

**PLANNING AND REGULATORY COMMITTEE
NOTICE OF MEETING**

Date: Thursday, 6 February 2020
Time 10.30 am
Place: Council Chamber, County Hall, Kingston upon Thames, Surrey KT1 2DN

Contact: Joss Butler, Room 122, County Hall
Telephone: 020 8541 9702
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[For queries on the content of the agenda and requests for copies of related documents]

APPOINTED MEMBERS [11]

Tim Hall (Chairman)	Leatherhead and Fetcham East;
Edward Hawkins (Vice-Chairman)	Heatherside and Parkside;
Saj Hussain	Knaphill and Goldsworth West;
Mary Angell	Woodham and New Haw;
Bernie Muir	Epsom West;
Andrew Povey	Cranleigh & Ewhurst;
Keith Taylor	Shere;
Rose Thorn	Godstone;
Stephen Cooksey	Dorking South and the Holmwoods;
Ernest Mallett MBE	West Molesey;
Penny Rivers	Godalming North;

EX OFFICIO MEMBERS (NON-VOTING) [4]

Tim Oliver	Leader of the Council	Weybridge;
Tony Samuels	Chairman of the Council	Walton South & Oatlands;
Helyn Clack	Vice-Chairman of the Council	Dorking Rural;
Colin Kemp	Deputy Leader	Goldsworth East and Horsell Village;

APPOINTED SUBSTITUTES [10]

Nick Darby	The Dittons;
Jonathan Essex	Redhill East;
Will Forster	Woking South;
Nick Harrison	Nork & Tattenhams;
Yvonna Lay	Egham;
Chris Townsend	Ashtead;
Chris Botten	Caterham Hill;
Barbara Thomson	Earlswood and Reigate South;
Tim Evans	Lower Sunbury and Halliford;
Richard Walsh	Laleham and Shepperton;

Register of planning applications: <http://planning.surreycc.gov.uk/>

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AGENDA

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

To receive any apologies for absence and notices of substitutions under Standing Order 41.

2 MINUTES OF THE LAST MEETING

(Pages 1 - 14)

To confirm the minutes of the meeting held on 11 September 2019.

3 PETITIONS

To receive any petitions from members of the public in accordance with Standing Order 84 (please see note 5 below).

4 PUBLIC QUESTION TIME

To answer any questions received from local government electors within Surrey in accordance with Standing Order 85 (please see note 6 below).

5 MEMBERS' QUESTION TIME

To answer any questions received from Members of the Council in accordance with Standing Order 68.

6 DECLARATIONS OF INTERESTS

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter

- (i) Any disclosable pecuniary interests and / or
- (ii) Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting

NOTES:

- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest
- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner)
- Members with a significant personal interest may participate in the discussion and vote on that matter unless that interest could be reasonably regarded as prejudicial.

7 MINERALS/WASTE TA2019/1608 - LAND AT KINGS FARM, TILBURSTOW HILL ROAD, SOUTH GODSTONE, SURREY RH9 8LB

(Pages 15 - 94)

Retention and extension with upgrading of two appraisal wellsites (Bletchingley Central and Bletchingley 2) and access track for the production of conventional hydrocarbons, including associated infrastructure, all on some 1.78 hectares for a temporary period of 15 years with restoration to agriculture without compliance with Condition 10 (plans and drawings) of planning permission ref:

TA/2015/1572 dated 24 March 2016 to remove gas to grid processing, to allow a change and increase of gas to wire processing from 1MW to 6MW; and the reconfiguration of internal layout of both wellsites (a section 73 application).

8 SURREY COUNTY COUNCIL PROPOSAL MO/2018/0640 - THE PRIORY SCHOOL, WEST BANK, DORKING, SURREY RH4 3DG (Pages 95 - 136)

New stand-alone two storey science block, and DT classroom extension to existing building, addition of 5no. new parking spaces to front of school site and the alterations to on-site parking and access with removal (retrospectively) of drop-off facility.

9 ENFORCEMENT & MONITORING UPDATE REPORT (Pages 137 - 144)

This report covers the period from 1 March 2019 to 1 December 2019.

10 DATE OF NEXT MEETING

The next meeting of the Planning & Regulatory Committee will be on 27 February 2020.

PRIVATE BRIEFING

A private briefing for Members will take place following the close of the meeting.

Joanna Killian
Chief Executive
Tuesday, 28 January 2020

MOBILE TECHNOLOGY AND FILMING – ACCEPTABLE USE

Those attending for the purpose of reporting on the meeting may use social media or mobile devices in silent mode to send electronic messages about the progress of the public parts of the meeting. To support this, County Hall has wifi available for visitors – please ask at reception for details.

Anyone is permitted to film, record or take photographs at council meetings. Please liaise with the council officer listed in the agenda prior to the start of the meeting so that those attending the meeting can be made aware of any filming taking place.

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It is requested that if you are not using your mobile device for any of the activities outlined above, it be switched off or placed in silent mode during the meeting to prevent interruptions and interference with PA and Induction Loop systems.

Thank you for your co-operation

Note: *This meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The images and sound recording may be used for training purposes within the Council.*

Generally the public seating areas are not filmed. However by entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

If you have any queries regarding this, please contact the representative of Legal and Democratic Services at the meeting

NOTES:

1. Members are requested to let the Democratic Services Officer have the wording of any motions and amendments not later than one hour before the start of the meeting.
2. Substitutions must be notified to the Democratic Services Officer by the absent Member or group representative at least half an hour in advance of the meeting.
3. Planning officers will introduce their report and be able to provide information or advice to Members during the meeting. They can also be contacted before the meeting if you require information or advice on any matter. Members are strongly encouraged to contact the relevant case officer in advance of the meeting if you are looking to amend or add conditions or are likely to be proposing a reason for refusal. It is helpful if officers are aware of these matters in advance so that they can better advise Members both before and during the meeting.
4. Members of the public can speak at the Committee meeting on any planning application that is being reported to the Committee for decision, provided they have made written representations on the application at least 14 days in advance of the meeting, and provided they have registered their wish to do so with the Democratic Services Officer no later than midday on the working day before the meeting. The number of public speakers is restricted to five objectors and five supporters in respect of each application.
5. Petitions from members of the public may be presented to the Committee provided that they contain 100 or more signatures and relate to a matter within the Committee's terms of reference. The presentation of petitions on the following matters is not allowed: (a) matters which are "confidential" or "exempt" under the Local Government Access to Information Act 1985; and (b) planning applications. Notice must be given in writing at least 14 days before the meeting. Please contact the Democratic Services Officer for further advice.
6. Notice of public questions must be given in writing at least 7 days before the meeting. Members of the public may ask one question relating to a matter within the Committee's terms of reference. Questions on "confidential" or "exempt" matters and planning applications are not allowed. Questions should relate to general policy and not detail. Please contact the Democratic Services Officer for further advice.
7. On 10 December 2013, the Council agreed amendments to the Scheme of Delegation so that:
 - All details pursuant (applications relating to a previously granted permission) and non-material amendments (minor issues that do not change the principles of an existing permission) will be delegated to officers (irrespective of the number of objections).
 - Any full application with fewer than 5 objections, which is in accordance with the development plan and national policies will be delegated to officers.

- Any full application with fewer than 5 objections that is not in accordance with the development plan (i.e. waste development in Green Belt) and national policies will be delegated to officers in liaison with either the Chairman or Vice Chairman of the Planning & Regulatory Committee.
- Any application can come before committee if requested by the local member or a member of the Planning & Regulatory Committee.

The revised Scheme of Delegation came into effect as of the date of the Council decision.

TOWN AND COUNTRY PLANNING ACT 1990 – GUIDANCE ON THE DETERMINATION OF PLANNING APPLICATIONS

This guidance forms part of and should be read in conjunction with the Planning Considerations section in the following committee reports.

Surrey County Council as County Planning Authority (also known as Mineral or Waste Planning Authority in relation to matters relating to mineral or waste development) is required under Section 70(2) of the Town and Country Planning Act 1990 (as amended) (1990 Act) when determining planning applications to “*have regard to (a) the provisions of the development plan, so far as material to the application, (b) any local finance considerations, so far as material to the application, and (c) any other material considerations*”. This section of the 1990 Act must be read together with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (2004 Act), which provides that: “*If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*”

Development plan

In Surrey the adopted development plan consists of the:

- Surrey Minerals Local Plan 2011 (comprised of the Core Strategy and Primary Aggregates Development Plan Documents (DPD))
- Surrey Waste Plan 2008 (comprised of the Core Strategy, Waste Development and Waste Development Control Policies DPDs)
- Aggregates Recycling Joint DPD for the Minerals and Waste Plans 2013 (Aggregates Recycling DPD 2013)
- Any saved local plan policies and the adopted Local Development Documents (development plan documents and supplementary planning documents) prepared by the eleven Surrey district/borough councils in Surrey
- South East Plan 2009 Policy NRM6 Thames Basin Heaths Special Protection Area (apart from a policy relating to the former Upper Heyford Air Base in Oxfordshire the rest of the plan was revoked on 25 March 2013)
- Any neighbourhood plans (where they have been approved by the local community at referendum)

Set out in each report are the development plan documents and policies which provide the development plan framework relevant to the application under consideration.

Material considerations

Material considerations will vary from planning application to planning application and can include: relevant European policy; the National Planning Policy Framework (NPPF) (revised July 2018 and updated February 2019) and subsequent updates; the March 2014 national Planning Practice Guidance (PPG) and updates; National Planning Policy for Waste (NPPW) October 2014; Waste Management Plan for England 2013; extant planning policy statements; Government Circulars and letters to Chief Planning Officers; emerging local development documents (being produced by Surrey County Council, the district/borough council or neighbourhood forum in whose area the application site lies).

National Planning Policy Framework and Planning Practice Guidance

The [National Planning Policy Framework](#) (NPPF) was updated in February 2019. This revised NPPF replaces the previous NPPF published in March 2012 and revised in July 2018. It continues to provide consolidated guidance for local planning authorities and decision takers in relation to decision-taking (determining planning applications) and in preparing plans (plan making).

The NPPF sets out the Government's planning policies for England and how these are expected to be applied and the associated March 2014 [Planning Practice Guidance](#) (PPG) provides related guidance. The NPPF should be read alongside other national planning policies on [Waste](#), [Travellers](#), [Planning for Schools Development](#), [Sustainable Drainage Systems](#), [Parking](#), and [Starter Homes](#).

At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 10). The NPPF makes clear that the planning system has three overarching objectives in order to achieve sustainable development, which are interdependent and need to be pursued in mutually supportive ways in order to take opportunities to secure net gains across each of the different objectives. These objectives are economic, social and environmental.

The presumption in favour of sustainable development in the NPPF does not change the statutory principle that determination of planning applications must be made in accordance with the adopted development plan unless material considerations indicate otherwise. The NPPF is one of those material considerations. In determining planning applications the NPPF (paragraph 11) states that development proposals that accord with the development plan should be approved without delay. Where there are no relevant development plan policies, or the policies which are most important in determining an application are out of date, permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

The NPPF aims to strengthen local decision making and reinforce the importance of up to date plans. Annex 1 paragraph 213 states that in determining planning applications, local planning authorities should give due weight to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies are to the policies in the Framework, the greater the weight they may be given).

HUMAN RIGHTS ACT 1998 GUIDANCE FOR INTERPRETATION

The Human Rights Act 1998 does not incorporate the European Convention on Human Rights into English law. It does, however, impose an obligation on public authorities not to act incompatibly with those Convention rights specified in Schedule 1 of that Act. As such, those persons directly affected by the adverse effects of decisions of public authorities may be able to claim a breach of their human rights. Decision makers are required to weigh the adverse impact of the development against the benefits to the public at large.

The most commonly relied upon articles of the European Convention are Articles 6, 8 and Article 1 of Protocol 1. These are specified in Schedule 1 of the Act.

Article 6 provides the right to a fair and public hearing. Officers must be satisfied that the application has been subject to proper public consultation and that the public have had an opportunity to make representations in the normal way and that any representations received have been properly covered in the report.

Article 8 covers the right to respect for a private and family life. This has been interpreted as the right to live one's personal life without unjustified interference. Officers must judge whether the development proposed would constitute such an interference and thus engage Article 8.

Article 1 of Protocol 1 provides that a person is entitled to the peaceful enjoyment of his possessions and that no-one shall be deprived of his possessions except in the public interest. Possessions will include material possessions, such as property, and also planning permissions

and possibly other rights. Officers will wish to consider whether the impact of the proposed development will affect the peaceful enjoyment of such possessions.

These are qualified rights, which means that interference with them may be justified if deemed necessary in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Any interference with a Convention right must be proportionate to the intended objective. This means that such an interference should be carefully designed to meet the objective in question and not be arbitrary, unfair or overly severe.

European case law suggests that interference with the human rights described above will only be considered to engage those Articles and thereby cause a breach of human rights where that interference is significant. Officers will therefore consider the impacts of all applications for planning permission and will express a view as to whether an Article of the Convention may be engaged.

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MINUTES of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 11 September 2019 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 as expected

- *Mr Tim Hall (Chairman)
- *Mr Edward Hawkins (Vice-Chairman)
- *Mr Saj Hussain
- *Mrs Bernie Muir
- *Mrs Rose Thorn
- *Mr Stephen Cooksey
- *Mr Ernest Mallett MBE
- *Mrs Penny Rivers
- Mrs Mary Angell
- Dr Andrew Povey
- Mr Keith Taylor
- *Mrs Barbara Thomson

31/19 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies have been received from Keith Taylor, Andrew Povey and Mary Angell. Barbara Thomson will be substituting for Mr Taylor.

32/19 MINUTES OF THE LAST MEETING [Item 2]

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

33/19 PETITIONS [Item 3]

There were none.

34/19 PUBLIC QUESTION TIME [Item 4]

There were none.

35/19 MEMBERS' QUESTION TIME [Item 5]

There were none.

36/19 DECLARATIONS OF INTERESTS [Item 6]

There were none.

37/19 MINERALS/WASTE RE18/02667/CON: HORSE HILL WELL SITE, HORSE HILL, HOOKWOOD, HORLEY, SURREY, RH6 0HN [Item 7]

An update sheet was tabled at the meeting and is attached as Annex 1 to the minutes.

Officers:

Caroline Smith, Interim Planning Group Manager
 Stephen Jenkins, Interim Planning Development Manager
 Duncan Evans, Senior Planning Officer
 Nancy El-Shatoury, Principal Lawyer
 Helen Forbes, Lawyer

Speakers:

Mr James Knapp, made representations in objection to the application. The following key points were made:

- Earthquakes are not addressed by the officer's report.
- Suggested HH-1 Borehole drilled through a fault
- Organisations that are responsible for monitoring earthquakes are not taking this matter seriously. Elected representatives therefore need to take this matter seriously.
- Edinburgh University believe if drilling continues earthquakes will continue.
- Earthquakes were triggered by surface activity which is a responsibility of the council.

Mr Julian Everett spoke on behalf of Vicki Elcoate and made representations in objection to the application. The following key points were made:

- Surrey County Council have declared a climate emergency but are considering an application for extracting fossil fuels for 25 years.
- This application is not the change residents want for a sustainable county. The Stephenson High Court judgement on the impact of climate change threw out 'the presumption in favour of oil and gas'.
- The cumulative impact from greenhouse gases is massive and is underrepresented by the applicant.
- Efforts in Surrey for positive initiatives are utterly pointless if this application goes ahead.

Ms Lynette von Kaufmann, made representations in objection to the application. The following key points were made:

- Newdigate resident- there have been around 172 tremors recorded since 1 April 2018.
- Residents have felt 13 of the earthquakes, an earthquake with a magnitude of 3.2 was felt by 1600 people.
- Damage to property has been recorded, mostly crack to walls and brickworks- worried house prices will fall and insurance premiums will go up.
- If oil well activity continues imagine what will happen with earthquakes when more are approved. The decision should be deferred until conditions around things such as having a full 3D seismic survey, traffic light system and ongoing seismic monitoring are put in place.

Ms Pat Smith, made representations in objection to the application. The following key points were made:

- Have lived in Dorking for over 48 years and have concerns around the conditions.
- Involved in monitoring oil operations at Brockham alongside the council. Concerns around the reliability of the operator and want detailed and precise conditions.
- There should be a pre-commencement condition around the monitoring of methane gases throughout the project and the water reinjection element of the application should be removed.
- There should be a break clause every five years with the application and there should be a condition on community engagement.

