

MINUTES of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 10 December 2014 at Ashcombe Suite, County Hall, Kingston upon Thames, Surrey KT1 2DN.

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

Members Present:

Mr Keith Taylor (Chairman)
Mr Tim Hall (Vice-Chairman)
Mr Ian Beardsmore
Mrs Natalie Bramhall
Mrs Carol Coleman
Mr Jonathan Essex
Mrs Margaret Hicks
Mr George Johnson
Mr Ernest Mallett MBE
Mr Michael Sydney
Mr Richard Wilson

Apologies:

Mr Christian Mahne

128/14 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies for absence had been received from Christian Mahne.

129/14 MINUTES OF THE LAST MEETING [Item 2]

The Chairman informed the committee that some comments on the Minutes had been received from a member of the public. These were mainly regarding a difference of opinion with the views expressed at the meeting. However, there was one point which had highlighted a difference between the minutes and the decision notice. Officers had been asked to look into this further and respond to the member of the public.

The minutes were approved as an accurate record of the meeting subject to further clarification on the discrepancy between the minutes and the decision notice.

130/14 PETITIONS [Item 3]

There were none.

131/14 PUBLIC QUESTION TIME [Item 4]

There were none.

132/14 MEMBERS' QUESTION TIME [Item 5]

There were none.

133/14 DECLARATIONS OF INTERESTS [Item 6]

There were none.

134/14 MINERALS AND WASTE APPLICATION SP/13/00141/SCC: HOMERS FARM, LONDON ROAD (A30), STAINES [Item 7]

An update sheet was tabled and is attached as Annex 1 to the Minutes.

Declarations of interest:

None.

Officers:

Alan Stones, Planning Development Control Team Manager

Nancy el-Shatoury, Principal Lawyer

Caroline Smith, Transport Development Planning Team Manager

The local Member had not registered to speak but had sent a written submission which is attached as Annex 2.

Key points raised during the discussion:

1. A member of the committee suggested that items 7, 8 & 9 be considered together due to their links. The Chairman informed the committee that item 7 would be taken first but that items 8 & 9 would be introduced and debated as one item although the decisions would have to be taken separately.
2. The Planning Development Control Team Manager introduced the report and highlighted an error in the recommendation which should read 'Unilateral Undertaking by' not Unilateral Agreement with'. The Chairman informed observers that the committee had undertaken two site visits to Homers Farm during 2013 and 2014.
3. Members suggested that clearer signs were needed when traffic accessing a junction was likely to increase. The Transport Development Planning Team Manager had no objection to warning signs although they would need to comply with legislation.
4. Members expressed confusion about increases to traffic onto the A30 as the increases were not significant given the background traffic and the levels of traffic on lesser roads. The A30 was a suitable road for HGV traffic.
5. A Member pointed out that lorries were unlikely to attempt a U-turn on the A30. The Transport Development Planning Team Manager clarified that a unilateral undertaking would ensure that lorries do not use the central reservation.
6. Concern was expressed about whether the restoration plan would be enforced. The Planning Development Control Team Manager assured Members that conditions including restoration requirements are held with the land regardless of who owns it. Restoration would be progressive alongside work taking place on the site. This was normal for mineral working. It was requested that progressive restoration be monitored through the enforcement team.

7. A Member queried whether restoration would be to grade 1 agricultural land. The Planning Development Control Team Manager explained that restoration was covered by a detailed scheme of restoration which includes after-care. This is addressed through conditions 28 and 29. The scheme will need to ensure that the site is restored to its original quality. If the original quality is not achieved, this will be a matter for enforcement. The top soil removed would be used on site for the bunds until used for restoration.
8. It was queried why condition 6 does not mention Saturdays under the formation and removal of bunds but does under the more general hours of operation. The Planning Development Control Team Manager confirmed that more restrictive hours were being proposed for the formation and removal of bunds.
9. It was suggested that a condition be included for restoration of the road given the heavy increase in HGV traffic that a planning permission would entail. The Transport Development Planning Team Manager reminded the committee that the A30 was not a council road. Short Lane was a council road and therefore a condition had been suggested. The Highways Agency had not requested a condition on restoration of the A30.
10. In response to a question about whether screening was adequate, the Planning Development Control Team Manager confirmed that it was. The Council's landscape architect had looked at the site and agreed. There would be bunding around a flat site and so it would be effective.
11. A Member queried whether the cumulative impact of the increase in HGVs proposed had been properly assessed as HGVs must contribute more pollutants than cars. The Planning Development Control Team Manager stated that there were no grounds to pursue this point. There needed to be some certainty for developers regarding what their requirements were.

