

MINUTES of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 17 October 2018 at Ashcombe Suite, County Hall, Kingston upon Thames, Surrey KT1 2DN.

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

Members Present:

(*present)

- * Mr Tim Hall (Chairman)
- * Mr Matt Furniss (Vice-Chairman)
- * Mrs Mary Angell
- * Mrs Natalie Bramhall
- * Mr Stephen Cooksey
- * Mr Edward Hawkins
- Mr Ernest Mallett MBE
- * Dr Andrew Povey
- * Mrs Penny Rivers
- * Mr Keith Taylor
- * Mrs Rose Thorn

Substitutes:

- * Mr Nick Darby

30/18 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies for absence were received from Ernest Mallett. Nick Darby substituted for Ernest Mallett.

31/18 MINUTES OF THE LAST MEETING [Item 2]

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

32/18 PETITIONS [Item 3]

There were none.

33/18 PUBLIC QUESTION TIME [Item 4]

There were none.

34/18 MEMBERS' QUESTION TIME [Item 5]

There were none.

35/18 DECLARATIONS OF INTERESTS [Item 6]

Councillor Andrew Povey declared a non-pecuniary interest as a trustee of the Surrey Hills Society.

**36/18 MINERALS AND WASTE APPLICATION TA12/902- OXTED QUARRY,
CHALKPIT LANE, OXTED, SURREY, RH8 0QW [Item 7]**

Officers:

Samantha Murphy, Principal Planning Officer
Caroline Smith, Planning Development Manager
Nancy El-Shatoury, Principal Lawyer
Andrew Stokes, Transport Development Planning Team Leader
Stephen Jenkins, Deputy Planning Development Manager

Speakers:

Martin Fisher, made representations in objection to the application. The following key points were made:

- Martin Fisher explained that he was the Leader of Tandridge District Council.
- He noted that there was a requirement to balance resident experience with economic viability.
- He explained that the road network surrounding the application was not suitable in some places for Heavy Goods Vehicles (HGVs). It was clarified that some roads were too narrow and not of sufficient quality, there is a lack of pavements and it is difficult for HGVs to pass each other in places.
- It was stressed that HGVs discouraged other road users in some cases and had an impact on safety of other road users. It was also noted that there had been cases of driver intimidation as a result of increased HGV usage.
- He suggested that traffic modelling supported a lower level of HGV movements. He stated that 154 movements created an impact on well-being and the environment and caused an adverse impact on road safety. It was suggested that there should be an average daily limit of 56 daily trips from the site Monday – Saturday over any 12 month rolling period, reducing the limit, specified in condition 25 of the report. A figure any greater than 112 increased the probability of HGVs meeting each other where they cannot pass on the road network. Had been disappointed that the previous figure of 56 trips had been set aside.

Jackie Wren, made representation in objection to the application. The following key points were made:

- Proposed levels of HGV movements included in the report is unacceptable and that it is only a matter of time before an accident occurs.
- Concerns regarding safety were raised, noting that there were increased chances of accidents occurring due to the high levels of HGV usage and the quality and suitability of the roads in the surrounding area. There was intimidation and fear from 32 tonne lorries.
- They have proved with expert opinion that the levels are too high and the methodology in the Officer report is inadequate.
- It was stressed that residents supported the idea of a reduced cap on HGV usage to reduce risks of fatality.

- Request the proposal is refused.

Amanda Griffiths, made representation in objection to the application. The following key points were made:

- Concerns were raised regarding noise from additional HGV traffic and safety, including mounting of pavements. It was suggested that the route plan is made explicit for HGV users.
- Concern there are blind bends on the road meaning lorries have to travel in the middle of the road. HGVs drive too fast. Width of the road insufficient.
- Safety concerns were raised for young children walking to St Mary's School.
- This is not addressed by the limit of 156 HGV movements per day. 114 HGV movements on a Saturday is inappropriate.
- The HGVs have contributed to road damage and damage to grass verges.
- Proposed that a 20mph speed limit is enforced for HGVs and site owners contribute to damage done to roads.
- It was suggested that the site could also close on Saturdays to reduce disruption.

Lisa Willoughby, made representation in objection to the application. The following key points were made:

- Has been a resident of Barrow Green Road for over 14 years.
- Concerns were raised regarding safety and potential for accidents. It was stressed that accidents would become common with increased numbers of HGVs. The roads are not built for HGVs.
- It was noted by the resident that the route proposed was not suitable and designed for HGVs.
- Death of Mitzi Steady was used as evidence of how dangerous HGVs are and the danger to local residents.

Councillor Cameron Mackintosh, the local Member, made representation to the committee as follows:

- The Member noted residents' concerns and expressed concern that the Environment Agency had not consulted with Surrey County Council regarding increased tonnage in the Environmental Permit variation.
- The Member noted support for the conditions restricting the number of vehicles stating that there should be no movement during school drop off and pick up hours.
- Recognised that operator had been operating with no conditions in place and thanked planning officers for all their hard work.
- Feel the HGV figure is high but understands the position Surrey are in and supports the figure proposed by Martin Fisher.
- The site has been working with nothing in place for too long.

Councillor David Hodge, as Leader of the Council made a written representation to the Committee, which was read by Cllr Cameron Mackintosh. The following key points were made:

- The Leader noted that the Environment Agency had failed to consult with Surrey County Council as the statutory Highways Authority on the increased volume of waste that can be disposed at the Chalkpit Quarry as part of the Environmental Permit variation.
- The Leader has written to the Environment Minister asking him to come to Oxted and view the site and impact it has had on residents and the area.
- The Leader suggested the following recommendation to the Committee, 'The SCC Planning Committee request that the Leader of SCC write in the strongest terms to Mr Michael Gove, the Environment Secretary to implore that he issues a mandate as early as possible that no further licenses to increase permits can be issued without first a full consultation with the respective Mineral Planning Authority and Highway Authority'.