Mr Chris Lowe, made representations in objection to the application. The following key points were made:

- Lives within 800 yards from the site- Stephenson case declares key provision within the NPPF illegal- ask council to seek independent legal advice on this matter.
- Council is seeking to reduce emissions but this permission would not be consistent with this policy.
- Assume financial resilience of the applicant but what will what happen if there are issues with the site after the applicant leaves. Applicant should provide a bank bond to the authority.
- Ask that seismic monitors stay in place throughout the duration of the application.

The Applicants, Mr Stephen Sanderson, Mr Matt Cartwright and Agent, Mr Nigel Moore, raised the following key points:

- Presents a viable site in compliance with the Surrey Minerals Plan. Hydrocarbon production will make the UK more resilient for the future and make us less dependent on imports.
- With regards to climate change, it will take time to develop the alternatives to oil and gas. The site will contribute to reducing carbon emissions as activity will be taking place on site. Gas from the site will be converted to electricity and returned to the national grid.
- 55% of residents support the proposals at Horse Hill as detailed within the officer's report.
- Three independent scientists have confirmed that earthquakes in the area are not related to activity on site. There have been no objections from statutory consultees.
- A number of residents from the local area are employed by the site and engagement with the local community has accelerated over the years. Will ensure that local community benefit from the economic benefits from the site.

The Local Member, Kay Hammond could not attend the meeting but asked for a statement to be read out by the Chairman on her behalf:

"It has recently become apparent that the financial position of the applicant may be somewhat less than ideal. I agree with the concerns raised by Salfords & Sidlow Parish Council about the finances of the parent company, UK Oil & Gas (UKOG) who now own 85% of the applicant, Horse Hill Developments Ltd (HHDL).

UKOG have just bought 35% of HHDL for £12m, financed by cash and ordinary shares plus a £5.5m Convertible Loan. The terms of the Convertible Loan are to issue ordinary shares at a 10% discount to their market price at the time of conversion over the next two years. This is "commonly known a Death Spiral Convertible" Defined in Wikipedia, as the effect it has on the share price is to constantly drive it downwards.

It has been a condition of previous permissions for work at this site that the land must be reinstated and the same is included in summary report for this application. If the financial position of the applicant is as feared and oil extraction rates are less than expected, or if a negative event occurs, the applicant may find it nigh on impossible to meet the costs of any environmental reinstatement conditions. It must be remembered that the environmental impact of a negative event may extend well beyond the boundaries of the site and incur considerable extra expense to rectify.

Salfords & Sidlow Parish Council wrote to explain the reasons for this concern and why it is essential for a Bond to make sure funds are in place to pay any costs of meeting the conditions if permission is granted for any further operations this site. The value of any bond should consider the time scale of this site, and be adequate for the full reinstatement of the site at any time within the next 25 years.

Paragraph 205e of the NPPF (National Planning Policy Framework) says 'Bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances'. I would respectfully suggest that there is good reason to believe such exceptional circumstances may exist here.

When the financial position has been independently scrutinized, a fully informed decision can be made as to whether permission should be granted and if a bond is required as a condition. Failure of the applicant to reinstate the site would leave an environmental "Black Hole" in the green belt.

The County Council must make their decision on all the relevant information and, at the moment much of the financial information is not clear. I therefore would ask the Committee to defer the decision on this application until the financial position of the applicant has been clearly established.

A commercial organization must not be allowed to play roulette with the environment when there is a clear and considerable risk that the County, and ultimately Surrey's tax payers will have to pick up the bill".

The Vice-Chairman of the County Council, Helyn Clack, made the following points:

- There should be a condition in the application that earthquakes in the area are monitored by the applicant. Residents would be supportive of this condition.

- It is frightening for residents that seismology is not being addressed.

Key points raised during the discussion:

1. The Chairman confirmed that the committee visited the Horse Hill Well Site on 05 September 2019 (6 committee members attended and 1 substitute member attended).
2. The report was introduced by the Senior Planning Officer who updated the committee on the application.
3. A member of the committee asked for clarity around the concerns raised by residents on earthquakes. It was explained by officers that planning practice guidance states which regulators are responsible for the various elements of hydrocarbon development. The County Planning Authority grants planning permission for use of the land but the responsibility for assessing risks with earthquakes sits with the Oil and Gas Authority (OGA).
4. The Interim Planning Development Manager explained that a workshop had been set up by the OGA which included expert geologists from the British Geological Survey. It was concluded that there was no link between the earthquakes and the activity taking place at Horse Hill. It was explained that the OGA has the powers to stop, monitor and control seismic activity.
5. A member queried if the committee had the power to include a recommendation in the report around seismic activity. The Interim Planning Development Manager explained that because seismic activity fell outside the remit of the planning authority it would be difficult to impose a recommendation on this. It was added that the oil and gas industry was heavily regulated and that there were a number of bodies (OGA, EA, HSE) in place to monitor this development.
6. There was a discussion around securing a bond from the applicant to ensure the site is fully restored after the 25 year period and if this could be included within the application conditions. It was explained by officers that the financial capacity of the company was considered by the OGA and it would be unreasonable to ask for a bond without valid reasons.
7. It was confirmed that comments from Reigate and Banstead Borough Council had not been received and they had been chased several times for this. Comments from Mole Valley District Council had been responded to within the main body of the report.
8. During the meeting there was a lengthy discussion around the council's recent climate emergency declaration and whether this application was in line with this new policy. The Interim Planning Development Manager stated that the application being considered by the committee had to be determined in accordance with the development plan and current government policy.
9. With regards to the Stephenson case, the county lawyers present at the meeting made the following statement, "The Court found that the consultation exercise undertaken prior to revising the National Planning Policy Framework to add paragraph 209(a) relating to shale fracking was unlawful because;
 - (1) the Secretary of State was not undertaking the consultation at a formative stage;
 - (2) he had no intention of changing his mind about the substance of the policy; and

- (3) he had failed to take into account scientific evidence put forward by the claimant bearing upon a key element of the evidence base for the proposed policy and its relationship to climate change effects.”

The paragraph had provided:

“Mineral Planning Authorities should recognise the benefits of on-shore oil and gas development, including unconventional hydrocarbons, for the security of energy supplies and supporting the transition to a low-carbon economy; and put in place policies to facilitate their exploration and extraction

Paragraph 209 a was subsequently quashed. The rest of the revised NPPF remains in place including the remainder of paragraph 209 relating to oil, gas and coal exploration and extraction. A written Ministerial Statement made to the Commons and the Lords in May 2019 confirms:

For the avoidance of doubt the remainder of the National Planning Policy Framework policies and, in particular, Chapter 17 on ‘Facilitating the Sustainable Use of Minerals’ remain unchanged and extant. For the purposes of the National Planning Policy Framework, hydrocarbon development (including unconventional oil and gas) are considered to be a mineral resource.

Specific policy on the planning considerations associated with their development is set out at paragraphs 203-205 and the remainder of 209 of the National Planning Policy Framework. In particular, paragraph 204(a) of the National Planning Policy Framework states that planning policies should “provide for the extraction of mineral resources of local and national importance” with paragraph 205 stating that “[w]hen determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy.

In addition, the Written Ministerial Statements of 16th September 2015 on ‘Shale Gas and Oil Policy’ and 17th May 2018 on ‘Planning and Energy Policy’ also remain unchanged and extant. The Written Ministerial Statements sit alongside the National Planning Policy Framework. Planning Practice Guidance is also unaffected by the ruling. This suite of policies and guidance remain material considerations in plan making and decision taking for hydrocarbon development and they should be afforded appropriate weighting as determined by the decision maker.”

10. There was another short discussion around earthquakes and the concerns of local residents. The Interim Planning Development Manager restated that there was no evidence that the Horse Hill site was contributing to these. The British Geological Survey (BGS) confirm that seismic activity in the area is naturally occurring.
11. A member of the committee reminded members that reaching zero net carbon emissions by 2050 was a target and that it would take time to reach this target. In the meantime hydrocarbons were vital to the national fuel supply.

12. A member of the committee raised queries in respect of water environment and ecology issues. The Senior Planning Officer confirmed that no objections had been received from technical consultees on these matters subject to recommended conditions where necessary.
13. A member of the committee stated that hydrocarbons were a requirement for western society especially with the high standard of living we have. It was important the country produces its own hydrocarbons rather than relying on imports which increase carbon emissions. It was important the committee stay within their powers, if the committee go outside their remit there is a chance the applicant will appeal and costs will be incurred against the authority.
14. Officers confirmed that the conditions pertaining to the permission if granted would be reviewed automatically after 15 years by the County Planning Authority.
15. A member of the committee sought to defer the application on the grounds that further information needed to be sought from the OGA on earthquakes in the area. The Interim Planning Group Manager reminded members that the issue of earthquakes fell outside the authority's remit and the committee needed to be confident that all other agencies in respect of the application were doing their jobs.
16. A committee member reminded colleagues that the applicant could appeal any deferral on grounds of non-determination which would mean an inspector would make decisions in respect of the application.
17. Mr. Cooksey proposed a motion to defer the application on grounds that further information was required from the OGA on earthquakes in the area. This was seconded by Ms Rivers. There was two votes for and seven votes against. The motion was therefore lost.
18. The Chairman moved the recommendation to permit the application subject to the conditions and informatives listed on pages 74-85 of the report and the amended conditions and reasons in the update sheet including an additional informative encouraging community engagement and for the applicant to monitor seismic activity on the site. There were seven votes for and two votes against. Therefore the application was permitted.

RESOLVED:

That planning application **RE18/02667/CON** is **PERMITTED** subject to the conditions and informatives listed on pages 74-85 of the report and the amended conditions and reasons in the update sheet including the following two informatives,

- a. That the applicant is advised that regular community engagement in respect of this site be undertaken (recommended by the Planning and Regulatory Committee), and may include the setting up of a local liaison group, which would provide a forum for discussing operational issues between the operator, the County Council (as Planning Authority), interested parties and representatives of the local community.
- b. That the Planning and Regulatory Committee has advised that the applicant liaises with the British Geological Survey to ensure that earthquake monitoring continues, by providing funding if necessary.

The operator is advised that they share this monitoring data with all the regulatory authorities involved with this site.

38/19 DATE OF NEXT MEETING [Item 8]

The date of the next meeting was noted.

Meeting closed at 12:16pm

Chairman

UPDATE SHEET**MINERALS/WASTE RE18/02667/CON****Horse Hill Well Site, Horse Hill, Hookwood, Horley, Surrey RH6 0HN**

Retention and extension of an existing well site, HH1 and HH2 wells, and vehicular access to allow: the drilling of four new hydrocarbon wells and one water reinjection well; the construction of a process and storage area and tanker loading facility; new boundary fencing; well maintenance workovers and sidetrack drilling; and ancillary development enabling the production of hydrocarbons from six wells, for a period of 25 years.

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

CONSULTATIONS AND PUBLICITY***Parish/Town Council and Amenity Groups***

Paragraph 77

The Weald Action Group - additional comments have been received in respect of: climate change; need; fracking; acidisation and cumulative impacts. Comments have also been made, questioning the adequacy of the conditions with regard to controlling the above issues.

Additional responses from local Councillors

The local Member Cllr Kay Hammond has raised concerns regarding the financial position of the applicant and recommends that a bond is in place to re-instate the site.

Officer comment

The Oil and Gas Authority (OGA) regulates the licensing of the exploration and development of hydrocarbon resources, through production consents and development programme approvals, and for every operator the OGA examines the operator's competency, their financial viability and financial capacity.

Comments have also been raised by Cllr Helyn Clack (neighbouring division) forwarding comments from local residents and groups asking for further conditions over the development, taking into account climate change and seismicity. A response has been received from Cllr Lesley Bushnell, raising concerns in respect of earthquakes, attaching an online petition with 292 signatures.

Officer comment

The officer's report is very comprehensive in addressing the need for this production stage of hydrocarbon development and takes into account climate change. Para.159 of the report concludes that the '*Government makes it clear that oil and gas remains an important part of the UK's energy mix. Policies recognise the continuing importance of fossil fuels but aim to manage reliance on them, their potential environmental effects and the risks associated with security of supply. While the Government manages the transition to a low carbon energy mix this will mean that oil and gas remain key elements of the energy system for years to come (especially for transport and heating). Based on the UK Governments current policy, it is also recognised that the proposed development would not be in conflict with the Government's climate change agenda.*

Planning conditions need to meet certain tests, the Government policy states '*planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects under planning*'.

A condition suggesting a break in the development for a review to assess whether oil production is still required would not accord with the above planning tests. The condition is not necessary, nor enforceable or reasonable in the context of the development plan. There is currently no planning policy to support such a planning condition or restriction on the development.

A condition relating to seismicity and earthquakes is outside the controls of planning, therefore again not meeting the above tests. The area is currently being monitored by the British Geological Survey (BGS), who has deployed additional surface seismic sensors across the area to help provide an independent assessment of the seismicity. As a result of this monitoring, independent reports have concluded that there is no link between the seismicity recorded in the area and the hydrocarbon exploration, as such these events are concluded to be naturally occurring, and are not induced by human activities. It would therefore be unreasonable to restrict the operations of the applicant on this basis. In addition, the role of controlling induced seismicity falls to the Oil and Gas Authority (OGA), and they have the powers to enforce operators to monitor seismicity and stop development, as they have done in Lancashire. However, I will reiterate that the hydrocarbon development proposed at Horse Hill is not unconventional and does not involve hydraulic fracturing, therefore is not comparable to the hydrocarbon development taking place in Lancashire.

Summary of publicity undertaken and key issues raised by the public

Paragraphs 81 to 83 (*amended number of representations with additional text*)

The total number of written representations is 1667, with 726 objecting, 921 in support, with 20 making comments. One petition with 438 signatures was received, raising concerns about earthquakes.

NEED FOR HYDROCARBON DEVELOPMENT

Paragraph 134 (*is replaced as follows, amendment in bold*)

The Local Parish Council Salfords and Sidlow have objected to the application on the grounds the application does **not** meet climate change targets and the policy tests of the NPPF following the high court ruling striking out paragraph 209 (a) supporting oil and gas development. Therefore the local planning authority should consider reasonable and recent scientific evidence in relation to climate change and CO2 and methane emissions.

CONCLUSION

Paragraph 434 (*is replaced as follows, amendment in bold*)

The activity associated with constructing operation at the beginning and end of the development and undertaking drilling production would give rise to some temporary impact on amenity especially when considering the rural nature of the locality. Nevertheless, mineral working is a temporary activity, albeit covering a 25 year period. The concerns of local residents are acknowledged and have been carefully considered. **Having had regard to the environmental information contained in the Environmental Statement, national and development plan policy, consultee views and concerns raised by local residents objecting to the proposal, and taking into account need, Officers consider that, subject to the imposition of conditions, together with controls through other regulatory regimes, the development would not give rise to unacceptable environmental or amenity impacts and the development is consistent with the NPPF and the development plan, the application may therefore be permitted.**

RECOMMENDATION

(Insert the following text before the conditions)

IMPORTANT CONDITION NUMBERS 8, 11, 16, 19, 24 MUST BE DISCHARGED PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT

CONDITIONS

Conditions to be replaced as follows (amendments in bold):

Time Limits

Condition 4

The development hereby permitted shall cease no later than 25 years from the date of the implementation of the planning permission referred to in Condition 3 above or the depletion of the reservoir, whichever is the sooner. All buildings, plant and machinery (both fixed and otherwise) and any engineering works connected therewith, on or related to the application site (including any hard surface constructed for any purpose), shall be removed from the application site and the site shall be fully restored to a condition suitable for agriculture and woodland in accordance with the details set out in Condition **29**. Notwithstanding this, any plant or equipment required to make the site safe in accordance with the OGA requirements at the time and agreed with the County Planning Authority, may remain in position.

Condition 5

Prior written notification of the date of commencement for each phase of development works **(Phases 1-5 as described at Section 3 of the Planning Statement and Environmental Report)**, including **workovers and sidetracks**, hereby approved shall be sent in writing to the County Planning Authority not less than seven days before such commencement.

Noise

Condition 11

Prior to the commencement of the development hereby permitted a noise monitoring plan (NMP) shall be submitted to and approved in writing by the County Planning Authority (CPA), taking into account the noise limits set in Conditions **12 and 13**. The NMP shall include a methodology for undertaking noise surveys, with the results of the monitoring reported to the CPA within 14 days of monitoring. Should the site fail to comply with the noise limits, within 14 days of any breach of the noise limits, the applicant shall submit a scheme for the approval in writing **by the CPA** to attenuate noise levels to the required level which shall be implemented within 7 days of the CPA issuing approval for the scheme, or the source of noise shall cease until such a scheme is in place.