Actions/Further information to be provided:

None.

RESOLVED:

That, subject to the prior completion of a Section 106 Unilateral Undertaking by the applicant and landowners to secure a routing agreement for HGV vehicles accessing and egressing Homers Farm, to PERMIT application SP/13/00141/SCC subject to conditions, for the reasons set out in the report.

135/14 MINERALS AND WASTE APPLICATION SP13/00956/SCC: LAND AT HENGROVE FARM, LONDON ROAD, STAINES [Item 8]

An update sheet was tabled and is attached as Annex 3 to the Minutes.

Declarations of interest:

None.

Officers:

Alan Stones, Planning Development Control Team Manager
Nancy el-Shatoury, Principal Lawyer
Caroline Smith, Transport Development Planning Team Manager

The local Member had not registered to speak.

Key points raised during the discussion:

1. The Chairman informed the committee that items 8 and 9 would be introduced jointly and had a shared update sheet. The decisions would be taken separately. The Chairman also informed observers that the committee had attended a site visit to Hengrove Farm.
2. The Planning Development Control Team Manager introduced items 8 and 9. He confirmed that as the site had been originally farmland, it would be restored to farmland. A recreation ground would also be reinstated.
3. A Member queried the hours of operation starting at 7am Monday to Saturday rather than 7.30am Monday to Friday and 8.30am Saturday as at Homers Farm. The Planning Development Control Team Manager explained that the difference was due to the location and circumstances of this application. It is recommending carrying forward the hours that applied originally for this site. The noise background is high in this area and there are measures of noise control in place. Local properties were not adversely affected.
4. In response to queries, officers highlighted the information in paragraph 98 on the cumulative impact assessment of the potential traffic impact of all HGVs.
5. Members highlighted a need to look at signage about the increased movement of traffic in the area as a result of these applications.

Actions/Further information to be provided:

None.

RESOLVED:

That the application SP13/00956/SCC be permitted, subject to conditions, for the reasons set out in the report.

136/14 MINERALS AND WASTE APPLICATION SP13/00958/SCC: LAND AT HENGROVE FARM, LONDON ROAD, STAINES, TW15 4AJ [Item 9]

Declarations of interest:

None.

Officers:

Alan Stones, Planning Development Control Team Manager
Nancy el-Shatoury, Principal Lawyer
Caroline Smith, Transport Development Planning Team Manager

The local Member had not registered to speak.

Key points raised during the discussion:

1. Debate was undertaken jointly with item 8. See Minute 135/14.

Actions/Further information to be provided:

None.

RESOLVED:

That the application SP13/00958/SCC be permitted, subject to conditions, for the reasons set out in the report.

The meeting adjourned at 11.35am for a short break and reconvened at 11.45am.

137/14 SURREY COUNTY COUNCIL PROPOSAL TA2014/1520: LAND AT ST FRANCIS RC PRIMARY SCHOOL, WHYTELEAFE ROAD, CATERHAM, SURREY CR3 5ED [Item 10]

An update sheet was tabled and is attached as Annex 4 to the Minutes.

Declarations of interest:

None.

