

MINUTES of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 3 August 2016 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 Tim Hall (Chairman)
Mr Keith Taylor (Vice-Chairman)
Mrs Carol Coleman
Mr Jonathan Essex
Mrs Margaret Hicks
Mr Ernest Mallett MBE
Mr Richard Wilson

Apologies:

Mr Steve Cosser
Mr Michael Sydney

117/16 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies for absence were received from Steve Cosser and Michael Sydney.

118/16 MINUTES OF THE LAST MEETING [Item 2]

The Minutes were approved as an accurate record of the previous meeting and signed by the Chairman.

119/16 PETITIONS [Item 3]

There were none.

120/16 PUBLIC QUESTION TIME [Item 4]

There were none.

121/16 MEMBERS' QUESTION TIME [Item 5]

There were none.

122/16 DECLARATIONS OF INTERESTS [Item 6]

There were none.

**123/16 O/2015/0605 - LAND AT ELM NURSERY, SUTTON GREEN ROAD,
SUTTON GREEN, WOKING GU4 7QD [Item 7]**

Officers:

Alan Stones, Planning Development Control Team Manager
Nancy El-Shatoury, Principal Solicitor
Caroline Smith, Transport Development Planning Team Manager
Dustin Lees, Senior Planning Officer
Susan Hirst, Noise Consultant

Speakers:

Mr Batchelor, proxy for Mr Cropper, a local resident, made representation in objection to the application. He made the following points:

1. That there was inconsistency and lack of information in the Officer's report and that the development was inappropriate for Surrey's green belt.
2. That the increase of vehicles would raise noise levels in the area and harm the local environment.
3. Mr Batchelor disputed the applicant's claim to have fully sought alternative site as he himself had found a few sites quite quickly when searching.
4. That the disbenefits outweighed any benefits and therefore the very special circumstances argument should fail.

Mr Vanstone, a local resident, made representation in objection to the application. He made the following points:

1. That alternative locations were not properly searched for and that the 74 objections raised over this development had been ignored.
2. Green waste was not the same as waste.
3. This was an inappropriate use of green belt.
4. Very special circumstances had not been proved.
5. The officers report was misleading and inaccurate.
6. He requested that if the Committee were minded to approve the application to include a few extra conditions which prevented the barn from being built within 12 meters from the boundary of the development, and another to prevent a wood burner from being built.

Mrs Aristidou, a local resident, made representations in objection to the application. She made the following points:

1. The significant adverse impact that would be caused by the development.
2. References were made to the noise report that was said to not give consideration to chainsaws or tree splitters which would startle the nearby animals. She claimed that the noise impact on animals had not been correctly assessed and that the sound mitigation proposed was not enough. Mrs Aristido asked for 48 hours notice by email for the use of such machinery.
3. It was asked that a further noise evaluation was undertaken for the development.

Mrs Whitaker, a local resident, made representations in objection to the application. She made the following points:

1. Concerns were raised of the effects of the wood chipper in the area and how the noise would aggravate the local horses and livestock.
2. That woodchip waste would contaminate the pasture land and affect the soil.
3. It was mentioned that the development had changed to the current location but was still encountering the same issues.

Mr Cobbald, the applicant's agent, made the following points in response:

1. Mr Cobbald informed the Members that their decision was for storage and the processing of waste arising from the applicant's business, a small local business. This also involved breaking down wood into bio-fuel. It was stated that this would only be in effect for no more than 12 hours every month. It was noted that no wood burner was proposed.
2. References were made to the alternative site assessments and the factors that were considered in this process.
3. Members were informed that Elm Nursery does currently have animals onsite and that these animals have been considered by the owner who understands how they will be effected by the proposal.

Mr Rose, the applicant, made the following points in response:

1. The reason for relocation from the previous site was because of Slough Power Station closing which had a negative effect in the local economy.
2. Mr Rose spoke of his previous experience of using a wood chipper around animals and how they had not been harmed by the noise caused. An extensive noise evaluation had been carried out and information was given about how to mitigate against the noise issues that might be caused.
3. He had completed all that was required to set up a responsible and environmentally friendly company and to not affect the local community.
He had held meetings with Mr Vanstone and others, including residents to discuss proposals and issues.
4. Rural industries were being squashed and needed to diversify.

Mr Forster, the local Member, made the following points:

1. That this was not an appropriate development as planning policy states that it should not be in the green belt unless under special circumstances which he felt had not been proved it also ran contrary to the Waste Plan.
2. The report failed to give any alternative sites and the assessment of alternative sites was not robust enough and asked the Committee to consider this when making a decision.
3. The evidence did not show that this business could not relocate outside of green belt.
4. The proposed application could happen on an industrial site which was what was making residents unhappy as other sites were available.
5. The application should be rejected and that if it was to be accepted, asked that the conditions be reviewed.