Ecology & Biodiversity

Condition 30

Twelve months prior to the decommissioning and restoration of the application site, a detailed Landscape and Ecology Management **Plan (LEMP)** shall be submitted for the approval in writing of the County Planning Authority, which shall take into account the survey mentioned **undertaken in accordance with Condition 27** above and that in the survey season prior to restoration, the species surveys, i.e. badgers, reptiles and great crested newts are repeated to ensure the restoration takes account of the requirements of these species. In addition a programme for the implementation of the restoration, monitoring and aftercare provision for the enhancement of biodiversity (biodiversity net gain) focusing on native species and the results of the pre-commencement ecological surveys, whilst taking into account the use of the land for agricultural grassland and woodland. **The LEMP shall be implemented as approved.**

Reasons (amending reasons replacing the original)

Reason 2

To ensure that site operatives are conversant with the terms of the planning permission in the interests of the local environment and amenity to accord with Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.

Reason 6

To enable the County Planning Authority to exercise planning control over the operation so as to minimise the impact on local amenity to comply with Surrey Minerals Plan 2011 Policy MC14.

Reason 8

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policies MC15 of the Surrey Minerals Plan Core Strategy 2011; and the Reigate and Banstead Core Strategy 2014 Policy CS17 and saved Policy Mo5 and Policy Mo6 of the Reigate and Banstead Local Plan 2005. *The imposition of a pre-commencement condition is recommended by the County Highways Authority to secure the submission of a revised and updated Transport and Traffic Management Plan to safeguard the environment and local amenity in terms of traffic and highways, in accordance with the development plan policies.*

Reason 11

To ensure minimum disturbance and avoid nuisance to the locality to comply with the Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14. *The imposition of a pre-commencement condition is recommended by the County Noise Consultant to secure the submission of a Noise Monitoring Plan in order to provide appropriate noise control to ensure there would be no significant adverse impact from noise nuisance on nearby receptors, in accordance with the development plan policies.*

Reason 16

To ensure minimum disturbance and avoid nuisance to the locality to comply with the Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14. *The imposition of a pre-commencement condition is recommended by Officers in order to secure a lighting scheme so that final detailed site lighting has been fully assessed to ensure that there would be no significant adverse impact from light pollution on nearby receptors from the development, in accordance with the development plan policies.*

Reason 17

To avoid endangering the safe movement of aircraft and operation at Gatwick Airport, and in the interest of residential amenity and the local environment and to comply with Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.

Reason 18

To avoid endangering the safe movement of aircraft and operation at Gatwick Airport, and in the interest of residential amenity and the local environment and to comply with Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.

Reason 19

To ensure that the works maintain the required level of environmental protection and land stability. *The imposition of a pre-commencement condition is recommended by the County Geotechnical Consultant to secure the submission of a Construction Environmental Management Plan to ensure there would be no significant adverse impact from pollution on groundwater, land and the environment, and for land stability in accordance with the Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policies MC12 and MC14.*

Reason 20

To ensure that the works are constructed as designed and maintain the required level of environmental protection and land stability. To safeguard the environment and protect the

amenities of the locality in accordance with the terms of the Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policies MC12 and MC14.

Reason 21

To safeguard the environment and protect the amenities of the locality in accordance with the terms of the Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policies MC12 and MC14.

Reason 23

To safeguard the environment and protect the amenities of the locality in accordance with the terms of the Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policies MC12 and MC14.

Reason 24

To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site, and to ensure protection of groundwater and surface water from activities at the site. *The imposition of a pre-commencement condition for a surface water drainage scheme is recommended by 1) the Environment Agency to ensure protection of groundwater and surface water from the activities at the site; and 2) the Lead Local Flood Authority to ensure that the development is compliant with SuDS as required the NPPF, its technical standards and governmental ministerial statement for SuDS, and in accordance with the Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.*

Reason 25

To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site, and to ensure protection of groundwater and surface water from activities at the site, in accordance with the Surrey Minerals Plan Core Strategy Development Plan Document 2011 Policy MC14.

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TO: PLANNING & REGULATORY COMMITTEE

DATE: 6 February 2020

BY: PLANNING DEVELOPMENT MANAGER

DISTRICT(S) TANDRIDGE DISTRICT COUNCIL

ELECTORAL DIVISION(S):

Godstone

CASE OFFICER:

Samantha Murphy

PURPOSE: FOR DECISION

GRID REF: 535116 147993

TITLE: MINERALS/WASTE TA2019/1608

SUMMARY REPORT

Land at Kings Farm, Tilburstow Hill Road, South Godstone, Surrey RH9 8LB

Retention and extension with upgrading of two appraisal wellsites (Bletchingley Central and Bletchingley 2) and access track for the production of conventional hydrocarbons, including associated infrastructure, all on some 1.78 hectares for a temporary period of 15 years with restoration to agriculture without compliance with Condition 10 (plans and drawings) of planning permission ref: TA/2015/1572 dated 24 March 2016 to remove gas to grid processing, to allow a change and increase of gas to wire processing from 1MW to 6MW; and the reconfiguration of internal layout of both wellsites (a section 73 application).

Bletchingley Central and Bletchingley 2 (known collectively as land at Kings Farm) are existing wellsites located approximately 1.5km from South Godstone. Access is gained to these wellsites from Tilburstow Hill Road and an access track that leads first to Bletchingley 2 and then on to Bletchingley Central. Bletchingley 2 is located within the top half of a field approximately 80m west of Tilburstow Hill Road. Bletchingley Central is located a further 755m to the west and is surrounded to the east and south by Birchen Coppice, a potential Site of Nature Conservation importance and ancient woodland. The initial exploration stage carried out in the 1960s determined the presence of hydrocarbons in the Bletchingley gas field with the appraisal stage being granted planning permission in 2007. The application site is located within the Metropolitan Green Belt. This application was not considered to be Environmental Impact Assessment (EIA) under the EIA Regulations 2017.

Planning permission was granted in March 2016 (TA/2015/1572) for the production stage of on-shore oil and gas development at Bletchingley Central and Bletchingley 2. This is the final stage in hydrocarbon development after exploration and appraisal. Planning permission ref: TA/2015/1572 allowed for production of oil from Bletchingley Central to then be tankered off at a rate of 300 barrels of oil per day (40 tonnes); and for production of gas from both Bletchingley 2 and Bletchingley Central by converting some of the gas into electricity through a 1Mw generator and exporting that electricity to the network (known as Gas to Wire) and for some of the gas to be exported by pipeline along under the existing access track to a connection point beyond Tilburstow Hill Road (known as Gas to Grid). All of the plant and equipment associated with the oil and gas production would have been located at Bletchingley Central so to minimise the impact on Bletchingley 2 which is in a more visible location but an increase in the size of both wellsites was proposed to accommodate these changes. The applicant commenced development in February 2019 and has installed the stockproof fence and hedgerow planting required by TA/2015/1572 around Bletchingley 2 and the security fencing around Bletchingley Central. No other aspects of TA/2015/1572 have been carried out.

The applicant is now seeking to amend planning permission TA/2015/1572 removing the gas to grid element as the applicant states this is no longer viable. Instead the applicant wishes to increase the gas to wire element from 1Mw to 6Mw by increasing the number of generators from 1 to 3 on site. This would result in changes to the proposed internal layout of Bletchingley Central removing plant that would have been associated with the gas to grid and instead including two more generators. In doing so this would result in a reduction in the size of the wellsite areas as permitted by TA/2015/1572.

Whilst this application is seeking to vary Condition 10 (plans and drawings) of TA/2015/1572 and as such the acceptability of the production phase at Bletchingley Central and Bletchingley 2 has been accepted in principle, it is appropriate to assess the proposal against European, National and Development Plan policy, and assess the potential environmental and amenity impacts against those policies and the advice provided by consultees and views expressed by other bodies, groups and individuals. A key issue in determining this application is the need for the development. The Authority must also be satisfied that the potential impacts arising from the development are acceptable in terms of the closest residential properties and the local environment and amenities. The assessment in the report covers such environmental and amenity issues as noise, visual impact, ecology, highways and traffic, drainage and air quality.

The proposal has generated seven letters of representation from five individuals concerned with regards to noise and air quality impacts from the generators, climate change; and traffic.

Officers consider that the proposal as it is now submitted should enable high environmental standards to be maintained and the site well restored. Accordingly, the proposal meets the policy requirements for mineral development in the Green Belt. Taking account of the need for the development, and that the proposal accords with the policies of the Development Plan, Officers recommend that the application be permitted.

The recommendation is to PERMIT subject to conditions.

APPLICATION DETAILS

Applicant

IGas

Date application valid

2 September 2019

Period for Determination

2 December 2019

Amending Documents

- Letter dated 23 October 2019 and accompanying plan 7262 PR 09 "Proposed Workover Layout Bletchingley 2 Gas Site" dated October 2019;
- Amplifying email from the applicant dated 30 October 2019;
- Amplifying email dated 14 November 2019 and accompanying Air Quality Assessment dated November 2019;
- Amplifying email dated 19 November 2019;
- Amplifying email dated 26 November 2019 and accompanying plans 7262 PR 03 rev F "Preliminary Site Layout Bletchingley Central" dated November 2019, 7262 PR 06 rev C "Proposed Site Elevations Bletchingley 2 Gas Site" dated August 2019; and 7262 PR 10 "Preliminary Site Layout Bletchingley Central" dated November 2019

- Letter dated 6 December 2019 and accompanying Flood Risk Assessment November 2019, revised Air Quality Assessment dated 2 December 2019 and accompanying plans 7262 PR 3 rev F, 7262 PR 06 rev C; and 7262 PR 10 “Preliminary Site Layout Bletchingley Central” dated November 2019;
- Amplifying email dated 17 December 2019 and accompanying plans 7262 PR 11 “General Lighting Plan Bletchingley Central” dated December 2019, 7262 PR 12A “General Lighting Plan Bletchingley 2” dated December 2019, 7262 PR 13 “Proposed Restoration Layout Bletchingley Central” dated December 2019, 7262 PR14A “Proposed Restoration Layout Bletchingley 2” dated December 2019.
- Email dated 21 January 2020 and accompanying plan 7262 PR 15 “Proposed Restoration Layout Access Track” dated January 2020.

SUMMARY OF PLANNING ISSUES

This section identifies and summarises the main planning issues in the report. The full text should be considered before the meeting.

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Need	Yes	59-78
Environment and Amenity	Yes	79-186
Highways	Yes	187-200
Green Belt	Yes	201-221

ILLUSTRATIVE MATERIAL

Site Plan

Plan Land at Kings Farm, Tilburstow Hill Road, South Godstone

Aerial Photographs

- Aerial 1
- Aerial 2

Site Photographs

- Photo 1 Bletchingley Wellsite 2 (wellhead on the right hand side)
- Photo 2 Bletchingley Wellsite 2
- Photo 3 View of Bletchingley Wellsite 2 from Tilburstow Hill Road
- Photo 4 View of Bletchingley Wellsite 2 from the hedge at site entrance on Tilburstow Hill Road
- Photo 5 Tilburstow Hill Road with tipper lorry (not associated with application site)
- Photo 6 Bletchingley Central with flare in the background to the left and existing oil tanks shown on the right
- Photo 7 Bletchingley Central existing oil tanks and infrastructure
- Photo 8 Bletchingley Central existing infrastructure and offices
- Photo 9 Bletchingley Central existing security fence and drainage ditch on the right
- Photo 10: View from Bletchingley Central northwards towards Lambs Brickworks in the background
- Photo 11 Bletchingley Central view from wellsite towards access gates into the site with Birchen Coppice to the right

BACKGROUND

Site Description

1. The application site at Kings Farm comprises two wellsite areas: Bletchingley 2 and Bletchingley Central (also known as 5 and 6) and an access road which connects the two wellsites to Tillburstow Hill Road. The application site will be discussed first as an overall site and then each wellsite separately. Bletchingley 2 wellsite is located approximately 80 metres (m) west of Tillburstow Hill Road and Bletchingley Central approximately 885m west of Tillburstow Hill Road.
2. The application site is located in a rural area within the Green Belt some 1.7 Kilometres (km) to the west of South Godstone, 2.5km northwest of Blindley Heath and approximately 3.5km south of Godstone village. The Redhill to Tonbridge railway is approximately 580m north of the proposed site beyond Lambs Business Park. The land to the north of the railway line rises steeply and falls within an Areas of Great Landscape Value (AGLV). There are two Sites of Archaeological Importance within the locality of the application site, one within the woodland known as Birchen Coppice and a second within Prickle Shaw. Prickle Shaw is also an Area of High Archaeological Potential. Both woodlands are ancient semi-natural woodland.
3. There are three nearby rights of way. Bridleway 293 is found some 240m west of Bletchingley Central and runs from Lower South Park to South Park north of the railway line. Footpath 269 is approximately 215m to the south of Bletchingley 2 and joins Tilburstow Hill Road some 400m south of the existing farm access at Kings Farm, and runs westwards towards Lower South Park. Bridleway 539 lies approximately 132m north of the entrance to the application site and runs along Water Lane, an unclassified road providing access to residential properties, towards the A22.
4. Access to both Kings Farm wellsites is gained via an existing access from the Tilburstow Hill Road. Tilburstow Hill Road (D395) is a narrow rural road which to the north joins the B2236 just south of Godstone village which later joins the A25 within Godstone; and to the south joins the A22 at a junction known as Anglefield Corner, approximately 1.5 km south of the site access. As part of the 2007 consent (Ref: TA06/1788 dated 14 May 2007) a new access onto Tilburstow Hill Road was formed and runs approximately 1.1km to Bletchingley Central. The access track initially runs along the route of a former farm track (approximately 250m) and then along the edges of agricultural fields. The track is approximately 5.5m in width, includes 3 passing places and is of crushed stone over a geotextile construction. The soil stripped from the access track is stored in a 0.5m bund adjacent to the track.

Bletchingley 2

5. Bletchingley 2 wellsite is situated within the north/northwestern section of a field used for permanent cattle pasture. The wellsite consists of an area of hardstanding surrounded by post and wire fencing and hedgerow planting. The wellhead is surrounded by Heras fencing. The field itself is bounded by hedgerows and oak trees. Farmland adjoins the field to the west and south, with the land to the south rising from north to south. The eastern extent of the field forms a boundary with Tilburstow Hill Road (D395). To the north the field has a boundary with an existing farm/access track that provides access to the existing Kings Farm farmland and Bletchingley Central appraisal wellsite, which is found some 1.1km to the west.
6. The nearest residential properties are at Kings Farm, approximately 100m east of the site on the opposite side of Tilburstow Hill Road. Le Grand Chene apartments are some 145m to the north of the site and the residential property known, as Lakeside is 170m to the north. To the south there are two residential properties Orchard Cottage and Yew Tree Cottage, which lie to the west of Tilburstow Hill Road.

Bletchingley Central

7. The wellsite is situated within a field that was used for permanent pasture. Immediately to the south and east is Birchen Copse with agricultural fields beyond. The hedge and treeline to the west of the wellsite boundary, with farmland beyond, is the Bletchingley/Godstone Parish boundary. To the north of Bletchingley Central lie agricultural fields with the businesses and residential property at Lambs Business Park beyond this at approximately 530m to the north of the site. Bletchingley Central is surrounded by a 2.5m high green security fence. The wellsite currently comprises of the wellhead, a bunded area containing oil storage tanks, separators, a heater and triplex; a generator and compressor unit; and offices.
8. The nearest group of residential properties are located to the south of the site some 650m distant. Residential properties are also found to the north east of the site (approximately 850m) and there are properties along Tilburstow Hill Road further to the east.