Key points raised in the discussion:

1. Officers introduced the report, noting that this was a periodic review of conditions attached to the existing planning permission. Planning permission for the site already exists and members cannot refuse permission but can amend conditions.
2. Officers explained that the Council had presented clear evidence based arguments that justified HGVs movements which is currently specified in the conditions of the report. It was explained that any further reduction could result in a claim from the applicant on impact to economic viability of the site.
3. Officers noted that any deferral of the application would also postpone implementation of any new conditions, which would result in the use of conditions last set in 1997.
4. Officers noted that consultation feedback had resulted in several changes to the original 37 conditions that were set out in the report. It was noted that these changes had been accepted, but that four conditions were still in dispute, including school pickup times and HGVs being able to travel in convoy.
5. Members noted that they had undertaken a site visit as part of reviewing the application and that vehicles were able to pass one another on the majority of the route going along normal two way roads, but only some parts of the route (i.e. areas where there were pinch points) were less fit for purpose.
6. A Member queried that as there were currently no restrictions on lorry movements, how this compared to the previous figures.
7. Officers noted that HGV restrictions had been set at a comparable level to the number of vehicles which were utilising the route at present. It was noteworthy that the applicant had requested a significantly higher limit than that recommended by officers.
8. Officers explained that weighbridge data had been used to justify HGV movement numbers proposed within the report.
9. A Member stated that more should be done to support road safety measures for residents. Members noted that safety was a primary concern and supported limits on the number of HGVs during specified school term times.
10. Members queried the economic viability of the site, particularly noting that the applicant had not provided details of economic

viability of the site and therefore any impacts could not be measured.

11. Councillor Rose Thorn proposed an amendment to condition 25 in the report, that the maximum number of HGV movements in any one day not to exceed, 112 (56 in and 56 out) Monday to Friday (pro- rata for Saturdays). This was seconded by Councillor Natalie Bramhall and when put to the vote, unanimously agreed by the committee.
12. Concerns about older children walking to school and not hearing lorries was raised. It was queried why the average couldn't be a monthly figure instead. Officers responded to this point.
13. Another Member stated that he was encouraged to see a condition in the report about lorries using the weighbridge, he further queried if there was information on the profitability of the site.
14. Although there were concerns around safety and the lack of justification round economic viability from the applicant, it was agreed that the reasons for amending condition 25 would be agreed between officers and the Chairman.
15. The Committee unanimously agreed the recommendation suggested by the Leader.
16. A Member queried what the mechanism was with regards the condition requiring the applicant to conduct a survey of the public highway and if the applicant disagreed with the outcome of this. Officers said that the Highways Act 1980 could be used to recover money for maintenance arising from damage caused by the applicant if required.

RESOLVED:

- I. That application **TA12/902, Oxted Quarry, Chalkpit Lane, Oxted, Surrey RH8 0QW** be **PERMITTED** subject to conditions and informatives listed in the report and update sheet, including an amendment to Condition 25, to read-

'There shall be no more than an average of 76 daily Heavy Goods Vehicle (HGV) movements (38 in and 38 out) to/ from the site Monday – Saturday over any 12 month rolling period with the maximum number of HGV movements in any one day not to exceed:

- **112 (56 in and 56 out) Monday to Friday**
- **72 (36 in and 36 out) Saturday**

The site operator shall maintain records of the numbers of HGVs accessing and egressing the site daily. These records shall be submitted to the County Planning Authority in April, July, October and January each year and, if requested by the County Planning Authority, be provided within 7 days of that request'.

- II. The SCC Planning Committee request that the Leader of SCC write in the strongest terms to Mr Michael Gove, the Environment Secretary to implore that he issues a mandate as early as possible that no further licenses to increase permits can be issued without first a full consultation with the respective Mineral Planning Authority and Highway Authority.

- III. The Principal Lawyer pointed out that in accordance with the Code of Best Practice, as a motion was carried against the Officer's recommendation, reasons as to why Member's decision is different must be given. Members cited safety concerns and that no justification had been presented from the applicant on economic viability. It was agreed to bring the reasons back to the Chairman.

37/18 SURREY COUNTY COUNCIL PROPOSAL WA/2018/1044- LINDEN FARM, ROSEMARY LANE, ALFOLD, CRANLEIGH, GU6 8EU [Item 8]

Officers:

Alex Sanders, Planning Regulation 3 Team Leader
Caroline Smith, Planning Development Manager
Nancy El-Shatoury, Principal Lawyer

Speakers:

Sally Lawrence, made representation in objection to the application. The following key points were made:

- Explained that she was the mother of Simon Lawrence who was 26 years old.
- That there was no provision for care in Surrey which was why her son had to go out of county and that the facilities as were designed in the original plan were sufficient to provide adequate care.
- Noted that the proposed reduction in size of the activity centre and the quality of the roof material proposed in the current plan significantly reduced the efficiency of the project.
- To remove the horticultural area is to deprive the young of things that would enhance their lives.
- People with autism need space and she wants Linden Farm to be a success.
- Noted that the plan for the facility should revert to the original plan submitted in order to be considered fit for purpose.
- It was stressed that the objector was offering £360k funding from the Simon Trust in order to aid in filling the shortfalls in the plan, but that the county council was not accepting funding.

Peter Lawrence, made representation in objection to the application. The following key points were made:

- He suggested that facilities as they were designed would be limited and that this would have a significant impact on the wellbeing of those using the facilities.
- He noted that there had been no traffic management analysis undertaken to reflect the increased traffic from the requirement for residents to move offsite more, due to the reduction in activity facilities.
- The objector noted that building be delayed until the Simon Trust can aid with maximising the potential of the facility.