Key points raised during the discussion:

1. The Planning Development Control Team Manager introduced the report and update sheet and reminded Members of their role and responsibilities in making a decision on the application. Members were asked to note the significant number of letters of rejection to the application and were informed of the key issues involved.
2. Members asked the Senior Planning Officer for confirmation of the reordering of conditions in the report and how new conditions would be included. The Senior Planning Officer noted the query and informed Members that the ordering of the conditions would be corrected and made easier to understand.
3. The Committee spoke of the site visit they had attended and noted that the hours of operation would be between 8am and 5pm and that there would only be an extra two or three articulated lorries per month.
4. The Planning Development Control Team Manager explained that:
 - There had been much disagreement between officers and residents and that officers had much experience of dealing with other similar sites that could not find a site outside of the green belt. It was not surprising that a non green belt site could be found due to the amount of green belt in Surrey.
 - Officers believed that there was no other site within a 15 kilometre radius
 - Sequential tests were not required by the County Council, especially for such a small site as this.
 - Officers believed that the special circumstances outweighed any potential harm.
5. Members questioned the tenancy of the land and asked if the application was under the category of green waste. The Planning Development Control Team Manager informed Members that they were not aware of the current land tenancy but informed Members that the application will run with the land. Members were informed that it was not green waste but is instead wood waste as wood waste is more valuable than green waste as it burns more efficiently.
6. Members asked for confirmation from the Noise Consultant over the likelihood of the local animals being affected by the development. The Noise Consultant informed Members that they were generally not expecting the noise to be very high as calculations made showed that the noise level would be significantly low. The noise consultant went on to clarify the reasons to the changes in the noise consultation and assured Members that everything had been taken into consideration.
7. A discussion was had over the notice period given to surrounding residents for when work was to be carried out. The Planning Development Control Team Manager agreed that the conditions regarding the notice period would be reviewed at a later date.

Resolved:

That condition 8, regarding noise, be revised to include not only time limits but the spread of those times in order that time period were short and spread out in order to reduce any nuisance.

That application O/2015/0605 Land at Elm Nursery, Sutton Green Road, Sutton Green, Woking GU4 7QD was permitted subject to conditions and reasons set out in the report and in the update sheet attached to these minutes and with the revision set out above.

Actions/further information to be provided:

None.

124/16 SP12/01132/SCD4 - LAND AT MANOR FARM AND QUEEN MARY QUARRY, LALEHAM [Item 8]

Officers:

Alan Stones, Planning Development Control Team Manager
Nancy El-Shatoury, Principal Solicitor
Caroline Smith, Transport Development Planning Team Manager
Susan Waters, Principal Planning Officer

Speakers:

Denise Turner-Stewart, the local Member, made the following points:

1. That the development would increase the chance of flooding in the area and thought that the conditions regarding flooding was not robust enough. The site had a 1 in 30 risk of flooding but the report dealt with a 1 in 100 risk.
2. Asked that both items on the agenda for this site be deferred and that both items be heard together at a later date with another three expected applications for this site.

Key points raised during the Discussion:

1. The Principal Planning Officer introduced the report and gave Members a summary of the applications details. Members were informed that the Environment Agency were satisfied with the size of the pipe and that it would not interfere with the flow of the Thames and that a flood risk assessment had been carried out. Spelthorne Borough Council had raised no objection to the proposal.
2. The Planning Development Control Team Manager reported that it would be unreasonable to defer the items as the current report details allow the items to be determined in isolation.
3. A Member raised concerns that the Council would be liable for damages if decision was deferred. The Planning Development Control Team Manager confirmed that they would if the decision was seen as unreasonable.

The resolution of the Committee was unanimous.

Resolved:

1. That application SP12/01132/SCD4 Land at Manor Farm and Queen Mary Quarry, Laleham was permitted subject to conditions and reasons set out in the report.

Actions/further information to be provided:

None.

125/16 SP12/01132/SCD2 - LAND AT MANOR FARM AND QUEEN MARY QUARRY, LALEHAM [Item 9]

Officers:

Alan Stones, Planning Development Control Team Manager
Nancy El-Shatoury, Principal Solicitor
Caroline Smith, Transport Development Planning Team Manager
Susan Waters, Principal Planning Officer

Speakers:

Denise Turner-Stewart, the local Member, made the following points:

1. That there was a moderate to high chance that the land proposed would contain archaeological findings and asked when and who would receive these in the event of them arising.

Key points raised during the Discussion:

1. Members raised concern that archaeological findings would not be protected in the event of them being found. The Principal Planning Officer confirmed that artefacts would be retained and archived and may go to a museum in the event of them being found but that will be part of a future discussion.
2. Members asked for confirmation of what would happen to the artefacts once found in which the Principal Planning Officer confirmed that information would be logged nationally, that artefacts would belong to the landowner and that there was currently no receiving museum.

Resolved:

1. That application SP12/01132/SCD2 Land at Manor Farm and Queen Mary Quarry, Laleham was permitted subject to conditions and reasons set out in the report and in the update sheet attached to the minutes.

Actions/further information to be provided:

None.

126/16 DATE OF NEXT MEETING [Item 10]

The next meeting on 7 September 2016 is cancelled.

Meeting closed at Time Not Specified

Chairman