Planning History

9. During the 1960's Esso Petroleum Ltd undertook drilling for oil and gas in an area to the south of the Redhill/Tonbridge railway line between Bletchingley and South Godstone. Planning permission was obtained for the temporary installation of drilling equipment at four sites, one of which was Kings Farm (ref GO/R7442 April 1966). Three of the boreholes were successful and one was 'dry'. Natural gas was found at a depth of 1066 metres and permission was given for the installation of equipment to exploit gas at Lagham Park Farm (ref: GO/R 7510) and Kings Farm (ref: GO/R 7442A). Planning permission was then granted in May 1989 (ref: TA89/181) to service the wellhead to confirm the downhole integrity of the well.
10. Planning permission for Bletchingley Central was granted in May 2007 (Ref: TA06/1788) for construction of an appraisal wellsite to include plant, buildings and equipment; drilling of, and testing for, hydrocarbons from up to two appraisal boreholes; the erection of security fencing; construction of a new access and associated works to an existing access track; construction of a 1km extension to the existing track with three passing bays, all on some 1.2ha, for a temporary period of up to 3 years, with restoration to agriculture. Applications providing details pursuant to conditions on the TA06/1788 consent followed.
11. When drilling was completed in 2008 it was clear that the hydrocarbon reservoir contained oil as well as gas. As a consequence the layout and equipment on the site needed to be altered resulting in a planning application ref: TA08/1592 for a revised site layout and provision of additional plant and equipment for the testing and appraisal of oil on site pursuant to Condition 1 of planning permission ref: TA06/1788 dated 14 May 2007. This application was granted on 11 February 2009. A number of planning permissions have been granted following this to retain the site for further appraisal works at the application site.
12. The most recent planning permission for Kings Farm Wellsite is TA/2015/1572 (granted in March 2016) which was for the retention and extension with upgrading of the two appraisal wellsites (Bletchingley Central and Bletchingley 2) and access track for the production of conventional hydrocarbons including: temporary flaring to re-establish gas flow at Bletchingley 2, the laying of pipelines adjacent to the access track; the installation of hydrocarbon production plant and equipment including new oil and water storage tanks; equipment for gas to wire and grid schemes; a tanker holding area and perimeter fencing, all on some 1.78 hectares for a temporary period of 15 years with restoration to agriculture. This planning permission is subject to the imposition of 46 conditions, 8 of

which were pre-commencement conditions which have been submitted and approved in writing these being:

- Details of a Noise Management Plan pursuant to Condition 1 and details of a Reptile Survey pursuant to Condition 6 (ref: TA2015/1572) (approved in October 2016),
- Details of a Written Scheme of Archaeological Investigation pursuant to Condition 7 (ref: TA2015/1572) (approved in March 2017),
- Details of landscaping pursuant to Condition 2, details of the building materials for the office and WC to be installed at Bletchingley 2 pursuant to Condition 4; details of 'moling' of the pipe underneath the hedgerow pursuant to Condition 5 (ref: TA2015/1572) (approved in April 2017),
- Details of an Operational Management and Monitoring Plan (OMMP) pursuant to Condition 8 (ref: TA-2015/1572) (approved in April 2017); and
- Details of a Method Statement for the installation of fencing around Birchen Coppice pursuant to Condition 3 (ref: TA.2015/1572) (approved in May 2017).

THE PROPOSAL

13. The applicant has submitted a planning application under Section 73 of the Town and Country Planning Act 1990 to vary Condition 10 of planning permission ref: TA/2015/1572 dated 24 March 2016. Condition 10 reads as follows:

Condition 10 (Approved Documents) The development hereby approved shall be carried out in all respects strictly in accordance with the following plans/drawings contained within the application:

Drawing no: BLEO-01 "Location and Sub-Surface Extent" dated 23 July 2015
 Drawing no: 3827 P 01 rev D "Wellsite Location Plan" dated August 2015
 Drawing no: 3827 P 02 rev C "Existing Site Layout Bletchingley Central" dated April 2015
 Drawing no: 3827 P 03 rev D "Existing Site Elevations Bletchingley Central" dated April 2015
 Drawing no: 3827 P 04 rev A "Existing Site Layout Bletchingley 2" dated April 2015
 Drawing no: 3827 P 05 rev A "Existing Site Elevations Bletchingley 2" dated April 2015
 Drawing no: 3827 P 06 rev C "Proposed Site Construction Plan Bletchingley Central" dated November 2015
 Drawing no: 3827 P 07 rev D "Site Cross Sections Bletchingley Central" dated November 2015
 Drawing no: 3827 P 08 rev D "Site Construction Section Bletchingley Central" dated August 2015
 Drawing no: 3827 P 09 rev D "Proposed Production Layout" dated November 2015
 Drawing no: 3827 P 10 rev D "Proposed Production Elevations" dated November 2015
 Drawing no: 3827 P 11 rev E "Proposed Site Layout Bletchingley 2" dated November 2015
 Drawing no: 3827 P 12 rev D "Proposed Site Elevations Bletchingley 2" dated November 2015
 Drawing no: 3827 P 13 rev D "Proposed Pipeline Cross Section" dated April 2015
 Drawing no: 3827 P 14 rev G "Connection to Wire Plan" dated November 2015
 Drawing no: 3827 P 15 rev E "Temporary Flare Layout Bletchingley 2" dated November 2015
 Drawing no: 3827 P 16 rev E "Temporary Flare Elevations Bletchingley 2" dated November 2015
 Drawing no: 3827 P 17 rev D "Proposed Fencing Elevations" dated April 2015
 Drawing no: 3827 P 18 rev F "Fencing Plan Layouts" dated November 2015

Drawing no: 3827 P 19 rev E "General Lighting Plan Bletchingley Central" dated November 2015
 Drawing no: 3827 P 20 rev E "General Lighting Plan Bletchingley 2" dated November 2015
 Drawing no: 3827 P 21 rev E "Proposed Drainage Plan Bletchingley Central" dated November 2015
 Drawing no: 3827 P 22 rev E "Proposed Drainage Plan Bletchingley 2" dated November 2015
 Drawing no: 3827 P 26 rev E "Proposed Restoration Layout Bletchingley Central" dated November 2015
 Drawing no: 3827 P 27 rev E "Proposed Restoration Layout Bletchingley 2" dated November 2015
 Drawing no: 3827 P 28 rev D "Proposed Restoration Layout Access Track" dated November 2015
 Drawing no: 3827 P 30 rev C "Aerial Plan – Bletchingley Central" dated November 2015
 Drawing no: 3827 P 31 rev C "Aerial Plan – Bletchingley 2" dated November 2015
 Drawing no: BLEO-02 "Acoustic Screen Location" dated 22 February 2016.

Reason To ensure the permission is implemented in accordance with the terms of the application and to enable the County Planning Authority to exercise planning control over the development pursuant to the Surrey Minerals Plan Core Strategy 2011 Policy MC14.

14. Planning permission ref: TA/2015/1572 allowed for the production of oil to be tankered off from the site alongside the production of electricity at Bletchingley Central that would be removed from site via a 'gas to grid' and 'gas to wire' element. The applicant is now no longer seeking to install the 'gas to grid' facility as this requires significant gas processing to meet grid specification and would make the project unviable. As such the applicant now proposes that all gas produced is used for electricity generation on site as part of the 'gas to wire' element. This requires the following plans to be amended.
 - i. *Bletchingley Central replace plans 3827 P 09 rev D (site layout) and 3827 P 10 rev D (elevations) with plans 7262 PR 03 rev E and 7262 PR 05 rev A.*
15. To accommodate the above and to meet the requirements of the Environmental Permit (which would be issued by the Environment Agency) the applicant seeks to amend the internal layout of the Bletchingley Central site. This would include realigning the perimeter ditch, the creation of a Containment Area to fully contain the oil producing/handling, the installation of an emergency gate, the installation of 3no. 2MW onsite generators to allow an increase from 1MW to 6MW of electricity to be removed from site via the 'gas to wire' element; and a reduction in the size of the soil bund along the northern boundary. A noise assessment has been provided as part of the application with regards to the onsite generators. There would be no change in site area, vehicle numbers or the way gas is extracted from the wellhead.
 - ii. *Bletchingley 2 replace plans 3827 P 11 rev E (site layout) and 3827 P 12 rev D (elevations) with plans 7262 PR 04 rev F and 7262 PR 06 rev B.*
16. The changes at Bletchingley 2 include the installation of a 2m high security fence around the wellhead with two emergency gates to replace the 2.5m high approved fencing; a reduction in the wellsite area, removal of the perimeter ditch, relocation of the soil bund from the western perimeter to the north and its formation into two smaller bunds, installation of an air compressor contained within a sound proofed cabin which would be Moss Green in colour; and removal of the tree planting from the hedge. The changes would result in a smaller site area and the office and WC previously permitted are not

proposed to be installed. The site would be surrounded by a post and wire fence as currently installed on site.

- iii. *Replace plan 3827 P 14 rev G (connection to wire) with 7262 PR 07 rev A*
- 17. To remove the 'gas to grid' element from the plan.
- iv. *Replace plan 3827 P 13 rev D (pipeline cross section) with 7262 PR 08*
- 18. The pipeline permitted under planning permission ref: TA/2015/1572 was to be located at 6" to facilitate the gas to grid scheme. As this component is removed, the 'gas to wire' scheme requires a 4" route. The proposed replacement plan shows this.

CONSULTATIONS AND PUBLICITY

District Council

Tandridge District Council

- 19. Planning
No objection. The County Council should ensure that noise levels are fully assessed and appropriate mitigation put in place as necessary to ensure that the amenities of local residents are adequately protected; that the increase in electricity generation at the site is in line with its adopted policies taking into account the County Council's commitment to work with partners to reduce carbon emissions as part of the Government's commitment to becoming carbon neutral by 2050; that there will not be detrimental air quality and flood risk impacts, and that appropriate mitigation measures are put in place if required; and that where appropriate requiring replacement/mitigation tree planting, in order to protect the character and appearance of the area.
- 20. Environmental Health
No objection. Satisfied with the noise levels set out in the noise assessment for the generators and the proposed mitigation measures.

Consultees (Statutory and Non-Statutory)

- 21. Health and Safety Executive - Quarries : No comments received
- 22. Environment Agency
No objection. Recognise that some of the proposed changes that have resulted in this application have been triggered as a result of the Environment Agency reviewing the Environmental Permit for the site. Request further details of the containment systems that would be in place for Bletchingley 2 when workover rigs/ maintenance is carried out. Further information will be required from the applicant with regards to the cable/ pipeline ducts, containment and flare details as part of the Environmental Permitting regime.
- 23. Department of Business, Energy and Industrial Strategy (BEIS): No comments received.
- 24. Natural Environment and Assessment Team Manager: No objection
- 25. County Landscape Architect
No objection. There does not appear to have been any significant changes to the local landscape character baseline since the granting of the previous application and there has been no significant change in the visual baseline since the granting of TA/2015/1572 in term of the introduction of new visual receptors into the surrounding area. The visual envelope of the proposed scheme is likely to be substantially the same as the approved scheme. For Bletchingley Central the proposal would not encroach on any of the surrounding land or woodland.
- 26. Historic/Listed Buildings Officer : No objection
- 27. British Pipelines Agency : No comments to make

- 28. County Air Quality Consultant
No objection. With regards to the flare, if the gas previously burned in the permanent flare is now being used to power the generators, apart from during emergencies and maintenance, agree that emissions from the permanent flare are likely to decrease. The applicant has demonstrated that the air quality impacts are not likely to have a significant effect.
- 29. Public Health England - Surrey & Sussex HPT
No objection. Generally electricity generation is preferable over flaring as any combustion of gas should be in a controlled manner. No significant concerns regarding the risk to the health of the local population from emissions to the local environment. Recommend advice is sought from Tandridge Environmental Health.
- 30. Gatwick Airport Safeguarding : No objection
- 31. County Archaeological Officer : No objection
- 32. Biggin Hill Airport Ltd : No comments received
- 33. Public Health Surrey County Council : No comments received
- 34. County Geological Consultant
No objection. Condition 46¹ of planning permission ref: TA/2015/1572 states that soil samples from six evenly spaced out locations across the wellsite should be undertaken. Recommend this condition be reworded to provide a more comprehensive inspection and testing scheme. Further details are recommended by way of condition, in respect of the membrane containment, soils and drainage.
- 35. Rights of Way : No objection
- 36. SCC Emergency Planning
The site operator will be required to work within the normal regulatory and legal requirements for the planned activity; and there will be a need to have arrangements in place to deal with the likely protests that will accompany the activities.
- 37. Sutton and East Surrey Water : No comments received
- 38. Southern Water : No comments to make
- 39. Lead Local Flood Authority
No objection, subject to conditions requiring further details of the drainage system for the site, to demonstrate that the SuDS scheme is properly implemented and maintained, and a verification report to demonstrate that the drainage has been completed in accordance with the agreed scheme.
- 40. Surrey Fire & Rescue : No comments received
- 41. County Highway Authority : No objection
- 42. UK Power Networks : No comments received
- 43. Fisher German (GPSS) : No comments received

Parish/Town Council and Amenity Groups

- 44. Godstone Parish Council
Concerns about the exhaust gas that will be released from a substantially larger unit and the detrimental effect on the surrounding area if the size of unit is granted planning permission to be increased.
- 45. Bletchingley Parish Council : No comments received
- 46. Godstone Village Association : No comments received
- 47. British Horse Society : No comments received

Summary of publicity undertaken and key issues raised by public

- 48. The application was publicised by the posting of three site notices and an advert was placed in the local newspaper. A total of 50 owner/occupiers of neighbouring properties were directly notified by letter. Five letters of representation have been received raising the following comments:

¹ Condition 46 relates to when the wellsite is decommissioned (i.e. all the plant/ equipment are taken off site and the well site is closed in) that soil sampling is carried out before restoration of the site takes place to ensure there is no contamination of the soil from the proposal.

- There are too many lorries on Tilburstow Hill Road
- If the gas to wire production affects quality of life in terms of noise. Will it stop heavy goods vehicles past my house? What changes would we notice once production has started considering proximity to Bletchingley 2?
- Object for the following reasons:
 - a. Tandridge Local Plan 2033 has not been adopted so any reference should not be taken into account until officially adopted
 - b. The scheme clearly is too expensive for iGas.
 - c. Should not be burning hydrocarbons to produce electricity. Modern wind turbines, tidal and photoelectric schemes do not pollute like gas generators
 - d. Three 2Mw generators will be inefficient and produce more pollution than larger stations that could be supplied by piped gas.
 - e. Noise from generators
 - f. No mention how much CO₂ will be produced. Half a kilogram of CO₂ is emitted by gas powered engines for each kilowatt hour produced. We will have 6Mw being generated that's 3000kg per hour, 72,000kg per day.
 - g. No information of type of insulation gas that will be used in the electric switchgear equipment. Many installation use sulphur hexafluoride or SF₆. It is a synthetic gas not absorbed or destroyed naturally.
 - h. The planning advert put in the paper did not say there was going to be a six fold increase in electricity production.
 - i. No mention of an EfW at Lambs Brickworks.
 - j. No mention of the Garden Town that is proposed
 - k. No mention on where the 11kv cables are going to be running that will be outside the area covered by this application. Where are the cables going to Crowhurst?
 - l. Following the flaring from the wellhead in 2012 size people in the very local area developed cancers. There has been no soil testing that was part of the 2012 flaring planning permission. I can only conclude that the burning of gas in flaring or internal combustion engine is carcinogenic.
 - m. SCC should protect residents of Surrey and the environment and not support environmentally destructive planning application when there are other environmentally friendly means to produce electricity.
- It is a change in the use of the gas than an increase in the volume produced. There should be an environmental impact study on the increase in atmospheric pollution from burning gas to generate electricity.
- Additional delays, traffic jams, noise, upheaval. Suffering from Gatwick down the A22. Roads cannot take the level of traffic and building on this scale.