- Queried why no comments had been received from Historic England and that the building included within the proposals does not integrate with the local landscape.

Christopher Wilmshurst, the Agent for the application, raised the following key points:

- The original justification remained, the developer would provide much needed accommodation for young people in Surrey.
- He stressed that the changes to the development as proposed were minor and that the site was fit for purpose under current plans.
- The facilities included within the application are suitable for Linden Farm.
- He highlighted that materials proposed for construction of the roof were not out of character with the local aesthetic and that they would not reduce the viability of the site.
- Overall the charges were minor and would not compromise the development.

Liz Uliasz, Deputy Director of Adult Social Care (ASC) at Surrey County Council, raised the following key points:

- The Deputy Director reminded the Committee that social care was not relevant to the planning permission.
- The Deputy Director noted that there was a shortage of accommodation in Surrey for young people with autism and that too many young people were placed out of county at a high costs.
- It was noted by the Deputy Director that the current proposed provision was adequate and that it was necessary to begin work quickly so young people can move in by summer 2019.
- Adult social care is supportive and satisfied of the planning permission and believe it can provide the functional spaces needed to support young people.

Key points raised in the discussion:

1. Officers noted that changes in the proposed application were minor material amendments to the previous permission granted in January 2017 and the principle of the development remained as previously permitted. It was explained that there would be a change of material from brick to cladding, a reduction in the size of the activity centre and some landscaping amendments.
2. Officers noted that the project would not have a significant impact on the green belt but that there would be a change to design and visual amenity. However the proposal would be in keeping with the site and the surrounding area and would accord with policy. It is also not expected for traffic movements to and from the site to increase.
3. Members noted their general support for the facility but felt that the changes that were proposed to the application did not represent a minor change and questioned whether these changes would harm long term viability of the project. Officers stressed that the reduction to the size of the facilities represented a small reduction in the overall

size and quality of the project. Officers confirmed that there was no set definition in guidance on minor amendments.

4. It was queried if the horticultural elements removed from the current application could be added to the application at a later date. It was confirmed that this would be possible. Officers had been advised that transport movements would not change with the new application even if residents have to be taken off site.

The Chairman adjourned the meeting for officer advice at 12:09 and reconvened the meeting at 12:15.

5. Officers explained that the existing permission was already being implemented and as there was no increase to the size of the building, what was being constructed was within the bands of development. It was confirmed that this was not a retrospective application.
6. The Vice-Chairman reminded the Committee of the importance of focusing on planning grounds and reminded Members that the application had already been permitted. The Committee were reminded that the application accords with planning policy.
7. A Member of the Committee supported this view stating that the Committee was straying out of planning matters and that the adult social care elements was not an issue for the Committee.
8. Officers confirmed that the materials being used for the building would have to meet building regulation requirements.
9. A Member of the Committee stated the reason for reducing the size of the application was due to financial issues. There were also concerns around the change of material from brick to cladding and the possible safety issues with this. A Member questioned the suitability of building materials for the roof and suggested that the adverse effect from noise impact. For this reason the Member did not feel this was a minor amendment. Officers explained that the application could not be refused but would need to be referred back to the service. Fire matters were also not a matter for the Committee and fell within the remit of building regulations.
10. A Member of the Committee proposed to refer the application back to the service. The Principal Lawyer referring back to planning code, reminded members the application could only be referred back to the service on planning grounds.
11. Councillor Andrew Povey stated that he wanted to refer the application back on grounds that the changes being proposed are not minor and the changes make the development unsuitable for purpose. This was seconded by Councillor Bramhall. Officers stated that the reasons given were not planning grounds. The planning officer stated that the application could possibly be referred back to the service arguing that the application is contrary to Policy D1 in terms of the appearance of the buildings.
12. Officers confirmed that there would be a 40% reduction to the size of the activity centre only and not the whole application site.
13. There was a discussion around possible reasons for referral back to the service with the Principal Lawyer advising that she had not heard

- any planning reasons for referral and that the applicant would require planning reasons from the Committee in order to make changes.
14. A Member queried if the application can be deferred for discussions between the applicant and the Simon Trust to take place. The Principal Lawyer stated that this was not a planning reason to defer the application.
 15. Officers stated that the application could be referred back to the service in relation to Policy D1 and D4 of the Waverley Borough Local Plan 2002 and Policy TD1 of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites 2018 in terms of the appearance of the buildings.
 16. Councillor Andrew Povey proposed to refer the application back to the service on grounds of Policy D1 and D4. A vote on this motion was taken with 8 votes in support of the motion. The motion was therefore carried and application referred back to the service.

RESOLVED:

That application **WA/2018/1044, Linden Farm, Rosemary Lane, Alfold, Cranleigh, GU6 8EU** be **REFERRED** back to the service on Policy grounds D1 and D4 of the Waverley Borough Local Plan 2002.

The Committee adjourned at 12.45pm

Edward Hawkins left the meeting at 12.45pm

Keith Taylor left the meeting at 12.45pm

38/18 MINERALS/WASTE SP18/00308/SCC- SHEPPERTON QUARRY, LITTLETON LANE, SHEPPERTON, SURREY, TW17 0NF [Item 9]

Officers:

David Maxwell, Senior Planning Policy Officer
Caroline Smith, Planning Development Manager
Nancy El-Shatoury, Principal Lawyer

Speakers:

Ken Snaith, made representation in objection to the application. The following key points were made:

- Welcomed recommendation to refuse the application and explained that new imports of waste continue to be imported without planning permission.
- It was suggested that the site was in the Green Belt and would not be appropriate to be used in the manner proposed by the applicant.
- There are no special circumstances for this application and would set a dangerous precedent for applications being made going forward.

David Furst, made representation in objection to the application. The following key points were made:

- He noted that the previous ban on importation of new materials had been ignored and that the site was not fit for the purpose of importing new materials.