Officers:

Chris Northwood, Planning Regulation 3 Team Leader
Alan Stones, Planning Development Control Team Manager
Nancy el-Shatoury, Principal Lawyer
Caroline Smith, Transport Development Planning Team Manager

Speakers:

John Orrick, the local Member, had registered to speak. The following points were made:

1. He was generally in support of the expansion of St Francis RC Primary School.
2. Concerns had been expressed to him on the loss of trees and the use of a private access road. A petition for the council to adopt the road would be considered at local committee later in the week.
3. He asked that a condition be considered that work not begin until parking problems have been resolved.

Key points raised during the discussion:

1. The Planning Regulation 3 Team Leader introduced the report.
2. A Member highlighted the lack of powers for the council to enforce School Travel Plans. It was suggested that the local committee be asked to monitor the plan. Another member of the committee agreed to discuss the issue with the chairman of the relevant local committee.
3. The Chairman suggested that an informative be agreed that St Francis school be encouraged to discuss local transport issues with other local schools and the local committee. This was agreed.
4. A Member noted the suggestion that the arbicultural impact of the application was moderate but highlighted the lack of proposal for new planting. He suggested that there was harm proposed to the local environment and the proposed mitigating actions were not sufficient. He suggested that a condition be included to replace trees. The Planning Regulation 3 Team Leader explained that condition 11 gives the council discretion on how much tree planting is acceptable. The Chairman suggested that condition 11 be amended to state that replacement should be one for one.

5. A Member suggested that the proportion travelling to school by car was very high at 84% of pupils but that the school transport plan did not seek to reduce this figure. Instead actions were to widen roads and increase parking provision. He suggested that securing bus provision would be a better objective than spending money on roads. Members discussed the local geography of the area and the wide catchment for the schools and there was a general acceptance that pupils would travel by car.
6. The Chairman stressed his concerns about tree loss but accepted the balance that was needed between limiting traffic impacts and limiting impact on trees.
7. A query was made about the small predicted increase in staff. It was suggested that either there would be a poor staff to pupil ratio or the increase had not been properly calculated. Officers explained that teachers currently teach in smaller classes and so an increase in pupil numbers would not necessarily lead to a similar increase in staff numbers.
8. It was clarified that the junction was being improved to allow both left and right turn. This meant that sight lines would change. The proposal to remove a grade A tree is because it would lie in the new sight lines and so was a highways safety issue.
9. In response to a suggestion that a condition be put on that mature trees be planted, the Planning Regulation 3 Team Leader explained that most of the trees that would be removed were of low quality.
10. Officers informed the committee that the applicant had proposed conditions 4 and 5. These were not being imposed on the applicant unwillingly.
11. Members noted that schools were working together on the local traffic impacts.
12. Members asked if future school applications could show the catchment area as this was useful background information.

Actions/Further information to be provided:

None.

RESOLVED:

That, pursuant to regulation 3 of the Town and Country Planning General Regulations 1992, application no. TA2014/1520 be PERMITTED, subject to conditions, for the reasons set out in the report. It was also AGREED to amend condition 11:

Within six months of the date of this permission, details of replacement tree planting shall be submitted to the County Planning Authority for approval. The submitted details shall include planting plans; written specifications for operations associated with tree or shrub planting; schedules of trees, shrubs, and plants noting species, sizes, positions and proposed numbers/densities and implementation programme. *Replacement of trees should be of at least one tree planted for each tree removed.*

It was further AGREED to add an informative:

That St Francis RC Primary School be encouraged to discuss local transport issues with other local schools and Tandridge Local Committee.

Ernest Mallett left the meeting at 12.25pm.

**138/14 SURREY COUNTY COUNCIL PROPOSAL GU14/P/01767: LAND AT
WORPLESDON PRIMARY SCHOOL, ENVIS WAY, GUILDFORD, SURREY
GU3 3NL [Item 11]**

This item was deferred to a future meeting.

**139/14 CONSULTATION ON THE REVISED STATEMENT OF COMMUNITY
INVOLVEMENT [Item 12]**

Declarations of interest:

None.