PLANNING CONSIDERATIONS

Introduction

49. The guidance on the determination of planning applications contained in the Preamble/Agenda frontsheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
50. Surrey County Council as Minerals Planning Authority (MPA) is required under Section 70(2) of the Town and Country Planning Act 1990 (as amended) (1990 Act) when determining planning applications to "have regard to (a) the provisions of the development plan, so far as material to the application, (b) any local finance considerations, so far as material to the application, and (c) any other material considerations". This section of the 1990 Act must be read together with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (2004 Act), which provides that: "If regard is to be had to the development plan for the purpose of any determination to be

made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

51. In this case, the statutory Development Plan for consideration of this application consists of the: Surrey Minerals Plan Core Strategy Development Plan Document 2011 (SMP2011), the Tandridge District Core Strategy 2008 (TDCS2008) and the Tandridge District Local Plan Detailed Policies 2014 (TDLP2014).
52. Tandridge District Council submitted their emerging local plan “Our Local Plan 2033” in January 2019 to the Planning Inspectorate. An Examination in Public (EiP) commenced in October 2019 and was completed by the end of November 2019. The Inspector is currently considering all the information presented at the EiP. Given the plan has undergone EiP stage, Officers consider that policies within this Plan be afforded some weight in decision making for this application. However this weight does not outweigh those policies that form part of the TDCS2008 and TDLP2014 which are part of the adopted Development Plan. The application site is also within the Godstone Neighbourhood Plan area which was designated in 16 March 2017. No neighbourhood plan has been submitted or adopted for the Godstone Neighbourhood Plan area.
53. An area of note is that emerging Policy TLP01 “Spatial Strategy” identifies the South Godstone Garden Community. The Garden Community area is identified as land south of the railway line extending from Tandridge Lane in the east to footpath 545 to the south to Eastbourne Road to the west around Lagham Manor before extending further westwards towards Lambs Brickworks over Tilburstow Hill Road. The proposed garden village would be approximately 174m to the north where the land abuts Lambs Brickworks and 535m to the east. Documents submitted to accompany the draft Local Plan examination state that this location is a ‘broad location’ all within the Green Belt and that *“that in the absence of establishing where the Green Belt boundary will be amended to accommodate the development, no prior assumptions are made”* and that *“the level of land being considered is in excess of that needed [...] However, this is considered necessary given detailed site constraints such as heritage assets [...] and the Green Belt boundary [...]. The wider area provides sufficient flexibility to work up options for the layout of the community and the area to be developed”*. This information shows that the proposed Garden Community may not extend as close to the boundaries as shown in the draft Local Plan. Lambs Brickworks is also identified as a Strategic Employment Site within the “Our Local Plan 2033”.
54. At this stage whilst the EiP has closed, Tandridge District Council await a response from the Planning Inspectorate as to whether any further modifications are required. As such these development proposals carry some, albeit, limited weight with regards to this application.
55. Emerging Policy TLP02 “Presumption in Favour of Sustainable Development” states that when considering development proposals the Planning Authority will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF and that planning proposals will be approved when they accord with policies in that plan unless material considerations indicate otherwise.
56. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations, this includes the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG). In assessing the application against development plan policy it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. In this case the main planning considerations are: air quality, noise, landscape and visual impact, contamination and drainage.

57. This application is submitted under section 73 of the Town and Country Planning Act 1990 (as amended). Section 73 of the Town & County Planning Act 1990 allows planning permission to be given for development of the same description as development already permitted but subject to different conditions.
58. Local planning authorities can grant permission to Section 73 applications unconditionally or subject to different conditions, or they can refuse the application if they decide the original condition(s) should continue. If granted a section 73 planning application creates a fresh planning permission and leaves the existing planning permission intact. The development, which the application under section 73 seeks to amend, will by definition have been judged to be acceptable in principle at an earlier date. Section 73 provides a different procedure for such applications from that applying to applications for planning permission, and requires the local planning authority to consider only the question of the conditions subject to which planning permission should be granted, though in doing so the authority should have regard to all material considerations and determine the application in accordance with the current development plan unless material considerations indicate otherwise.

NEED FOR THE DEVELOPMENT

Surrey Minerals Plan Core Strategy 2011

Policy MC1 – Spatial strategy – location of mineral development in Surrey

Policy MC12 – Oil and Gas Development

59. There are three separate phases of oil and gas development: exploration, appraisal and production. Each requires separate planning permission. The applicant previously demonstrated the need position with regards to this site within planning application TA/2015/1572 by identifying the contribution to UK energy needs using indigenous energy minerals to reduce the reliance in energy imports, it supporting a range of employment and economic growth and securing the UK's energy future. Planning application TA/2015/1572 outlined that a viable hydrocarbon reserve capable of being exploited from the two wells has been identified and that upgrading the wellsites provides an opportunity to recover the reserve before the area is restored after which, re-establishing the wellsite would be costly and damaging to the environment.
60. This proposal seeks to produce oil and gas from an identified hydrocarbon reserve in a manner similar to that considered as part of TA/2015/1572. Oil would be tankered from the site as previously proposed however rather than some gas being exported via a pipeline the applicant now proposes all the gas be converted into electricity on site and removed via a wire. The applicant has stated that the site is capable of increased electricity generation and consequently, additional equipment is required to allow for an increase in electricity generated from gas. The applicant states that it is vital that the use of resources is optimised and the significant increase in electricity generated at the site will have a positive benefit to local energy supply, providing power for a much larger number of properties than would have been associated with the previously approved 1MW facility and gas to grid system.
61. Officers, as part of the consideration of planning application TA/2015/1572, considered both national planning policy (within the NPPF) and guidance (the nPPG) alongside development plan policy set out within the SMP2011 – Policies MC1 and MC12 – with regards to hydrocarbon development. These policy documents recognise that minerals, including oil and gas, are finite resources and can only be worked where they are found. Section 17 of the NPPG sets out national policy with regards to the sustainable use of minerals. Paragraph 204 states that planning policies should provide for the extraction of mineral resources of local and national importance. Paragraph 205 states that great weight should be given to the benefits of mineral extraction, including to the economy while ensuring there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety. Paragraph 209 provides specific policy on

oil, gas and coal exploration and extraction. Whilst paragraph 209(a) has been removed, the remainder of the paragraph remains unchanged and extant. Paragraph 209(b) states that when planning for on-shore oil and gas development, minerals planning authorities should clearly distinguish between, and plan positively for, the three phases of development (exploration, appraisal and production) whilst ensuring appropriate monitoring and site restoration is provided for.

62. The nPPG paragraph 124² states that mineral planning authorities should take account of Government energy policy, which makes it clear that energy supplies should come from a variety of sources and this includes onshore oil and gas.
63. Policy MC1 of the SMP2011 states that oil and gas development will most likely be concentrated in the southern half of the county. Policy MC12 states, in relation to production, that the commercial production of oil and gas will only be permitted where the mineral planning authority is satisfied that, in the context of the geological structure being investigated, the proposed site has been selected to minimise adverse impacts on the environment. The policy goes on to state that commercial production of oil and gas will only be permitted where it has been demonstrated that the surface/ above ground facilities are the minimum required and there are no significant adverse impacts associated with extraction and processing, including processing facilities remote from the wellhead, and transport of the product. The SMP2011 provides details that exploratory boreholes were established in the 1960's at Kings Farm for natural gas deposits and that the specific issues associated with the production phase are the additional above ground facilities that are associated with this phase and some degree of flexibility in the siting of these facilities to mitigate against any environmental impact will be required.
64. Both national and development plan planning policy with regards to hydrocarbon development have not changed since application TA/2015/1572 was assessed by Officers in 2016.

UK Energy Supply and Demand

65. The Officer report for TA/2015/1572 considered not only the above mentioned planning policy but also national energy policy with regards to oil and gas. With regards to the Government's position, the Ministerial Statements site alongside the NPPF and in a Ministerial Statement dated 17 May 2018 it recognises that the UK has a diverse range of energy sources, which includes natural gas, and that gas makes up around a third of the current energy usage. The Ministerial Statement recognises that the UK must have safe, secure and affordable supplies of energy with carbon emission levels that are consistent with carbon budgets defined in the Climate Change Act. However the Statement goes on to state that despite improvements in efficiencies in off-shore oil and gas production, the UK has gone from being a net exporter to a net importer (importing over half of gas supplies in 2017 and estimates of importing 72% by 2030). The Statement goes on to state that the Government believes "*it is right to utilise our domestic gas resources to the maximum extent*". Whilst this Statement relates to shale gas and oil, it did set out some important detail in relation to the importance of domestic onshore oil and gas supplies in the UK.
66. The Government states through its Gas Generation Strategy (2012) that it is determined to ensure that the UK maximises its indigenous oil and gas resources as any over-reliance on gas or any energy source, could put the UK at risk of disruption in supply. The Gas Generation Strategy states that the most energy-efficient way of using gas is to convert it into power and heat simultaneously as this reduces the amount of energy rejected as waste heat relative to the amount generated. This application proposes to convert the gas into electricity on site before it is exported.

² Paragraph: 124 Reference ID: 27-124-20140306

67. National policy with regard to energy is set out in the White Paper 'Meeting the Energy Challenge' published in May 2007 (Energy White Paper) and incorporates EU objectives towards energy and climate. The 2007 Energy White Paper recognises that 'energy is essential in almost every aspect of our lives, as well as for the success of our economy'. The 2007 Energy White Paper sets out the Government's response to the long-term energy challenges posed by the need to tackle climate change and reducing CO₂ emissions, and ensuring that the country has secure, clean and affordable energy supplies. The four energy policy goals in the White Paper are to:
- cut emissions by some 60% by about 2050, with real progress by 2020;
 - maintain the reliability of energy supplies;
 - promote competitive markets in the UK and beyond;
 - ensure that every home is adequately and affordably heated.
68. The Energy White Paper explains that while the UK has benefitted from indigenous reserves of oil and gas for many years, as the North Sea matures, we will become increasingly dependent on imported energy, and therefore we need to be confident that the market for fossil fuels continues to ensure reliable supplies of these fuels at competitive prices; and that fossil fuels will be relied upon for the foreseeable future. The Energy Act 2008 implemented the legislative aspects of the 2007 White Paper and reflected the changing requirements for security of supply infrastructure and adequate protection for the environment and the UK's population, as the energy market changes.
69. The Energy Act 2011 has three principle objectives: to tackle barriers to investment in energy efficiency, enhance energy security, and enable investment in low carbon energy supplies.
70. The Government's Energy Security Strategy 2012 outlines that gas will continue to play a crucial role in the energy mix for many years to come, both for power generation and heat and that the UK's domestic production is expected to continue to decline. This places an increasing reliance for the UK on global markets. Current UK gas production comes overwhelmingly from conventional gas extraction offshore however, as outlined above this is falling, making other sources of gas more economically viable.
71. The most recent Annual Energy Statement published by the Government (now the Department for Business, Energy, Industrial and Strategy) was in 2014. This document explains that the Government is undertaking activities in a number of areas to enhance energy security whilst also delivering wider energy goals. This includes measures to: incentivise deployment of flexible gas and low carbon generation; maximise economic production of domestic oil and gas reserves; and prevent possible disruptions to UK energy supply. Nevertheless, the UK's energy and climate change policy is influenced by decisions taken in Europe and as the importation of oil and gas increases, so does the influence of international issues.
72. The statement recognises at para 9 that energy consumers need to have access to reliable and secure energy supplies and that the production of gas and oil from UK's own reserves has been declining since 1999. The document goes on to state that since 2004 the UK has been a net importer of energy and as such, this has changed the way in which energy security is viewed. In 2013, gas supplied a quarter of the energy to generate electricity with oil being substantially lower at 1%. At para 39 the statement outlines that to enhance energy security the measures to be deployed are for flexible gas and low carbon generation, maximising economic production of domestic oil and gas reserves; and preventing possible disruptions to energy supply. This is to be carried out in combination with a reduction in energy consumption.
73. Para 220 of the Annual Energy Statement states "*gas is one of the most flexible and reliable sources of electricity and is essential to ensuring we maintain security of supply*". Oil is predominantly used within transport fuels (petrol, diesel and JET fuels) accounting

for around 69% of UK oil consumption. 43% of total 2013 UK oil demand was met by imports to meet the shortfall in production of diesel and JET fuels. Whilst oil demand will reduce in the coming decades by 2030 the UK is still expected to consume some 50 million tonnes of oil products per year compared to 61 million tonnes in 2014.

European Legislation

74. The European Commission (EC) has adopted Green Papers and Strategic Energy Reviews to advance the agenda on sustainability, competitiveness and security of supply. A core goal of European energy policy is to ensure safe, secure, sustainable and affordable energy for all and is of fundamental importance to the EU's economy, industry and citizens. The European Council has adopted ambitious energy and climate change objectives for reducing greenhouse gas emissions. To address the challenges of energy security and climate change, the EU's energy and climate goals are incorporated into the Europe 2020 Strategy for smart, sustainable and inclusive growth, which was adopted by the European Council in June 2010, and into its flagship initiative 'Resource efficient Europe'.
75. The EU Energy Strategy (May 2014) sets out that that the EU imports more than half of all the energy it consumes. Its import dependency is particularly high for crude oil (more than 90%) and natural gas (66%). The total import bill is more than €1 billion per day. Energy security has also to be seen in the context of growing energy demand worldwide, which is expected to increase by 27% by 2030, with changes to energy supply and trade flows.
76. To meet the EU's energy and climate targets for 2030, the European Commission stated that EU Member States had to establish a 10 year integrated national energy and climate plan for the period from 2021 to 2030. These plans are to cover energy efficiency, renewables, emission reduction, interconnections and research and innovation. The UK submitted their plan in December 2018. This document states that the UK is committed to ensuring there are secure supplies for consumers, regardless of the energy mix, and sets actions to enhance energy security by delivering a more diverse and reliable energy mix.

Conclusion on Need

77. The need for the production of hydrocarbons at the Kings Farm wellsites was established under planning permission TA15/1572, however, there must be some consideration of the nature, scale and circumstances of the proposed development. The application still involves the carrying out of gas and oil production over a temporary period of 15 years, but with an increased electricity generation on site, which would be removed via wire, thereby optimising the use of the onsite resources. The proposal involves a re-design of the site layout to facilitate this increased electricity production on site from the gas generation.
78. A detailed assessment of the proposals impact on landscape, noise, transport, air quality and land is undertaken below. With regards to the identification and use of the proposed site as required by Policy MC12, the use and redesign of the existing wellsites enables the continuation of production, utilising the necessary surface equipment, which is not considered to give rise to a significant adverse impact. As can be seen from Government policy, there is a need to maintain a stable and reliable supply of indigenous energy sources including onshore oil and gas into the future. Officers give significant weight to this. It is therefore appropriate that such indigenous supplies of natural gas and oil, regardless of how small in scale, are properly husbanded to make a valuable contribution by maximising energy recovery of indigenous supplies and contribute to the energy sector. Officers, therefore consider that there is a national need for the production of natural gas and oil at the Kings Farm wellsite.

ENVIRONMENT AND AMENITY

Surrey Minerals Plan Core Strategy 2011

Policy MC12 – Oil and gas development

Policy MC14 – Reducing the adverse impacts of mineral development

Tandridge District Core Strategy 2008

Policy CSP15 – Environmental Quality

Policy CSP17 – Biodiversity

Policy CSP21 – Landscape and Countryside

Tandridge Local Plan Detailed Policies 2014

Policy DP1 – Sustainable Development

Policy DP7 – General Policy for New Development

Policy DP19 – Biodiversity, Geological Conservation and Green Infrastructure

Policy DP20 – Heritage Assets

Policy DP21 – Sustainable Water Management

Policy DP22 – Minimising Contamination, Hazards and Pollution

79. There can be a wide range of potential environmental impacts associated with mineral development. Policy MC14 of the SMP2011 states that mineral development will be permitted only where a need has been demonstrated and the applicant has provided information sufficient for the mineral planning authority to be satisfied that there would be no significant adverse impacts arising from the development. The policy sets out a number of criteria which, when determining a planning application for minerals development, should be considered in terms of any potential impacts. The criteria in the policy relevant to this planning application are: i) noise, dust, fumes, vibration, illumination; ii) water quality and land drainage; iii) the appearance, quality and character of the landscape and any features that contribute to its distinctiveness; iv) the natural environment and biodiversity; v) sites of archaeological interest and structures of historic interest and their setting; vi) the rights of way network; vii) the use of land and soil resources; viii) the need to manage the risk of bird strike; and ix) cumulative impacts arising from the interactions between mineral developments, and between mineral and other forms of development.
80. With regards to oil and gas development and specifically the production phase, para 5.39 of the SMP2011 recognises that specific issues on the location of well heads are likely to have been considered in relation to the earlier phases, but what is more critical at this stage are the additional above ground facilities that are associated with production. The para goes on to state that some flexibility in order to mitigate any environmental impacts to make the development acceptable, may have to be considered. Policy MC12 is clear that for oil and gas production phases that a proposed site must have been selected to minimise adverse impacts on the environment and such sites will only be permitted where it has been demonstrated that the facilities are the minimum required and there are no significant adverse impacts associated with extraction and process and from the transport of the product.
81. TDCS2008 Policy CSP15 sets out a number of criteria that development proposals should promote in order to reduce the impact on the natural environment. Of the eight criteria, criteria c) requiring sustainable drainage is the most relevant to this proposal.
82. TDLP2014 Policy DP1 states that proposals that accord with the Development Plan will be approved without delay unless material considerations indicate otherwise. Policy DP7 is broken down into several components. Part A expects all new development to be of a high quality design integrating with its surroundings and the landscape. Part B states that where the principle of the development is in accordance with other policies in the Development Plan, permission will only be granted where a series of matters set out within the policy, are effectively addressed. With regards to this proposal, matters 6 (Amenity), 10 (Assets including heritage), 12 (Landscaping ensuring landscaping is an

integral element in layout design, making provision for suitable new planting, trees and boundary treatments to enhance the appearance, character and amenity of the site from the outset alongside retaining existing important features such as trees, hedgerows and walls wherever possible); and 13 (Trees making provision for the retention of existing trees that are important by virtue of their significance in the landscape).