- No enforcement action has been taken by Surrey which shows a disrespectfulness to council procedures.
- Requested that a stop notice is put in place immediately.

Cllr Richard Walsh, as local Member, made representation to the committee as follows:

- He supported the concerns of residents and that he also supported the proposed refusal of the application.
- He added that road traffic would increase significantly if this application was successful. Also supported calls for a stop notice to be issued.

Key points raised in the discussion:

1. Officers explained that this was a retrospective application for the use of the north eastern part of the wider Shepperton Quarry site as a temporary aggregates recycling (AR) facility until 21 May 2019 with restoration of the recycling area by 30 September 2019. The site is located in the green belt and has been operating for nearly 20 years. Spelthorne Borough Council have expressed opposition to the application.
2. Officers noted that the Environment Agency and lead local flood authority have both raised objections to the application due to concerns about the flood risk assessment. The reasons listed for a site office have not been justified by the applicant and the proposals are contrary to green belt policies.
3. It was explained that a stop notice could only be issued after an enforcement notice had been issued. Good reasons would be required to issue this notice and there is currently no justification. Officers noted that it would be appropriate for the Committee to ask officers to work with the applicant to reduce the current stockpiles, clear and restore the site.
4. The Committee unanimously supported refusal of the permission.

RESOLVED:

That application **Minerals/Waste SP18/00308/SCC, Shepperton Quarry, Littleton Lane, Shepperton, Surrey, TW17 0NF** be **REFUSED** for the following reasons:

- I. The proposed development is inappropriate and by definition harmful to the Green Belt and does not preserve openness and conflicts with the purposes of protecting Green Belt land including protecting the countryside from encroachment. The applicant has failed to demonstrate the very special circumstances to outweigh the harm by reason of inappropriateness, and any other harm. The proposal is therefore contrary to Policy CW6 of the Surrey Waste Plan 2008, 'saved' Policy GB1 of the Spelthorne Borough Local Plan 2001 and the National Planning Policy Framework 2018.

- II. The applicant has failed to provide the appropriate information to support the application to enable a full assessment of the effects of the proposal and, if necessary, identify appropriate mitigation measures so as to minimise or avoid any material adverse impact with regard to flood risk and enable the County Planning Authority to be satisfied that adequate safeguards can be secured for the protection of the environment as required by development plan policy and therefore the proposal is contrary to the requirements of Policy DC2 (xvi) and DC3 of the Surrey Waste Plan 2008 and Policy LO1 of the Spelthorne Core Strategy and Policies DPD 2009.

39/18 REFERRAL OF COUNTY COUNCIL MOTION [Item 9a]

Officers:

Caroline Smith, Planning Development Manager

Key points raised in the discussion:

1. Members noted that this was a motion which had been referred to the Committee by Full Council for consideration.
2. Councillor Cooksey, who seconded the motion, explained that the motion would not have been put forward to Council if he had been aware that the consultations listed in the motion had been responded too.
3. Councillor Cooksey presented an amended motion to the Committee which was seconded by Councillor Rivers. The amended motion was supported by the Committee. It was agreed that the new motion would be reported back to Full Council.

RESOLVED:

The following motion was agreed by the Planning and Regulatory Committee:

“This Council notes that the government is consulting on whether non-hydraulic fracturing shale gas exploration development should be allowed under Permitted Development (PD), therefore requiring no planning permission. They also propose to bring the production phase of hydraulic fracturing (fracking) under the Nationally Significant Infrastructure Projects (NSIP) regime, to be decided centrally by government and the planning inspectorate, thus taking decisions away from local councils. This Council believes that local plans, local planning and local democratic decision making should retain control of all local mineral and fossil fuel development. Therefore, this Council welcomes, endorses and supports the responses already submitted to Government in respect of these consultations”.

40/18 DATE OF NEXT MEETING [Item 10]

The next meeting of the Committee will be held on 21 November 2018.

Meeting closed at 1.13 pm

Chairman

UPDATE SHEET**MINERALS/WASTE TA12/902****DISTRICT(S)** TANDRIDGE DISTRICT COUNCIL**Oxted Quarry, Chalkpit Lane, Oxted, Surrey RH8 0QW****Periodic review of a mineral site planning permission for the winning and working of chalk for the determination of full modern conditions.****Consultee comments***Tandridge District Council (TDC)*

TDC have provided further comments stating the following:

- The Council maintains its position as set out in 2017.
- The proposed annual cap together with a maximum daily limit is inappropriate for this site. This retains the ability for the operator to compress movements into a shorter period. An average where the daily number of movements can fluctuate up to a cap is not an appropriate way of managing acknowledged impacts on amenity or road safety.
- Considers the balancing of risks around severance to be inadequately justified, particularly in the context of a fluctuating number of vehicle movements. The severance question has been evaluated without sufficient considerations of the many challenging locations on the road network where there will be a conflict between pedestrians, other road users and HGVs. The risks to pedestrians, cyclists, horse riders and other vehicle users have not been sufficiently explored.
- It is disappointing that the previous suggestion made by the County Council of 56 movements per day has been set aside. It is unclear why this is now considered to be unacceptable.
- In respect of conditions has serious concerns about monitoring compliance and the ability to take action against breaches.
- Recommended condition 24 sets hours during school term time but does not set out what term times are being referred to. It needs to be more precise. Consideration should be given to what happens at half term.
- Condition 25 has no teeth as the data is very retrospective it makes it impossible to track breaches effectively. It will be difficult to enforce against breaches of movement limits without evidence, failure to respond to warnings about the breach and evidence of harm caused by the breach. All of these are impossible to reconcile if data is only available every 3 months. The condition should be re-worded to ensure that the County Planning Authority has access to live data which can be interrogated when necessary. It is considered that ANPR will need to be put in place if there is any change of enforcing these conditions.
- Condition 26 is unworkable unless there is an understanding of how necessary repairs can be attributed to HGV movements associated with the quarry. The County Highway Authority should hold a bond so that it has funding in advance.
- Condition 27 is insufficiently precise as to what leaving the site together or in a convey means. The conditions should specify the time delay for HGVs leaving the site in close succession. This could be monitored using timings on the live data referred to in the comments for condition 25.
- The District Council remains opposed to the conditions proposed on vehicle movements it is considered imperative that if County members are to accept them they must amend the wording of the conditions so that they are functional and will give the greatest level of protection and certainty to residents of Tandridge.