Officers:

Paul Sanderson, Mineral & Waste Policy Team Manager
Alan Stones, Planning Development Control Team Manager
Nancy el-Shatoury, Principal Lawyer
Caroline Smith, Transport Development Planning Team Manager

Key points raised during the discussion:

1. The Mineral & Waste Policy Team Manager introduced the report.
2. It was clarified that contact with members of the public would be primarily by letter. Electronic communications would be used mainly for contact with applicants, agents, etc.
3. Members queried what would happen if emails to consultees were junked by their email systems or if the contact was on leave. Officers explained that they have an ongoing relationship with statutory consultees. If they do not make a comment, efforts will be made to follow this up.
4. It was suggested that an executive summary be produced so that people will understand what information this document contains.
5. The wording of the Statement will need to take appropriate account of progress on the introduction of the new planning application IT system.

Actions/Further information to be provided:

None.

RESOLVED:

That the draft revised SCI be NOTED and that an executive summary be produced.

140/14 ENFORCEMENT AND MONITORING UPDATE REPORT [Item 13]

Declarations of interest:

None.

Officers:

Ian Gray, Planning Enforcement Team Manager

Alan Stones, Planning Development Control Team Manager

Nancy el-Shatoury, Principal Lawyer

Caroline Smith, Transport Development Planning Team Manager

Key points raised during the discussion:

1. The Planning Enforcement Team Manager introduced the report.
2. Members highlighted the disappointment felt by parishes and local businesses with regard to the solution for Land at New Pond Farm. The Planning Enforcement Team Manager confirmed that the Environment Agency had been involved with the site for a number of years. A case for prosecution is being developed. The Principal Lawyer expressed the frustration felt by both planners and lawyers over the situation and outlined the current position.
3. On Ridgeways Farm, a Member suggested talking to a different contact at Reigate & Banstead Borough Council and asked that the Planning Enforcement Team Manager email her on this.

Actions/Further information to be provided:

The Planning Enforcement Team Manager to write to the Environment Agency asking it to take action on the New Pond Farm situation.

RESOLVED:

That the report be NOTED.

141/14 DATE OF NEXT MEETING [Item 14]

The date of the next meeting was noted.

Meeting closed at 1.07 pm

Chairman

UPDATE SHEET TO AGENDA ITEM 7

Planning and Regulatory Committee 10 December 2014

Site: Homers Farm, London Road (A30), Staines

MINERALS AND WASTE APPLICATION SP/13/00141/SCC: Proposed extraction of sand and gravel from land at Homers Farm together with associated wheelwash, site office, cabin for generator and car parking, the provision of a new access from Short Lane, restoration involving the importation of inert restoration materials to agriculture, on a site of 10.5 hectares.

Amending documents

Addition of: Email dated 4th December 2014 regarding site office dimensions
Human Health and Controlled Waters Risk Assessment Rev 2 dated August 2014 should be replaced by Human Health and Controlled Waters Risk Assessment Rev 3 dated September 2014

Paragraph 54 should read as follows:

The application was originally publicised by the posting of five site notices and an advert was placed in the local newspaper. A total of 736 of owner/ occupiers of neighbouring properties were directly notified by letter. 29 letters of representation were received on this proposal raising the following concerns below with one of these letters raising no objection to the proposal. The applicant subsequently submitted further amending and amplifying information on the planning application and the Environmental Statement in June 2013 and a further consultation was carried out. Further amending and amplifying information was submitted in April 2014, and a third consultation carried out. A fourth consultation was carried out in October 2014 when the revised traffic information was received, to which we received two responses from people who had responded previously. The information submitted in support of the Environmental Statement is known as Regulation 22 information (information required under Regulation 22 of the Environmental Impact Assessment Regulations), so it was a joint Regulation 22 and planning consultation. The comments received can be summarised as follows, and the relevant issues raised are discussed within the report:

Conditions

Condition 5 should read as follows:

- 5 Notwithstanding any provision to the contrary under Parts 19 or 22 of the Town and Country Planning (General Permitted Development Order) 1995 or any subsequent Order,
 - (a) no plant, building or machinery whether fixed or moveable other than those

permitted by this application (which are the single site office, generator cabin and wheelwash, to be removed on cessation of permitted operations), shall be located on the site of the development hereby permitted;

- (b) no fencing other than that hereby permitted (1.5m high green chain link fencing along southern and eastern boundaries) shall be erected.