83. Emerging Policy TLP46 “Pollution and Air Quality” states that all development proposals must be located and designed to not cause a significant adverse effect on the environment, health of residents or residential amenity by reason of pollution to land, air or water, or as a result of disturbance including, but not limited to, noise, light, odour, heat, dust, vibrations and littering. The emerging policy goes on to state that planning conditions may be used to manage and mitigate the effects of pollution.
84. The NPPF paragraph 205 states that in determining applications for mineral extraction, mineral planning authorities should ensure that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety and take into account the cumulative effect of multiple impacts from individual sites and/ or from a number of sites in a locality.

Environmental Impact Assessment (EIA)

85. The Town and Country Planning (Environmental Impact Assessment)(England) Regulations 2017 (as amended) (referred to here as the EIA Regulations) implement the European Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment which was adopted in 1985 and amended in 1997.
86. The EIA Regulations include Schedule 1, which identifies the types of projects for which EIA is mandatory, such as large scale thermal and nuclear power stations and Schedule 2 identifies the types of development for which EIA may be required. The EIA Regulations provide information about the issues that the planning authority needs to consider when determining whether a project needs EIA including thresholds and criteria that indicate whether a given project is more or less likely to give rise to significant environmental impacts. In addition to the thresholds and criteria, there are other circumstances that may trigger EIA, such as location within or very close to a ‘sensitive area’. The EIA Regulations define ‘sensitive areas’ as including, nature conservation sites with national or higher level designations (e.g. Sites of Special Scientific Interest, Special Protection Areas, Special Areas of Conservation, and Ramsar Sites), Areas of Outstanding Natural Beauty, National Parks, World Heritage Sites, and Schedule Monuments.
87. The applicant did not seek a Screening Opinion prior to the submission of this planning application. The County Planning Authority therefore screened this proposal under Regulation 8 “Applications which appear to require screening” of the EIA Regulations to ascertain whether the proposal fell within the requirements of EIA. The site is not covered by any national or higher level nature conservation designations, nor does it lie within an area that is at risk of flooding, or that has been designated as a groundwater source protection zone. Nevertheless the proposal would involve a form of development that is consistent with those categories listed under paragraph 14 of Schedule 1 of the EIA Regulations 2011: “*Extraction of petroleum and natural gas for commercial purposes where the amount extracted exceeds 500 tonnes per day in the case of petroleum and 500,000 cubic metres per day in the case of gas*”. This application does not involve an increase in the volume of oil and gas to be produced from the application site. This being some 40 tonnes of oil per day (300 barrels of oil per day) and 34,000 cubic metres of gas per day. Therefore for both oil and gas, the proposed development would not exceed the thresholds listed under paragraph 14 of Schedule 1 of the EIA Regulations 2017.
88. The proposed scheme would involve activities associated with a form of development that fits into two of the categories of development listed in Schedule 2 of the EIA

Regulations 2017:

- *Paragraph 2(d) – deep drillings, in particular – geothermal drilling, drilling for the storage of nuclear waste material; drilling for water supplies; with the exception of drillings for investigating the stability of the soil*
- *Paragraph 2(e) – surface industrial installations for the extraction of coal, petroleum, natural gas and ores as well as bituminous shale*

The screening criterion given in Schedule 2 of the EIA Regulations 2017 in paragraph 2(d) for any type of drilling is that the site area exceed 1 hectare; and for paragraph 2(e) that the site area exceeds 0.5 hectares. The total area of the application site is 1.78ha. exceedence of the indicative thresholds does not mean that EIA is required in any given case, but simply that the proposal must be screened.

89. Following on from the above, the Annex to the national Planning Practice Guidance (nPPG) on EIA advises that the following key indicative criteria and thresholds should be taken into account when considering whether EIA is required in respect of developments of the types list in Schedule 2, para 2(d) and 2(e):
- For para 2(d) *“Drilling operations involving development of a surface site of more than 5 hectares”*
 - For para 2(e) *“Development of a site of 10 hectares or more or where production is expected to be more than 100,000 tonnes of petroleum per year”*
90. As outlined above, the site area is some 1.78ha and the annual production of oil is expected to be some 14,600 tonnes per year. Daily production of natural gas is estimated to be some 34,000 cubic metres per day which equates to some 11,169 tonnes per annum of oil equivalent. Total annual hydrocarbon production from the site would be some 25,769 tonnes of oil and oil equivalent. Based on the EIA Regulations and the advice set out in the nPPG the EIA team recommend that the proposed scheme does not constitute EIA development and a Screening Opinion was adopted on 16 September 2019. Consequently this application is not accompanied by an Environmental Statement.

Climate Change

91. Concern has been raised within representations as to how this proposal aligns with the Government’s commitment to tackling climate change. As identified above, the Climate Change Act 2008 established the context for government action, incorporating a requirement to undertaken climate change risk assessments and to development a National Adaptation Programme to address the opportunities and risks from climate change. The Climate Change Act 2008 establishes a legally binding target to reduce the UK’s greenhouse gas emissions by at least 80% in 2050 from 1990 levels³. In 2019, this target was strengthened through the Climate Change Act 2008 (2050 Target Amendment) Order 2019, to commit the UK to reaching net zero greenhouse gas emissions by 2050. The nPPG states that every area will have different challenges and opportunities for reducing carbon emissions from new development such as energy related development.
92. The NPPF paragraph 148 states that *“the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure”*. The NPPF does not specifically set out how the consideration of greenhouse gas emissions from a proposal

³ NPPG Paragraph: 002 Reference ID: 6-002-20140306

should be balanced in the decision making process and instead looks to new development to be designed in a way that is resistant to climate change and to incorporate renewable or low carbon energy. There are no relevant policies within the SMP2011, the TDCS2008 or TDLP2014 on this matter.

93. As part of the Air Quality Assessment (AQA) submitted with the application, the applicant has carried out an assessment of greenhouse gas emissions of direct emissions to air from the proposed plant exhausts. The AQA refers to Environment Agency guidance on assessing the impact of air emissions on global warming if applying for a bespoke environmental permit. This guidance provides a standardised methodology or determination of the impact on global warming of a release on the basis of the equivalent annual mass release of carbon dioxide. The AQA does not provide an assessment of climate change from indirect emission. The applicant states that a comparison of the current operating regime, where a diesel generator is used to provide site power and any produced natural gas is disposed of by flaring, with the proposed future regime, where produced natural gas is used in gas engines to generate electricity, indicates an improvement in greenhouse emissions (15% reduction).
94. Climate change and energy policies are interlinked, and the Government recognises that the way we produce and use energy plays a major part in meeting the challenge of climate change and has emissions targets and policies in place for a transition towards a low carbon energy mix. The Government is undertaking activities in a number of areas to enhance energy security whilst also delivering wider energy goals, which includes measures to maximise economic production of domestic oil and gas reserves; and prevent possible disruptions to the UK energy supply. In view of the above and the UK Government's current policy, Officer consider that the proposed development would not be in conflict with the Government's climate change agenda.

Air Quality

95. The NPPF states decisions should take into account the presence of Air Quality Management Areas (AQMAs) and the cumulative impacts on air quality from individual sites in local areas. The application site does not lie within an AQMA therefore there are no exceedences of PM₁₀ or Nitrogen Dioxide.
96. As outlined above, criteria i) of Policy MC14 of the SMLP2011 requires potential impacts from dust and fumes to be considered in the determination of a planning application. Policy DP22 of the TDLP2014 states that development will be permitted provided it would not have an adverse impact on health, the natural or built environment or amenity of uses by virtue of dust or other forms of air pollution.
97. The UK's air quality strategy is based on meeting obligations within the Ambient Air Quality Directive (2008/50/EC) and the Fourth Daughter Directive (2004/107/EC) which make legally binding limit values and target values. These are set for individual pollutants and are made up of a concentration value, an averaging time over which it is to be measured, the number of exceedances allowed per year, and a date by which it must be achieved. This has then be transposed in to English law through the Air Quality (Standards) Regulations 2010. These regulations set limit legally binding concentrations for a range of pollutants including carbon monoxide, nitrogen dioxide, PM10 and sulphur dioxide.
98. The EPUK/IAQM "*Land Use Planning and Development Control: Planning for Air Quality*" (2017) recognises that all new development will have emissions associated with them and therefore will have the potential to have associated adverse impacts. It is these impacts that require quantification and evaluation in the form of an Air Quality Assessment alongside the ability to assess the significance of those impacts. Para 6.2 of the document advises that where a development requires an Air Quality Assessment this

should be undertaken using an approach that is robust and appropriate to the scale of the likely impacts.

99. The key difference this proposal would have on air quality compared to TA/2015/1572 would be the installation of three 2Mw generators at Bletchingley Central. Planning permission TA/2015/1572 makes provision for one generator. Aspects related to the use of a flare, the digging of trenches, the expanded pad area and vehicle movements for both wellsites and the access track were all considered and assessed as part of TA/2015/1572. There are no changes to these aspects as part of this proposal. As such there is no assessment within this report of dust emissions or traffic emissions associated with this development proposals. This air quality section will focus on the air quality emissions associated with the proposed new generators only. Concern has been raised within a representation received with regard to the air quality impacts from the generators.
100. The applicant has submitted an Air Quality Assessment (AQA) to assess the dispersion of releases to atmosphere associated with the proposed operations to determine their impact on local air quality. The AQA focused on in particular on locations of human habitation and sensitive nature conservation sites. The AQA outlined that the main sources of pollutant releases during site operations would be from diesel fuel in on-site stationary engines for well operations at Bletchingley Central, construction and transport vehicles, flaring and the generation of electricity from combustion of produced natural gas in gas engines. The flare is to be used for emergency purposes only. The AQA considered nitrogen oxides, carbon monoxide, volatile organic compounds, sulphide dioxide and particulate matter. With regards to dust and vehicle emissions, these were found to be negligible as similarly found with application TA/2015/1572. Conditions with regards to the control of dust imposed on planning permission TA/2015/1572 can be carried forward with this application.
101. The AQA concluded that, based on a worst case scenario, that the pollutant process contributions from the site operations are localised occurring either within or just beyond the Bletchingley Central wellsite boundary. Beyond this location, process contributions reduce significantly with distance. At the nearest residential locations where long term human exposure might be expected, the AQA found that the pollutant process contributions over the duration of the project are insignificant and pose no significant threat to continued attainment of environmental standards. With regards to the nearby bridleway 293, the AQA also identified that pollutant process contributions from the proposal would be insignificant. This was also the case for the nearest conservation site which is sensitive to nitrogen and acid deposition.
102. The County Air Quality Consultant (CAQC) has reviewed the AQA and concurs with the findings that dust emissions are unlikely to be significant and that appropriate mitigation measures can be imposed through conditions. The CAQC agrees there is no necessity to assess vehicle related emissions.
103. The AQA outlines what modelling work has been carried out and what information has been used in this model. The CAQC has reviewed this approach and agrees with the data used and comments it is a robust approach. For human receptors, the AQA assesses this to show the Predicted Environmental Concentration (PEC) compared to the relevant Environmental Assessment Level (EAL). The CAQC queried the conclusions reached in the AQA with regards to NO₂ impact and PM_{2.5}.
104. The applicant responded providing further clarification on the volumetric flow for the exhaust diameter and confirming that the PEC values are expressed as a percentage of the EAL and not ug/m³ which could be where the confusion lay with the predictions for emission levels from the generators. The applicant corrected a typographical error in the AQA and made the units clearer in the document. The CAQC reviewed the changes and has commented that they have no recommendations requiring further information from

the applicant and is of the opinion that the applicant has demonstrated that the air quality impacts of the proposal are not likely to give rise to significant adverse effects.

105. One of the representations received for this application queried how the County Planning Authority would know if the modelling is appropriate for the site, is concerned that the pollutants and emissions from the proposal are unknown for example the insulation gas for the switch gear, and that there may be significant periods of flaring when the generators are off line. The CAQC has commented that they have benchmarked the assessment against good practice and is satisfied that the assessment follows good practice and that an appropriate model has been used in the assessment. With regards to pollutants that may arise from the flare and the concerns about pollutants from extended periods of flaring, the CAQC comments that once the site is operational this aspect will be controlled by the Environment Agency through the permitting regime who must ensure that no significant environmental harm results in accordance with Best Available Technique (BAT). With regards to the insulation gas, the CAQC comments this is likely to be highly inert given its use for switch gear to dampen sparks. The applicant has confirmed that the insulation gas would be SF6 which is an industry standard practice for such development.

Conclusion

106. There are three elements in relation to air quality that this proposal could result in significant adverse impacts: dust, emissions from the flare and similar equipment; and emissions from the traffic accessing the application site. With regards to dust the applicant has outlined the potential dust sources for the proposal and also mitigation measures for these sources. The CAQC is satisfied with the assessment and the proposed mitigation measures and raises no objection. With regard to traffic emissions, given the number of HGVs accessing the site as an annual average would be below the EPUK and IAQM threshold of 100, the CAQC is satisfied the impact from this component would not be significant.
107. With regards to the flare and other potential sources of nitrogen dioxide that would be on the site, the applicant has provided further amplifying information to that originally submitted in the form of two scenarios having been modelled to demonstrate that the levels of nitrogen dioxide would not be above the air quality strategy objectives and that the levels of nitrogen dioxide would not have a significant adverse impact on the modelled receptors (these receptors being the closest residential and business properties). The CAQC has reviewed the submitted information for this aspect of the proposal and is satisfied that the modelled work demonstrates that emissions from the flare and other plant and equipment on site, would not result in impacts that would be significantly adverse. Officers are satisfied that the proposal meets the requirements of Policy MC14(i) of the SMP2011 and Policy DP7(B6) of the TLP2014

Landscape and Visual Impact

108. The principle of retention of the wellsites for a period of 15 years for the production of oil and gas from the site was given as part of planning permission ref: TA/2015/1572. The differences, in landscape and visual impact that are to be assessed for this application are the reduction in wellsite areas and changes to the internal configurations of plant within those wellsites, the increase in the number of generators; and changes to the planting regime; and whether these changes would have an impact on the landscape character of the area and/ or create a visual impact. Currently the elements on site include concrete pads and limited plant and equipment as can be seen from the photographs appended to this report.

Landscape Character

109. The application site is located within the Horley to Swaynesland Low Weald Farmland Landscape Character Area (LCA) WF3 as identified in the Surrey LCA 2015. Key positive landscape attributes include the unsettled, peaceful and gently undulating farmland landscape, rural views, often granted by tree cover, across the Wealden farmland and to wooded hills to the north; a high density of hedgerows and small blocks of woodland (including ancient woodland); small to medium sized fields, divided by a strong network of well-maintained and connected hedges; and a network of rural lanes, mostly hedge lined. Landscape guidelines for new built development include ensuring built form is integrated by woodland edges, shaws, hedgerow and open areas linked to the existing network; any new development should conserve the enclosure and vegetated character of the surrounding landscape.
110. Both parts of the application site sit within a series of agricultural fields screened by a series of small woodlands and hedgerows which serves to restrict views of the development across the landscape. The land rises to the north and south of the application area. To the north is Lambs Business Park, the Redhill to Tonbridge railway line and beyond that the land is designated AGLV. The topography is slightly undulating and this provides views of Bletchingley 2 from above along a small section of footpath 269, but it is generally screened by local hedgerows all around it. Bletchingley Central is well contained by Birchen Coppice to the south and a thick wooded boundary or shaw to the west. As described above, the railway line to the north provides the boundary for the AGLV.
111. National policy set out in the NPPF para 172 looks to the planning system to contribute and enhance the natural and local environment by protecting and enhancing valued landscapes. Policy MC14 of the SMP2011 criteria (iii) seeks to protect the appearance, quality and character of the landscape. Policy CSP21 of the TDCS2008 states the character and distinctiveness of the District's landscape and countryside will be protected for their own sake with new development being required to conserve and enhance landscape character. Emerging Policy TLP32 "Landscape Character" requires development proposals to protect and enhance the character and qualities of the local landscape through design and management, make provision for the retention and enhancement of features of landscape importance, protect the landscape setting and provide mitigation where appropriate.
112. The County Landscape Architect (CLA) has reviewed the proposals and has commented that there have been no significant changes to the landscape and visual baseline in the intervening period since TA/2015/1572 was granted planning permission and that as the key proposed infrastructure is no higher than in the approved scheme that the views of the development from the AONB remain unlikely. The CLA notes that the number of vehicle movements are to remain as previously permitted and therefore does not consider this proposal would result in any increase impact on local tranquillity. The CLA notes that the phase which would have the most visual impact would be the workover phase however this application does not amend elements relating to the workover phase therefore the previous landscape and visual assessment for this phase remains

Changes to Bletchingley Central

113. As outlined above the new elements of the proposal that could have an impact on the landscape character and/ or visual impact at Bletchingley Central would be the siting of the generators. The reconfiguration of the application site layout does not introduce any other new elements that were not assessed and considered acceptable as part of planning permission TA/2015/1572. The permitted security fence is 2.5m in height and has been installed. The soil bund is to be of the same height and in the same location as previously permitted albeit it will be narrower in width. The generators would be 8m in height to the top of the stack the same height as the generator permitted as part of TA/2015/1572.