Officer comment

Conditions 24 – 27 have all been amended in light of Tandridge District Council's comments. See below. These amendments have been sent to the applicant. With regards to the comments made that 56 movements per day has been set aside, this is covered in paragraphs 159 – 164 of the Officer report. The 56 movements was established from the 2012 Transport Statement which provided an analysis on an annual average daily traffic figure of 56 HGV movements. The applicant has then chosen to carry out further assessment work on a higher number of HGV movements.

The County Planning Authority originally considered 56 daily HGV movements based on the applicant's Transport Statement. There was no technical basis for this figure except it was the annual average daily traffic figure for the period 2007 – 2011. Following the applicant advancing higher figures, the County Planning Authority have had to carry out further objective assessment work to formulate HGV movement limitations in the proposed condition.

Severance is discussed at paragraphs 200 – 205 in the Officers report. Severance is defined in the IEMA and DMRB guidance as the perceived division that can occur within a community when it becomes separated by a major traffic artery. The measurement and prediction of severance is extremely difficult. The correlation between the extent of severance and the physical barrier of a road is not clear and there are no predictive formulae which give simple relationships between traffic factors and levels of severance. In general, marginal changes in traffic flow are, by themselves, unlikely to create or remove severance. An assessment of severance should aim to estimate the current severance caused by traffic and related factors, and the extent to which additional traffic will exacerbate this problem. The assessment in the Officers report details that the numbers of HGVs proposed in the condition would result in a change in severance which would be described as 'slight'. Officers do not think there would be any facilities that would be potentially impaired by lorries access/ egressing the application site. Whilst there are parts of the network that require pedestrians to cross the road, there are parts where there are crossings and/ or the section of the road where there are no formal crossings, are clear to allow safe passage. The proposal would not run lorries continually every day. Officers are seeking to impose conditions that ensure lorries do not run during the times when there are large numbers of school children on the network; and a condition that controls the lorries leaving the site so that they do not bunch together.

With regards to condition 27, the condition takes the plain English definition of the word 'convoy' to mean "A convoy is a group of vehicles or ships travelling together". The condition is to prevent more than one HGV leaving the site at the same time thereby travelling as a convoy.

The County Landscape Consultant

The County Landscape Consultant has commented on the application stating that the HGV movements to and from the quarry along Chalkpit Lane compromise the rural qualities and tranquillity in this part of the AONB. A cap on the lorry movements and controlling the timing and routing of these vehicles would give some control over the loss of tranquillity. Supports the sentiments made in the Committee report and recommended conditions. Recommend that Safeguarding the tranquillity qualities of the AONB protected landscape and key characteristics related to the character area's ruralness be cited in the 'Reasons' statements associated with conditions 23 and 25.

Support the need for an ecology and landscape management plan and support comments relating to the restoration profiles. Concur with the County AONB Officer comments in 2012, 2014 and 2018 and that a condition should be imposed requiring submission and approval of the landscape scheme within 2 years of permission. Agreement with the amendments to the Landscape and Planning conditions 51 – 53 (Landscaping and Planting) and 54 – 55 (Aftercare). Advise an Arboricultural Impact Assessment and Arboricultural Method Statement be included to safeguard the protection of the existing trees and woodland. Additionally the establishment and maintenance should be in the ecology and landscape management plan.

Officer comment – with regards to arboricultural assessments and method statements, Condition 52 includes the requirement for details to be submitted for the protection of existing trees and woodland.

OLRG

OLRG have made the following comments:

- The [Officer] report makes no attempt to demonstrate how OLRG's concerns will be alleviated. The [Officer] report maintains its recommendation of a daily cap of 156 HGV movements with inadequate justification.
- Concerns including the inadequacy of the width of Chalkpit Lane and Barrow Green Road and the inadequacy of these roads in general for such a proposed volume of HGV traffic, the inability of HGVs to pass under railway bridges without travelling in the centre of the road, the lack of pavements, and the intimidation of other road users, all of which are acknowledged within the [Officer] Report.
- Surrey County Council has a duty in planning to consider the traffic issues independent of the Permit issued by the Environment Agency in 2016 for 200,000tpa.
- In respect of road safety, note that SCC agrees with OLRG's concerns but nonetheless fails to bear these concerns in mind when proposing its cap.
- The [Officer] report acknowledges the IEMA guidance is not adequately dealt with in Southern Gravel Ltd's Transport Statement Addendum of August 2018.
- It is disingenuous to state that all cyclists accessing the nearby roads will be accustomed to facing vehicles such as HGVs. Moreover it is untrue that the roads lacking pavements are not utilised by pedestrians.
- Approve of condition to limit HGV departures to certain times, children will still be utilising the roads outside of term time. If SCC acknowledges that the danger is such a level that HGVs should not depart in pick up and drop off time, OLRG would submit that the same danger will be encountered at all times and by other road users. SCC fails to demonstrate how this danger will be managed.
- Disappointing that the [Officer] report does not tackle how resident's fears and sense of intimidation will be assuaged.
- The [Officer] report fails to acknowledge the problems identified by the transport report submitted alongside OLRG original letter.
- The applicant's report does not undertake any swept path analysis and the methodology used does not consider the realities of HGVs travelling along geometrically constrained roads. SCC has not provided evidence to counteract such claims.
- The [Officer] report concludes that it has used "*best practice and guidance*" to determine its caps whilst at the same time acknowledging that it is disregarding the informal guidance on its own website and the applicants Transport Statement does not adequately deal with IEMA guidance.
- The [Officer] report takes the stance that the economic viability of the site is paramount. There has been no hard evidence put forward to show how the proposed cap would preserve economic viability but that a lower cap would not.
- The [Officer] report fails to adequately address OLRG's concerns and fails to substantiate SCC's proposed daily cap of 156 HGV movements. The methodology relied upon for SCC's proposal is inadequate.