Condition 42 should read as follows:

42 No development shall commence, other than Phase 1 items A-D, and Phase 1 items E and F in Working Area 1S only (as shown on Method of Working Plan 1732-4F revision F dated 12 Feb 14) until the following has been undertaken, submitted to and approved by the County Planning Authority:

- the establishment of groundwater baseline conditions, by the collection of a minimum of 12 monitoring datasets taken at monthly intervals from all existing and proposed monitoring boreholes in accordance with the approved groundwater monitoring plan;
- on completion of the baseline monitoring, a review and if necessary the revision of the Operational Management Plan, Groundwater Monitoring Plan, Human Health and Controlled Waters Risk Assessment and the Flow Model within the Groundwater Flood Risk Assessment, in light of the baseline conditions established, and including any mitigation or remediation measures required to mitigate any adverse impacts not previously envisaged;

Gravel extraction shall only take place in accordance with the latest versions of the Operational Management Plan, Groundwater Monitoring Plan, Human Health and Controlled Waters Risk Assessment and the Groundwater Flood Risk Assessment, and any mitigation or remediation measures since the establishment of the groundwater baseline conditions, and these shall be implemented in full.

Condition 43 is no longer required as the consultant has advised that it is adequately covered by Condition 45 from the Environment Agency. So the remaining conditions 44-47 will now be 43-46.

Condition 44 (original numbering) should read as follows:

44 On completion of the restoration of the site, groundwater monitoring shall continue in accordance with the protocols set out in the current Groundwater Monitoring Plan. A Verification Report shall accompany any application to the planning authority to discharge this condition, prepared in accordance with current Environment Agency guidance on verification of remediation of land contamination, which shall include:

- All results of sampling and monitoring;
- Details of all interventions, emergency responses (if any) and remediation works carried out (if any); and

- A risk assessment which demonstrates that the site and any contaminants therein pose no future risk to groundwater or surface water or human health.

The report shall clearly demonstrate to the satisfaction of the planning authority that any elevated concentrations of contaminants that have arisen or been detected during the works have returned to near baseline levels and have been maintained at those levels for a minimum period of 6 months.

Reasons

The reason for Condition 43 will be removed along with the condition 43 as above, so the remaining reasons 44-47 should be numbered 43-46.

This page is intentionally left blank

Site: Homers Farm, London Road (A30), Staines

MINERALS AND WASTE APPLICATION SP/13/00141/SCC: Proposed extraction of sand and gravel from land at Homers Farm together with associated wheelwash, site office, cabin for generator and car parking, the provision of a new access from Short Lane, restoration involving the importation of inert restoration materials to agriculture, on a site of 10.5 hectares.

Written submission to committee from Robert Evans (Local Member for Stanwell and Stanwell Moor)

Dear Cheryl

Re Homers Farm Application

Please pass on to the committee my apologies for absence at the meeting this morning. I am sorry that work commitments (student exams) prevent me attending.

As the local member for the division concerned by this application, I ask that it is rejected for a number of reasons including;

I have not been convinced of the safety of access to the site at what can be a particularly busy junction.

The estimated number of vehicle movements over the period proposed for gravel extraction, is unacceptably high. As it is only an estimate, the actual figure could of course be higher.

Whilst the plan is that lorries would turn left and continue to the roundabout should they wish to effectively turn right, there can be no guarantee that individual drivers would comply with this. The traffic on the A30 can be fast and this presents a potential danger.

Additionally I am concerned as to the state of the road surface after the number of muddy lorries passing along it.

The site is sandwiched between two sports clubs, Ashford Town Football Club and Ashford Sports Club (Cricket and Hockey) where, declaring an interest, I am a long standing member. These are two active and very busy sports grounds with hundreds of players, some very young. There could be a negative effect not just on the surface of the playing fields but on the atmosphere with dust and other emissions from the gravel raising site.