114. With regards to visual impact, the CLA has commented that there have been no significant change in the visual baseline since the permitting of TA/2015/1572 in terms of the introduction of new visual receptors into the surrounding area. The CLA notes that there would be a greater concentration of taller plant within the compound than previously approved, notably the gas generators which would project above the perimeter fence and the 3.5m soil bund along the northern boundary; and that this would increase the contrast between the discrete industrial site and the surrounding rural area. However, the CLA comments that the plant/ infrastructure/ soil bund would be sited within the established wellsite compound, would be no higher than previously approved and would not encroach onto any of the surrounding agricultural land or woodland. The CLA has gone on to comment that the significant visual containment of Bletchingley Central by the surrounding woodland assists in limiting the effects of the proposal, taking into account the additional taller plant, on the local landscape character. The height of all the plant would remain well below that of the surrounding woodland canopy. Due to the surrounding topography and enclosure by woodland blocks, shaws and mature hedgerow, open views into the wellsite compound are only possible from the discrete agricultural field to the immediate north east which is private land with no public access or rights of way.

Changes to Bletchingley 2

115. This proposal seeks to reduce the physical area of Bletchingley 2 from that permitted by TA/2015/1572 consequently there would be less development proposed as part of this application than that currently approved. The applicant proposes that the soil bunds formed from soils stripped from the wellsite be placed along the northern boundary rather than the western boundary; a single cabin and a floor mounted transformer. The post and wire fencing and hedgerow planting proposed as part of TA/2015/1572 has been installed and can be seen in photographs appended to this report. No changes are proposed as part of the wellhead.
116. The key change to Bletchingley 2 from a landscape character/ visual impact perspective would be the removal of the 9 trees that are proposed to be planted within the hedgerow that runs along the eastern and western boundary of Bletchingley 2. The applicant has stated the hedgerow which has been planted will grow to such a height so as to screen the wellsite and the trees would provide little additional screening benefit to this. Additionally the applicant states the landowner no longer wishes for these trees to be planted as the long term aim, once operations have ceased, is for the land to be returned to agricultural use and the trees would prevent this from being practical. The landowner has also raised concerns that the trees would also block views of the land from the farmhouse which the landowner states is necessary to retain for security and livestock monitoring purposes. The trees were proposed as part of the previous application to provide some screening from public views from Tilburstow Hill Road and to help integrate the application site into the character of the landscape.
117. Discussions have been held with the applicant with regards to the provision of the trees to maintain the spirit and intention of the original planning application but also accommodate the functional needs of the landowner. The CLA has reviewed the applicant's comments and has commented that taking into account the limited operational activity which would occur during the production phase at Bletchingley 2, it is understood that the wellhead itself, the kick out pot and the new utilities cabin will be the main physical elements subject to views from the surrounding area. The lower parts of these features would be substantially screened once the new hedgerow planting has become established (approximately Year 5 onwards, subject to appropriate aftercare), and in addition by the security fencing immediately surrounding the well head (albeit this is not a characteristic landscape feature). Ideally, while some new hedgerow trees around the well site would be welcome, the CLA understands this could be problematic when avoiding the key line of sight towards the neighbouring field. The CLA has commented that on balance the absence of hedgerow trees is unlikely to result in

significantly greater visual exposure of the well site during its operational phase. The CLA raises no objection to the removal of these trees from the hedgerow in terms of visual impact or landscape character. However the CLA has requested that the trees be accommodated elsewhere on the planning application site.

118. Following further discussions with the applicant and given the tightly drawn red line boundary (the land the applicant has control over for the planning application), the applicant has proposed to plant trees along the western boundary of Bletchingley Central. There is sufficient space for these trees to be planted as the compound area is no longer being physically increased along this boundary. These trees would also be in close proximity to existing woodland. The CLA has commented that swapping the location of new tree planting from Bletchingley 2 to Bletchingley Central is considered acceptable, on balance. The detail of the actual locations of the tree planting, species mix and specification will need to be provided and agreed at a later date and Officers agree this can be secured by condition. Providing these trees will ensure maintenance of the number of trees as proposed by TA/2015/1572. This would accord with emerging Policy TLP37 "Trees and Soft Landscaping".

Conclusion

119. The proposal is for a temporary period of 15 years and therefore whilst the proposal would be in the landscape for some length of time; it would not result in a permanent change in the local landscape. Quite clearly during the period of construction and the rig being in place there would be temporary visual disturbance arising from the activity, in particular, the height of the rig and the lighting during night hours. It is accepted that during this period the development would not protect and enhance the character of the landscape nor visual amenities. A condition is proposed that a lighting scheme shall come in to ensure the detail of what lighting would be used during this phase, is provided to ensure minimum disturbance on visual amenities and landscape character.
200. Nevertheless, during production Bletchingley Central and access route would be only partially visible as a result of the intervening woodland and field boundary vegetation. Bletchingley 2 would be more visible given its position in the landscape however mitigation measures would be in place in the form of the hedgerow and by minimising the amount of plant and equipment on site. The CLA's concerns regarding the provision of the trees has been resolved. Having carefully considered the application it is the CLA's view that given the location, the extent and nature of the works and temporary nature of the development, visual implications would be minimal. As such, Officers do not consider that either the construction or production phases or the development as a whole would have a significant or permanent impact on the character of the landscape or that the harm is so great as to justify refusing the proposal on the grounds of visual impact.

Noise

120. Kings Farm is situated in a rural area where the background noise levels are normally low. The proposal seeks to amend the internal arrangements at both Bletchingley 2 and Bletchingley Central. As the proposal does not propose to amend the installation of the pipeline underneath the track this report will not cover noise issues associated with works to the track as that was considered as part of TA/2015/1572 and there is a condition solely relating to noise generated from the construction and decommissioning of the track that is proposed to be carried forward for this application. Planning permission ref: TA/2015/1572 imposed nine conditions relating to noise: three for Bletchingley 2, three for Bletchingley Central, one relating to the track and two which covered plant and machinery. As the proposal involves alterations to the internal arrangements of both wellsites, consideration needs to be given to the character of the noise generated by a development at the same time as looking at the actual noise level alongside the Authority being satisfied that the construction, production and then finally

the decommissioning phases can achieve appropriate noise levels, particularly in terms of night-time noise.

121. As outlined in paragraph 6 above, the closest residential properties to Bletchingley 2 are Kings Farm (at 100m), properties at Le Grand Chene (some 145m), Lakeside (170m) and residential properties on Water Lane (some 190m) alongside Orchard Bungalow to the south of the application site. With regards to Bletchingley Central, the wellsite is some 650 metres distant from the closest residential property, which is situated to the north of Lambs Business Park. Properties at Rushton Avenue, Terracotta Road, and the closest property on Tilburstow Hill Road, are all situated over 750 metres from the wellsite. Birchen Coppice sits between the wellsite and the Lower South Park, which is some 630 metres distant.
122. Unwanted sound can have a significant effect on the environment and on the quality of life enjoyed by individuals and communities. The NPPF at para 180 states that planning decisions should ensure new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. The paragraph sets out bullet points that state that planning decisions should aim to:
- mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life
 - identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value of this reason
123. Para 205 more specifically in relation to noise from minerals development proposals states that when determining planning applications, local planning authorities should ensure that unavoidable noise is controlled, mitigated or removed at source. The nPPG sets out further guidance on the consideration of noise when determining planning applications. Para 003⁴ states in decision taking this should take into account the acoustic environment and in doing so should consider whether or not a significant adverse effect is occurring or likely to occur; whether or not an adverse effect is occurring or likely to occur; and whether or not a good standard of amenity can be achieved.
124. Paragraph 005⁵ of the nPPG outlines how it can be established whether noise is likely to be a concern. The paragraph states that at the lower extreme, noise is not perceived to be present, however noise has no adverse effect so long as exposure does not cause any change in behaviour, attitude or other physiological responses. The paragraph goes on to state that increasing noise exposure will at some point cause a material change in behaviour and that the planning process should be used to avoid this and/ or provide mitigation measures.
125. Para 006⁶ recognises that some types and level of noise will cause a greater adverse effect at night than if they occurred during the day or because there is less background noise at night; that noise may be more noticeable if it is non-continuous and may have a tonal nature to it. The paragraph additionally notes that the local topography should also be taken into account and the cumulative impact of more than one source.
126. The nPPG also includes guidance specifically on noise emissions from minerals development. Para 019⁷ states that those making mineral development proposals should carry out a noise impact assessment which should identify all sources of noise and, for

⁴ Paragraph: 003 Reference ID: 30-003-20190722

⁵ Paragraph: 005 Reference ID: 30-005-20190722

⁶ Paragraph: 006 Reference ID: 30-006-20190722

⁷ Paragraph: 019 Reference ID: 27-019-20140306

each source, take account of the noise emission, its characteristics, the proposed operating locations, procedures, schedules and duration of work for the life of the operation and its likely impact on the surrounding neighbourhood. Para 020⁸ goes on to state that in determining planning applications for minerals development, the mineral planning authority should take account of the prevailing acoustic environment and determine whether the proposal would give rise to a significant adverse effect. The nPPG sets out in para 021⁹ what are considered to be appropriate noise standards for mineral operators for normal operations being a noise limit that does not exceed the background noise level (LA90, 1h) by more than 10dB during normal working hours with a total noise from the operations not exceeding 55 dB(A) LA eq, 1h. For night time noise limits these should not exceed 42dB (A) LAeq, 1h at a noise sensitive property.

127. Para 022¹⁰ of the nPPG recognises that there may be particular noisy short term activities such as soil stripping or the construction of soil storage mounds. In these cases, a temporary daytime noise limit is recommended of 70dB(A) LAeq 1h (free field) for periods of up to 8 weeks in a year and be specifically for these forms of activities. The paragraph goes on to state that where work is likely to take longer than 8 weeks a lower limit over a longer period can be considered.
128. Policy MC14 of the SMP2011 requires consideration of noise in the determination of minerals development applications. Para 6.10 of the Plan recognises that factors such as proximity of the proposed development to housing, schools or other sensitive land uses and the topography of the site and surrounding area alongside the location of plant on site, should be taken into account. Policy DP22 of the TDLP2014 requires noise generating forms of development or proposals that would affect noise sensitive development to be accompanied by a statement detailing noise generation levels and any mitigation measures proposed to ensure noise is reduced to an acceptable level. The policy goes on to state that where a development proposal is able to demonstrate that acceptable noise levels will be achieved, the application will be supported.
129. Surrey has produced its own 'Guidelines for Noise and Vibration Assessment and Control' (the Guidelines) dated March 2019. These Guidelines echo the approach set out in the NPPF and nPPG. The Guidelines specifically address oil and gas related development and recognises the three stages of onshore oil and gas, exploration, appraisal and production. This application is for the production stage and the Guidelines advise that the production phase normally involves the drilling of a number of wells which may be wells used at the sites of exploratory and/or appraisal phases of hydrocarbon development the Guidelines further advise that associated equipment such as processing facilities or temporary storage tanks are also likely to be required and may remain operational for many years. Ongoing maintenance would be required, along with Well workovers to maintain production levels. The Guidelines recognise there a number of activities associated with production activities that may give rise to noise. Many of these aspects were considered as part of application TA/2015/1572 and found to be acceptable. The element of this proposal that varies from TA/2015/1572 with regards to noise are the three generators.
130. Planning permission TA/2015/1572 sets out 9 conditions relating to noise. These include:
- The whole application area: a condition for the construction and decommissioning of the site access road, that all plant and machinery shall be adequately maintained and silenced in accordance with the manufacturers recommendations; and failure to comply with set noise limits a scheme of attenuation of the noise to be submitted;

⁸ Paragraph: 020 Reference ID: 27-020-20140306

⁹ Paragraph: 021 Reference ID: 27-021-20140306

¹⁰ Paragraph: 022 Reference ID: 27-022-20140306

Bletchingley Central: noise levels during daytime hour operations (not to exceed 45 dB LAeq), noise levels for night time operations (not to exceed 40LAeq¹¹); and that the acoustic barrier remain in place and be maintained.

Bletchingley 2: noise levels for temporary operations such as site preparation, decommissioning of the site and workover rig (not to exceed 65 dB LAeq), noise levels during daytime hour operations (not to exceed 47 dB LAeq) ; and noise levels for night time operations (42 dB LAeq).

131. Work on Bletchingley 2 would be the aspects of the proposal that would take place closest to noise sensitive locations as there are 12 residential properties plus a nursing care home within a 200m radius of Bletchingley 2. Whilst the proposal involves the bringing on to Bletchingley 2 a workover rig and flare for a temporary period these aspects were assessed in terms of noise and considered as part of TA/2015/1572 to be acceptable subject to three conditions specifically for this wellsite including noise levels from the workover rig, night time noise levels and daytime noise levels for activities outside the workover rig. The proposed changes to Bletchingley 2 include reducing the pad area, changing the type of fencing and landscaping. None of these aspects would materially affect noise levels from this wellsite and as such Officers consider that through the provision of previously imposed noise conditions as set out in TA/2015/1572 noise levels from Bletchingley 2 should not give rise to a significant adverse impact on residential amenity.
132. The proposal does not change the construction and decommissioning works to the access track. Officers are satisfied that no new noise impact would be introduced that was not previously assessed as part of TA/2015/1572 and the previous conditions can be imposed for this application to safeguard amenity and the environment.
133. With regards to Bletchingley Central, this does include new development in the form of three generators along the northern boundary. The applicant has provided a Noise Assessment as part of this application which sets out what modelling has been carried out to determine noise levels from the plant and then what impact this may have on nearby residential properties. The Noise Assessment outlines that the proposed change increasing the 'gas to wire' capacity (three 2MW containerised generators) would be a 24/7 operation alongside oil production also being 24/7. Whereas HGV deliveries and workover activities would be restricted to between 0800 – 1900 hours Monday – Friday; and 0800 – 1300 hours Saturdays. The Noise Assessment has modelled the 'gas to wire' operations both individually and cumulatively with other typical site operations.
134. The Noise Assessment identifies that noise levels that would be experienced from the proposed generators would range between 23.1 dB L_{Aeq, 1hr} and 30.4 dB L_{Aeq, 1hr} at the closed residential receptors. These levels are all below both the daytime limit of 45 dB L_{Aeq} and the night-time limit of 40 dB L_{Aeq}. When assessed cumulatively these ranged between 30.9 dB L_{Aeq, 1hr} and 43.5 dB L_{Aeq, 1hr} for daytime operations and 27.2 dB L_{Aeq, 1hr} and 32.3 dB L_{Aeq, 1hr} for night time operations. These limits are also within the noise limits set for Bletchingley Central.
135. The application and Noise Assessment has been considered by Tandridge District Council Environmental Health Officer who has raised no objections or concerns with regards to the Noise Assessment or the proposal. Officers are satisfied that the applicant has demonstrated that the proposed changes to Bletchingley Central, namely the 'gas to wire' generators, would not result in a significant adverse harm with regards to noise from these elements both individually and cumulatively with the rest of the wellsite. Officers are satisfied that previous conditions with regards to noise limits should be imposed with regards to this application and these conditions would safeguard the

¹¹ Leq is the equivalent continuous sound level in decibels

environment and amenity and in doing so, the proposal would meet the requirements of Development Plan policy with regards to noise.