Officer comment

Assessment work - Paragraphs 134 – 234 of the Officer report covers how the cap HGV figure has been established. This should be understood in the context that this cap figure would not visit the site every day but that the applicant would only be able to operate to an average of 76 daily annual average HGV movements. The cap figure has been formulated using guidance from DMRB and IEMA. There is no guidance within the National Planning Policy Framework or the National Planning Practice Guidance on how to formulate traffic figures for applications such as this one. Officers have carried out an objective assessment using DMRB and IEMA to

formulate the figures proposed in conditions. This is the same guidance as OLRG's Vectos Transport Technical Note (TTN). The informal guidance on the Surrey County Council webpage is not a material planning consideration and carries no weight in planning.

Road widths – Officers acknowledge in the report that the road network has deficiencies and have previously measured the road themselves. Nevertheless Officers are also mindful that this is an existing site with an extant planning permission with no current limitation. The Vectos TTN does not provide any further information that Officers were unaware of.

Cyclists – the comment raised in OLRG's letter is incorrect. The Officer's report does not state that all cyclists accessing the nearby roads will be accustomed to facing vehicles such as HGVs.

School times – the condition is to capture when there is likely to be a high concentration of children walking along the road network the HGVs use. This is most likely to be during school drop off and pick up times in term time only. Outside of these times, the volume and frequency of children walking will be of a lesser extent. This is not to belittle children or other users walking in the locality but is to focus on times of the day when there is likely to be an increased concentration of pedestrians. Paragraph 63 of OLRG's own Vectos TTN acknowledges this.

Fear and intimidation – the IEMA guidance says "*whilst this danger has been recognised as an important environmental impact for many years, there is no commonly agreed threshold for estimating levels of danger, or fear and intimidation, from known traffic and physical conditions*". IEMA goes on to say that the degree of hazard to pedestrians by average traffic flow, 18 hour HGV flow and average speed over 18 hour day in mile/ hour be used. This is shown in paragraph 211 of the Officer report. These can be used as a first approximation of the likelihood of pedestrian fear and intimidation although other factors need to be included. IEMA say an element of judgement is needed and areas exposed to higher than average levels of school children, the elderly or other vulnerable groups be separately identified. OLRG's own Vectos TTN para 74 states "*there is limited guidance that can be used in seeking to assess and justify such an operation in this specific location. Whilst guidance does exist, it is too broad to deal with the specific circumstances in Oxted. However, it does not provide a clear view on what impacts need to be considered and indicates area where the type of operation that is being assessed may affect other road users, particularly the most vulnerable*".

Paragraph 75 of the Vectos TTN says "*as such it is not possible to specifically quantify an acceptable level of HGV movements associated with the operation of the quarry. There are many elements of the operation and impact on the local community and transport network that could be considered to be unacceptable, regardless of the volume of HGV traffic. At best, the current arrangements should be considered as being unsatisfactory for many reasons and the HGV levels being proposed should also be considered unacceptable*". Therefore Vectos acknowledge there is no available guidance to make an assessment to establish a traffic figure. Vectos also do not advance a figure that could be used. Officers are aware of fear and intimidation from letters of representation received and their own observations. However the Vectos TTN does not provide any information to which Officers are unaware of. Officers have conducted an objective assessment based on DMRB and IEMA as the Vectos report does itself.

Economic viability – as set out throughout the Officer's report, the County Planning Authority has to be mindful of Schedule 14 of the Environment Act and paragraphs 186 – 188 of the National Planning Policy Guidance alongside what conditions can be imposed on periodic reviews for ROMP applications.

The following consultees were consulted over were not included in the Officer's report

- Biggin Hill Airport – no response received.
- Surrey Countryside Access Forum – no response received
- British Horse Society – no response received

Further letters of representation

Two further letters of representation have been submitted both from Limpsfield Chart. They raise the following concerns:

- In part the lorries have to travel along residential roads. This puts at risk pedestrians, especially school children (the only convenient way to local schools from these roads is to walk along it) at serious risk. To allow the proposal would place their safety below the supposed needs of the company.
- It is against all reason to claim that even a limit on 156 lorry movements (78 in and 78 out) does not affect safety or the quality of life of people living on the route. (It is worth stating as it implies that little will satisfy Southern Gravel that they propose 100 lorry movements a day!)
- When not travelling on the residential roads, the lorries travel along a narrow country lane, which enhances the possibility of traffic and, at very least, inconveniences other road users.
- A consultants' report states that one trip along the route experienced six separate occasions when a HGV from or to the quarry could not pass a car. Only reversing, or mounting kerb or verge could deal with this. This is a common occurrence.
- The roads and lanes on the route were not made for, and, thus, are unsuitable for, HGVs.
- Air pollution is increased at a time when most authorities are wanting to decrease it.

Officer comment – the above comments are dealt with within the Officer's report and raise no new issues.