Furthermore I have concerns that children and others on bicycles might be at danger from lorries entering and exiting the gravel raising site.

I hope members will take these strong reservations into account when making their decision.
many thanks

Robert Evans

Robert Evans
Labour member of Surrey County Council
Stanwell & Stanwell Moor

This page is intentionally left blank

UPDATE SHEET TO AGENDA ITEMS 8 & 9

Planning and Regulatory Committee 10 December 2014

Site: Land at Hengrove Farm, London Road, Staines, Surrey

Item 8 - Minerals and Waste Application ref SP13/00956/SCC: Importation of 'as raised' sand and gravel from Homers Farm on to land at Hengrove Farm and processing involving continued use of the existing processing plant and associated mineral infrastructure until 30 November 2018.

Item 9 - Minerals and Waste Application ref SP13/00958/SCC: Continued extraction of sand and gravel, refilling with inert waste and progressive restoration to agriculture without compliance with Condition 4 of planning permission ref SP12/01416 dated 18 December 2012 (as amended by planning permission ref SP/14/00570/SCC dated 2 July 2014) to allow extraction of mineral to cease by 30 September 2019 and restoration completed by 31 December 2020.

Please note the attached Committee Reports should be amended/corrected as follows:

Item 8 paragraph 36 and Item 9 paragraph 38: Ashford North Residents Association

Since the attached Reports were published, the County Planning Authority received a further representation from the Ashford North Residents Association (ANRA) on 8 December 2014. An additional point was raised as follows:

- *'In terms of the actual text within the application it appears to allow Streeters to reschedule (defer) extraction across a large part of the Hengrove site, and possible to reschedule (defer) restoration of all or any part of that area accordingly. This seems to be excessive and is contrary to residents' interests, since there is hardly any justification for the deferral of extraction and restoration with regard to the land on which the plant is actually located (and maybe some adjacent areas for lorry turning, washing etc.). Shouldn't Streeters only be seeking a deferral for the part of the Hengrove site which is essential to support the activity at Homers?'*

Officer's Note: Officers highlight that although the site boundary for Item 8 is smaller than the site boundary for application Item 9, the final restoration of 'Land at Hengrove Farm' is required to be comprehensive. As the applicant proposes to import 'as raised' sand and gravel from Homers Farm until 30 November 2018, the existing processing plant and associated mineral infrastructure need to be retained for such operations. The applicant then proposes to extract the remaining mineral underneath the processing plant/infrastructure, after cessation of importation operations by 30 November 2018.

The extraction of remaining mineral underneath the processing plant/infrastructure would then cease by 30 September 2019, and this would result in a delay to the complete / comprehensive restoration of the site until 31 December 2020.

Officers consider that both Hengrove applications have been adequately justified in terms of planning policy and guidance, including the delay proposed to the complete restoration. Officers consider that the recommended conditions included in the attached Reports provide adequate control to ensure that the development is carried out according to the details submitted.

Lastly, Officers confirm that no additional points were raised in the representation from ANRA to those already included and discussed in the attached Reports.

This page is intentionally left blank

Planning & Regulatory Committee 10 December 2014

Item No 10

UPDATE SHEET

SURREY COUNTY COUNCIL PROPOSAL TA2014/2424

DISTRICT(S) TANDRIDGE DISTRICT COUNCIL

Land at St Francis RC Primary School, Whyteleafe Road, Caterham, Surrey CR3 5ED

Erection of single storey classroom and hall extensions, canopy and external walkways, playground and car park extensions and alterations to access road.

Para 8 Tandridge District Council

Written confirmation now received of views as reported. Also request a condition to secure replacement planting.

(recommended conditions 11 and 12 address the latter point).

Condition 13

Delete 'using hand tools only'

Replace with 'fully in accordance with the methods set down in para A.4.4 of Appendix 4 of that Statement'.

This page is intentionally left blank