modular systems
 - d) Sustainable urban drainage integration
 - e) use within tree Root Protection Areas (RPAs);
- 3) specifications for operations associated with plant establishment and maintenance that are compliant with best practice;
- 4) types, materials and dimensions of all boundary treatments;
- 5) a planting schedule and specification, including sizes and numbers/densities of all proposed trees/other plants and section drawing(s) of tree pits where relevant;
- 6) details of how the existing ground and soil conditions are to be made suitable for tree and other planting;
- 7) a 10 year aftercare regime including provision for replacements for failed plantings and details of regular maintenance visits, including annual mulching and watering through the summer months with industry standard watering bags being provided to all new trees. Where new trees are to be supplied with a distinct crown, the supply, planting and maintenance of such trees shall be in general accordance with British Standard BS 8545:2014.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees. The landscaping and planting shall be carried out in accordance with British Standards BS 4428:1989 and BS 8545:2014. The site shall be landscaped and planted out strictly in accordance with the approved details in the first planting season after completion of the development, whichever is the sooner.

In the event of the failure of any soft landscape planting in the first 5 years of planting, such planting shall be replaced with an equivalent number of live specimens of the same species and size by no later than the end of the first available planting season following the failure, damage or removal of the planting.

The approved landscaping scheme shall be implemented in full within 6 months following completion of the development or by 31 March 2024 whichever is sooner. The development shall be implemented and managed strictly in accordance with the approved scheme.

LEMP

Delete original condition and add amended condition as below.

Condition 8:

Within 6 months of the date of this permission, a landscape and ecology management plan (LEMP) shall be submitted to the County Planning Authority for approval in writing and thereafter implemented in accordance with the approved details. The LEMP shall include the on site provisions and the off site provisions as shown on plans 10041683-ARC-EGN-ZZ-00006 Rev 01; 10041683-ARC-EGN-ZZ-DR-ZZ-00007 Rev 01 dated 6 July 2022 and 10041683-ARC-EGN-ZZ-DR-ZZ-00007 Rev 03 Drawing 1 Proposed Habitat Creation Plan Junction 10 July 2022 but not be limited to the following:-

- Description and evaluation of features to be managed including scattered Broadleaved Trees, Semi-improved Neutral Grassland, Dense Scrub and Species-rich Hedgerows.
- Ecological trends and constraints on site that might influence management.
- Aims and objectives of management
- Appropriate management options for achieving aims and objectives
- Prescriptions for management actions, together with a plan of management compartments
- Preparation of work schedule (including an annual work plan)
- Details of the body or organisation responsible for implementation of the plan
- Ongoing monitoring and remedial measures
- Funding mechanism by which the long-term implementation of the plan will be secured by the developer with the management body responsible for its delivery
- Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the approved scheme.

Lease Agreement

Delete original condition and add amended condition as below:

Condition 19:

Prior to commencement of development, a Lease Agreement, in relation to the land shown on plans reference: Drawing 2 Proposed Habitat Creation Plan Junction 10 10041683-ARC-EGN-ZZ-00006 Rev 01 and Drawing 2 Proposed Habitat Creation Plan Junction 10 10041683-ARC-EGN-ZZ-DR-ZZ-00007 Rev 01 dated 6 July 2022 and 10041683-ARC-EGN-ZZ-DR-ZZ-00007 Rev 03 Drawing 1 Proposed Habitat Creation Plan Junction 10 July 2022 shall be entered into between Surrey County Council and the land owner and a copy of the completed Lease Agreement shall be submitted to the County Planning Authority. Prior to 31 March 2024 the land shall be delivered and planted in accordance with the LEMP in condition 8 and the Lease Agreement.

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