Conditions

Condition 11

Wording in Officers report	Proposed amended wording
A scheme of working and restoration for Phase 4 as shown on plans 00355/01 r.1 and 00355/02 r.1 "Quarry Development Plan" dated November 2011 shall be submitted to the County Planning Authority for approval in writing within six months of the date of this decision. The scheme shall include: [.....]. The approved scheme shall be implemented in full for the duration of working in Phase 4.	Within 6 months from date of these conditions taking effect, a scheme of working and restoration for Phase 4 as shown on plans 00355/01 r.1 and 00355/02 r.1 "Quarry Development Plan" dated November 2011 shall be submitted to the County Planning Authority for approval in writing. The scheme should include: [.....]. The approved scheme shall be implemented in full for the duration of working in Phase 4.

Condition 24

Wording in Officers report	Proposed amended wording
There shall be no HGV departures under the control of the Developer from the land between 0800 – 0900 and 1500 – 1600 hours Monday – Friday school term time only to avoid school run times.	There shall be no Heavy Goods Vehicle departures from Oxted Quarry between 0800 – 0900 and 1500 – 1600 hours Monday – Friday during school term time only for Downs Way School, St Mary's CofE Junior School and Oxted School to avoid school run times. The operator is required to obtain the dates for the current and forthcoming academic year from the schools and shall forward a copy of these dates to the County Planning Authority within 7 days of receipt.

Condition 25

Wording in Officers report	Proposed amended wording
<p>There shall be no more than an average of 74 daily Heavy Goods Vehicle (HGV) movements (37 in and 37 out) to/ from the site Monday – Saturday over any 12 month rolling period with the maximum number of HGV movements in any one day not to exceed:</p> <ul style="list-style-type: none"> • 156 (78 in and 78 out) Monday to Friday • 114 (57 in and 57 out) Saturday <p>The site operator shall maintain records of the numbers of HGVs accessing and egressing the site daily and shall submit these to the County Planning Authority in April, July, October and January each year.</p>	<p>There shall be no more than an average of 76 daily Heavy Goods Vehicle (HGV) movements (38 in and 38 out) to/ from the site Monday – Saturday over any 12 month rolling period with the maximum number of HGV movements in any one day not to exceed:</p> <ul style="list-style-type: none"> • 156 (78 in and 78 out) Monday to Friday • 114 (57 in and 57 out) Saturday <p>The site operator shall maintain records of the numbers of HGVs accessing and egressing the site daily. These records shall be submitted to the County Planning Authority in April, July, October and January each year and, if requested by the County Planning Authority, be provided within 7 days of that request.</p>

Condition 26

Wording in Officers report	Proposed amended wording
<p>Within one month of the date of these conditions taking effect, the applicant shall have a condition survey of Chalkpit Lane carried out by a suitability qualified person and submit it within 2 weeks of completion to the County Planning Authority for approval in writing. The survey shall include carriageway, footpath, verges and kerb edges and shall be from the site accesses to, and including, the junction with Barrow Green Road. The survey is to be repeated and submitted every 6 months during the operation of the sit and upon completion of the restoration of the site. The applicant is to fund any ongoing repairs and adjudged to have arisen from the passage of HGVs to and from the site.</p>	<p>Within one month of the date of these conditions taking effect, the applicant shall have a condition survey of Chalkpit Lane carried out by a suitability qualified person and submit it within 2 weeks of completion to the County Planning Authority for approval in writing. The survey shall include carriageway, footpath, verges and kerb edges and shall be from the site accesses to, and including, the junction with Barrow Green Road. The survey is to be repeated and submitted every 6 months during the operation of the site and upon completion of the restoration of the site. The applicant is to fund any ongoing repairs adjudged to have arisen from the passage of Heavy Goods Vehicles to and from the site following discussion and agreement between the operator and the County Highway Authority.</p>

Condition 38

Wording in Officers report	Proposed amended wording
<p>All vehicles, plant and machinery, including company owned Heavy Goods Vehicles shall be fitted with white noise reversing alarms at all times when in operation at the site.</p>	<p>All company owned vehicles, plant and machinery, shall be fitted with white noise / non-tonal reversing alarms at all times</p>

UPDATE SHEET**MINERALS/WASTE TA12/902****DISTRICT(S)** TANDRIDGE DISTRICT COUNCIL**Oxted Quarry, Chalkpit Lane, Oxted, Surrey RH8 0QW****Periodic review of a mineral site planning permission for the winning and working of chalk for the determination of full modern conditions.****Consultee comments**

The **British Horse Society (BHS)** did comment on the planning application on 19 July 2012. Comments raised by the BHS are:

- The roads used by the HGVs are unsuitable for the size/ weight of vehicles used today. When the quarry was operational in the late 19th and early 20th centuries the chalk was removed by train on a mineral line which connected with Oxted Station. The only traffic on the roads was horses and carts and local people. After the Second World War the lorries used were ten times smaller than they are today.
- The presence of HGVs on these narrow country roads is an accident waiting to happen. There are many riders using Barrow Green Road to access the bridleway network. Tandridge Priory stables are directly on the HGV route to the Quarry on Barrow Green Road. Other rides use the road. This road has no “escape” routes for riders to leave the highway should their mount be un-nerved by approaching lorries. It is a nightmare trying to judge when one lorry had passed how soon it would be before the next came.
- All horse respond differently to heavy traffic but many are seriously alarmed by large lorries. Riders should not have to contend with the high volume of HGVs which will occur should the quarry workings resume at their previous level.
- Tandridge Priory is home to a Riding for the Disabled Group who use the area adjacent to Barrow Green Road three mornings a week. This section of the road is not well drained and large quantities of surface water can collect here.
- It is not only riders who will be subject to potential danger should the quarry restart working. I have noticed pedestrians, use Chalkpit Lane to reach bridleway 97 to cross the fields to Oxted. They have to pass under the railway just south of Gordons Way.
- The North Downs Way crosses Chalkpit Lane just south of the Quarry but walkers have to walk up the land between the two sections of footpath 576 and 94.
- The previous conditions had no mention of size of lorries nor numbers of movements per day. The BHS recommends new conditions:
 - Recognise the fact that the route passes through a rural and semi-rural area where the roads are used by walkers, horse riders and cyclists for quiet enjoyment
 - Limit both inward and outwards HGV movements to a maximum of 20 per day
 - Limit the hours of operation to weekdays from 0700 – 1800 hours (excluding 0800 – 0930 and 1530 – 1630 during school term times)
 - State that no workings/ movements are permitted at the weekends or on bank holidays; weekend being the time when most recreational use is made of the local roads and adjoining rights of way network
 - State that there is at least a 15 minute gap between HGVs entering Barrow Green Road and a similar time lapse between HGVs leaving the site
 - State that lorries are limited in size to 32 tonnes
 - State that there is a speed limit of 25mph for the length of the route.

Officer comment: the comments raised above have been covered within the Officer report and some of the conditions recommended have been proposed. The applicant has no control with regards to HGVs travelling to the site. With regards to speed reduction, this is covered in the Officer report.

No comments were raised by the BHS following the 2016 consultation. The BHS raised an objection in 2017. No comments were raised by the BHS following the 2018 consultation.

The **AONB Office** did comment on the application on 21 June 2017. Comments raised by the AONB Office were:

- No assessment has been carried out against the tests in the NPPF 2012 para 116 with regards to it being 'major' development.
- National and local AONB planning policies would seem to support a reduction in the annual level of chalk extraction and if possible the duration of the original 1947 planning permission by more modern conditions taking into greater account AONB planning issues than reflected in this planning submission.
- Unless the County Planning Authority considers that this site will be needed as a landfill site because of the likely future shortage of other suitable sites, it is asked to consider a revised restoration plan based more upon no or minimal infilling and leaving nature to take its course with some additional native shrub and tree planting that would promote the bio-diversity of the area. Query whether restoration by filling would be the most appropriate form of site restoration. It would continue harm to the AONB through the activity associated with many laden heavy goods vehicles. Former chalk pits can become attractive landscape features in themselves and also be of nature, ecological and/or geological importance. The restoration of a chalk pit to nearer its original contours is not necessarily justified on AONB grounds.
- If the County Planning Authority is unable to negotiate to its reasonable satisfaction an improved proposal along the lines set out above, it is recommended that refusal of the application on the grounds of it being contrary to AONB policies set out in the NPPF, Tandridge Core Strategy and Surrey Hills AONB Management Plan 2014-2019 would be justified.

Officer comment: this application is not for a new proposal therefore issues of principle (the matter of 'major' development raised by the AONB office) are not relevant. This is an application for new modern conditions. Similarly this application cannot be refused. The matter of restoration profile has been considered by Officers and factors such as stability of the chalk face and keying in the restoration contours with the surrounding contours has been taken into consideration.

Oxted Parish Council did comment on the application on 26 June 2017. Oxted Parish Council raised the following comments:

- To suggest a figure of 362 movements a day would mean, on average, one HGV would be navigating Chalkpit Lane every two minutes. As the route takes two minutes and 30 seconds each vehicle would have to pass an HGV coming in the opposite direction in this residential road, thus forcing them on to the grass verges and potentially having a serious detrimental impact on the amenities of local residents. In addition, south of the railway bridge in Chalkpit Lane there are no pavements, so endangering the safety of children walking or cycling to school. It was at this point an HGV overturned.
- In Barrow Green Road, assuming the operator keeps to the informal one way system, then one HGV every four minutes would be travelling east along residential roads close to two schools with 3,000 pupils coupled with narrow pavements and along rural roads to the West with young riders hacking out from the riding school. Plus, there is no bridle way.
- Oxted Parish Council believes that when HGV trips to the quarry exceed 75 loads or 150 movements a day it becomes wholly unsafe as, statistically, HGVs are more likely to pass in Chalkpit Lane.
- Oxted Parish Council request a full safety audit and risk assessment is carried out by Surrey Highways in consultation with the Emergency Services; and
- The Environment Agency (EA) are summoned to the Chalkpit Quarry so they can note for themselves the impact of any decision made on the Local Community from the resultant HGV traffic generated.

Planning & Regulatory Committee 17 October 2018

Item No 8

UPDATE SHEET**SURREY COUNTY COUNCIL PROPOSAL WA/2018/1044****DISTRICT(S)** WAVERLEY BOROUGH COUNCIL**Linden Farm, Rosemary Lane, Alfold, Cranleigh,
GU6 8EU**

Construction of supported living accommodation for adults with autism and high support needs within Use Class C3(b) without compliance with Condition 2 of Planning Permission WA/2016/1793 dated 20/01/2017 to allow modifications to the buildings and landscaping.

CONSULTATIONS AND PUBLICITY

Two further letters of representation have been received raising a series of comments. Those which are relevant to planning are as follows:

- Increase in traffic movements on Rosemary Lane, accident waiting to happen
- Does not promote or reinforce local distinctiveness
- Great weight should be given to the impact on the setting of the conservation and designated heritage assets
- Must preserve and enhance the character and appearance of the conservation area and its setting
- Waverley Borough Council and Alfold Parish Council are plainly not happy with the quality of the buildings
- Want activity centre returned to its original size
- Want buildings that Alfold can be proud of, not black wooden shacks with short life span and high maintenance costs

Non-planning related comments:

- Legal issues surrounding the consultation of families of future residents, the legality of the tender and whether the governing body have been misled
- Deed of gift clarification – want to gift charity money to the project and run the southern part of the site
- Adult Social Care will not respond to correspondence until the outcome of the planning committee
- Needs to be an agreed balance of on-site and off-site facilities and activities, current proposal, there are not enough meaningful activities on the site
- Cost cutting at its worst
- Concerns transporting the residents around in cars - distressing for residents and also expensive

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