Lighting

136. The site lies within a rural area with limited illumination. Criteria i) of Policy MC14 of the SMP2011 requires no significant adverse impacts from illumination from minerals development proposals. Policy DP22 of the TLP2014 requires the applicant to demonstrate that for external lighting, the lighting scheme proposed is the minimum necessary for security, safety, working or recreational purposes and that it minimises the potential pollution from glare or spillage. The policy goes on to state that particular attention will be given to proposals that are in open countryside or intrinsically dark landscapes, close to residential properties or are important nature conservation areas.
137. Guidance notes by the Institution of Lighting Engineers for the reduction of obtrusive light (2011) set out guidance on controlling light to avoid light pollution. The guidance states obtrusive light is a form of pollution and may also be a nuisance. The guidance goes on to state that care should be taken when selecting luminaires to ensure appropriate products are chosen to reduce the upward spread of light so that it is near to and above the horizontal to reduce spillage and glare to a minimum. The guidance advises that the angle of light should not be greater than 70 degree angle in order to avoid any potential glare. In accordance with this guidance note, the relevant zone for this site would be E2: Rural low district brightness. For proposals within the E2 zone, the guidance sets out limitations of lux levels as follows:

Environmental Zone	Sky Glow ULR [Max %] (upward lighting)	Light Intrusion (into windows) Ev [lux] (maximum & should take into account existing light intrusion)	
		Pre-curfew	Post-curfew
E2	2.5	5	1

138. Lighting was considered as part of TA/2015/1572. As part of that application, the applicant proposed to install four security lights with PIR mounted on to cabins and 20 horizontal 35w strip lights around the plant and equipment at Bletchingley Central; and one security light and one horizontal strip light at Bletchingley 2. This proposal does not change the types of lighting that were considered acceptable as part of TA/2015/1572 and increases the number of horizontal strip lights at Bletchingley Central from 20 to 21. As such, Officers consider that the assessment carried out and the conclusions reached by Officers as part of TA/2015/1572 remains valid and that no significant adverse impact from lighting from this proposal would occur. Conditions with regards to lighting can also be imposed as part of this proposal.

Surface Water Drainage

139. The application site lies within Flood Zone 1 and as it is greater than 1ha, a Flood Risk Assessment was submitted as part of the planning application. The application site does not lie within a Groundwater South Protection Zone. As outlined above, criteria ii of Policy MC14 of the SMP2011 is relevant in the consideration of this proposal with regards to flooding, surface water and groundwater.
140. Policy CSP15 of TDCS2008 states that in order to minimise the impact on the natural environment from development proposals, sustainable drainage systems (SuDS) should be required as necessary. Policy DP21 of the TLP2014 states that proposals should seek to secure opportunities to reduce both the cause and impact of flooding through the use of SuDS suitable to the scale and type of the development ensuring the discharge of surface run off is restricted to that of the pre-development site. Maintenance of SuDS schemes should also be considered. The policy goes on to state that for sites in Flood Zone 1 that are greater than 1ha will only be permitted where the sequential test has

been applied and passed; the proposal is a development form compatible with the level of risk and that a FRA would reduce flood risk both to and from the development or would be flood risk neutral. The policy also requires appropriate flood resilient and resistant design to reduce any level of risk identified through a site specific FRA.

141. As set out in the NPPF, the main principle with regard to flood protection is that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at high risk using the Sequential Test. The NPPF also states at para 100 that development proposals should not increase flood risk elsewhere. Para 102 of the nPPG notes a site specific FRA should “*demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall*”. As the proposal is for minerals working and processing (but is not sand and gravel) it would be classified as less vulnerable as outlined in Table 2: Flood Risk Vulnerability Classification in the NPPG¹². Consequently in accordance with Table 3:Flood risk vulnerability and flood zone ‘compatibility’ of the NPPG¹³ which sets out what development is acceptable within flood zones 1,2,3a and 3b; the proposal is acceptable in Flood Zone 1.
142. The drainage system for Bletchingley Central is currently a sealed drainage system where all surface water in the main process area is retained in constructed perimeter drainage ditches which have an impermeable membrane underlying the drainage ditches as well as the hard-core on the site. Excess water is pumped off site by a road tanker. At Bletchingley 2, there is also an underlain impermeable membrane but there are no drainage ditches. There are no watercourses or sewers in the vicinity of the site for disposal of surface water.
143. Drainage was considered as part of planning application TA/2015/1572 and the applicant had proposed drainage ditches to collect surface water runoff collected on the wellsites which would be held in the ditches. Water within the ditches would be pumped out on when water levels approach bank full and transported off of site in a tanker. This was to ensure the ditches have a storage capacity of 1 in 100 year plus 20% climate change rainfall event. The details included measures for incidents where there could be consecutive rainfall events or a delay in tanker arrivals. This was approved as part of application TA-2015/1572 approved in April 2017.
144. This current application proposes changes to the surfaces and drainage system at both wellsites. The application as submitted did not include drainage calculations, proposes to remove the drainage ditch from Bletchingley 2 and to amend the drainage ditch layout for Bletchingley Central. The CGC has queried the applicant’s statements that the drainage has been designed to provide adequate capacity without any drainage calculations as part of the application. These calculations were requested alongside (for Bletchingley Central) information to show how potentially polluted water from the oil area would not mix with the unpolluted water from the ‘dry’ area. The Lead Local Flood Authority (LLFA) also commented that the applicant should demonstrate that where surface water run-off occurs from impermeable areas, that this water is safely contained and dealt with on site without causing a risk to site users or increasing flood risk off site.
145. With regards to Bletchingley 2, both the CCG and the Lead Local Flood Authority requested information to justify the lack of a drainage ditch around Bletchingley 2. The applicant responded stating that the drainage ditch as previously permitted has not been constructed and that there has not been a ditch at this wellsite. With regards to drainage for Bletchingley 2, the CGC has commented that he accepts that the reduction of the hardstanding area to a minimum extent will minimise any flood risk from surface water runoff as the land will, in effect be returned to its greenfield state. The CGC states that

¹² Paragraph: 066 Reference ID: 7-066-20140306

¹³ Paragraph: 067 Reference ID: 7-067-20140306

provided the pollution concerns during the short term workover stage are addressed the proposals are acceptable in drainage terms.

146. The applicant submitted a FRA with the application which sets out the objective to assess the flood risk to the existing development and to demonstrate the proposal would not increase flood risk elsewhere. The FRA identified that the key area of flooding would be from surface water runoff with all other forms of flooding (fluvial/ tidal/ groundwater and artificial drainage systems) being of low risk to the proposal. The FRA states that the proposal is to retain and extend the two appraisal wellsites. However as the physical extension of Bletchingley 2 is 85m² the FRA states this increase is negligible and the existing drainage strategy will be maintained as is with no changes. With regard to the access road between the two sites, this would remain unchanged and the FRA states it has not been considered within the assessment. The FRA has therefore assessed the impermeable area at Bletchingley Central of 0.51ha and the need to attenuate surface water runoff from this area.
147. For Bletchingley Central, the FRA states that the surface water runoff from the containment area of the site would be entirely attenuated and pumped via a road tanker for regular disposal off site as currently occurs. However, as the containment site area is increasing, the FRA has calculated an attenuation volume accommodating this increase in area (and climate change) that the drainage ditches will be required to hold (271m³).
148. The Environment Agency have reviewed the FRA and comment that they acknowledge that the only areas planning to allow water to discharge to open ground would be from areas outside of the contained areas and no discharge of water from well pads or storage tank areas will occur. The Environment Agency raise no objection to this and comment that as part of the Environmental Permit review this matter will also be addressed at that stage as well.
149. The CGC comments that for Bletchingley 2, it is proposed that the impermeable area at this site will effectively be zero and as such this will minimise any flood risk from surface water runoff as the land is in effect its greenfield state. The CGC states that provides the pollution concerns during short term workover stage are addressed, the CGC raises no objection to the surface water drainage for Bletchingley 2. With regards to the track, as this is outside of the containment areas and remains unchanged, the CGC raises no concerns about surface water drainage of the track.
150. With regards to Bletchingley Central the CGC comments that further information is required with regards to the cross sections of the ditches and the CGC raises concerns with regards to the volumes calculated. The CGC requests further information on the drainage calculations to demonstrate that for the design rainfall event and disposal regime of monitoring and tinkering away is adequate. However the CGC has commented that this can be subject to the imposition of a condition provided within an Operational Management Plan for the site.
151. The LLFA have reviewed the proposal and are satisfied with the submitted information provided conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development. Condition 8 of TA/2015/1572 requested details of who would own and maintain the drainage systems for the site for the duration of the development and Condition 9 required a verification report to be submitted to demonstrate that the drainage system had been constructed to the agreed scheme. Both these elements can be carried forward with this application to ensure the requirements of the LLFA are met.
152. Officers recognise that this proposal would alter the approved drainage scheme for the site and whilst the applicant has provided much of this information, further detail is required for Bletchingley Central which can be the subject of a condition. Officers

consider the application meets the requirements of the Development Plan with regards to surface water drainage and management.

Contamination

153. Policy MC14 of the SMP2011 criteria (ii) water quality and (x) any other matter relevant to the planning application requires consideration in the determination of this application. Criteria A of Policy DP22 of the TLP2014 states that proposals for development on land that is or may be contaminated will be permitted provided that there will be no unacceptable risk to health or the environment. The policy also requires adequate remedial measures to mitigate against any contamination. Para 170 of the NPPF states that to prevent unacceptable risks from pollution, planning decisions should ensure that new development is appropriate for its location and the effects of pollution on health, the natural environment or general amenity should be taken into account.
154. Both the Environment Agency and the County Geological Consultant have raised queries with regards to potential for contamination for both wellsites. There is currently a hardstanding pad at Bletchingley 2 which includes a membrane and the applicant is not proposing to extend this. The applicant states this is not necessary because it is a gas well rather than an oil producing well. The applicant has stated when a workover rig is due to come to the site protective measures would be implemented with secondary containment provided for any plant and equipment.
155. The CGC has commented that these secondary containment measures have not been provided and stated that information on what the storage and use of potentially contaminative liquids at the wellsite should be provided. The CGC has also commented that the extent of any impermeable membrane at Bletchingley 2 should also be provided. The Environment Agency have commented that as Bletchingley 2 is a gas well they are satisfied that there would be a negligible risk to the ground surrounding the well during normal production periods and therefore they have no objection to the proposal to decrease the area. However, like the CGC, the Environment Agency raise concern about times when a workover rig would visit the site and the increased risk of potentially polluting fluids impacting the ground. The Environment Agency have also requested details for the installation of temporary containment systems prior to any maintenance work or workovers.
156. The applicant has responded stating that the workover at Bletchingley 2 would be for a two week period and that as not all the associated equipment required for a workover would be stored on this hardstanding area, some would have to be stored on land surrounding the hardstanding pad. The applicant has said that any elements with the potential for environmental harm, through leakage or spillage, would be kept within a temporary containment system during the workover operations. Any equipment positioned outside of the hardstanding area would not carry a risk of pollution.
157. The CGC considers that further information on this matter is required but that such details can be provided prior to the bringing on to site any workover rig. The Environment Agency state they will be addressing containment infrastructure proposals under the Environmental Permitting regime. Officers recognise that during the workover stage at Bletchingley 2 there is a requirement for pollution control however Officers are satisfied that this information can be provided as part of a condition.
158. With regards to Bletchingley Central there is currently an existing membrane at the site. The CGC has asked what the extent is of the existing membrane at Bletchingley Central and how the existing membrane would connect to the proposed new membrane required for the extended well pad area.
159. The applicant responded in November 2019 stating that the extent of the membrane at Bletchingley Central would cover all the oil operations i.e. the wellhead, the oil tanks and

loading area, the separator, triplex and gas treatment and this would include an area of the extension area. In doing so, this would provide tertiary containment for extension area. This part of the site would be surrounded by a drainage ditch and part of this area would also be surrounded by an oil and gas bund. The applicant has stated that the 'dry' parts of the site, i.e. the generators, transformers, heat exchangers, stores and utilities, office and staff parking would not be covered by a membrane or a drainage ditch. This can be seen on plan 7262 PR 03 rev E attached to this report. The applicant has said that the method of joining the new impermeable membrane would involve overlapping the new membrane over the old by a minimum of 1 metre length and then a sealant would be used to join them.

160. The CGC reviewed the details provided and commented that it was unclear as to whether the impermeable membrane is currently present or not and requested confirmation of this. And if in place, details of the edges to show it provides containment and information on the joining of this to any new additional membrane to ensure its integrity. The Environment Agency also comment that whilst the principle of the need to join the old and new membrane is established this must be done by an approved method to ensure a waterproof seal continuously along the length of the join.
161. As such, details are still required for how the membranes will join for Bletchingley Central. The CGC has stated that such details can be the subject of a condition provided they are submitted and approved before any works to the extension area at Bletchingley Central take place. The applicant is satisfied that such details are still required and raises no objection to the imposition of a condition.
162. The Environment Agency also requested information regarding the barriers to be installed along the length of the cable/ pipeline ducts to prevent migration of water or potential contaminants. The applicant responded that the Bletchingley 2 wellsite and the 'gas to wire' elements are gas facilities and therefore there is no source of water contamination and as such no prevention measures are required. The applicant has also confirmed that the foul sewerage this would be tankered off site using a vacuum truck as previously permitted as part of TA/2015/1572.
163. Officers recognise there are elements of the proposal that could give rise to pollution control issues. However, Officers recommend conditions be imposed that further detail be provided as to how pollution issues at both Bletchingley 2 and Bletchingley Central would be addressed. The CGC is satisfied with this approach. Officers consider this approach complies with the requirements of Development Plan policy.

Ecology and biodiversity

164. The NPPF para 170 requires the planning system to contribute and enhance the natural environment by minimising impacts on biodiversity and providing net gains to biodiversity where possible. Paragraph 175 states that when determining planning applications a number of principles should be considered in order to conserve and enhance biodiversity. These principles, which are relevant to this proposal, include if significant harm from a development cannot be avoided or mitigated then the proposal should be refused; opportunities to incorporate biodiversity in and around development should be encouraged; and that planning permission which would result in irreplaceable habitat, such as ancient woodland and veteran trees being lost, should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists.
165. As outlined above, Policy MC14 of the MLP2011 requires consideration to be given to the natural environment including biodiversity. Policy CSP17 of the TDCS2008 requires development proposals to protect biodiversity and provide for the maintenance, enhancement and restoration and, if possible, the expansion, of biodiversity. Policy DP19 of the TLP2014 has a presumption in favour for promoting the natural environment and its management and also state that proposals that are in conflict with this should be

refused. Draft Policy TLP35 of the emerging Tandridge Plan states that schemes should provide for the maintenance, enhancement and if possible, expansion of important assets by aiming to restore or create appropriate priority wildlife habitats and ecological networks to sustain and recover biodiversity.

Great Crested Newts

166. An ecological report submitted with application TA/2015/1572 identified that there were two ponds within 1km of the site that hosted breeding populations of Great Crested Newts (GCNs) but that the risks to these populations from the proposal would be very low and that there is no need for a Conservation Regulations licence to be sought. The report recommends that this low risk can be managed further down to negligible by constructing a temporary herptile barrier fence along the pipeline route during its construction; and for any exposed trenches to be provided with wooden exit ramps overnight so that if any transiting fauna did fall into the trenches, they could escape. The Natural Environment and Assessment Team Manager has queried whether the fencing has been installed and if it was effective.
167. The pipeline has yet to be installed. As such the herptile fence has not been installed. However, the applicant has confirmed that they raise no objection to conditions previously imposed on planning permission TA/2015/1572 being imposed, including the requirement for the installation of the herptile fence on construction of the pipeline. The Natural Environment and Assessment Team Manager raises no objection and is satisfied with the comments provided by the applicant.

Ancient Woodland

168. Additionally the application site lies adjacent to ancient woodland (Birchen Coppice) and woodland to the west, which whilst not classified as ancient woodland, is connected to Birchen Coppice. At the time of application TA/2015/1572 the potential impact on the adjacent ancient woodland was assessed as the applicant was proposing to install a new perimeter fence around Bletchingley Central and to store the soils stripped from extending the site northwards close to the woodland. That application subsequently involved moving the soil stockpile to the northern boundary of the site away from the woodland to avoid harm to the woodland and the soil stockpile remains in that location. The second component involving the laying of perimeter security fencing, a condition was imposed requiring the details of how this fencing would be installed so not as to damage the rootzones.
169. The applicant submitted these details and these were approved (ref: TA.2015/1572) in May 2017 following consultation with the Natural Environment and Assessment Team Manager and the County Landscape Architect both being satisfied. The information submitted stated that the new fence would follow the line of the previous fencing to minimise disturbance to the ground, that none of the fencing would be located closer to the woodland; and that posts of the fencing would be hollow. The applicant had confirmed that the post holes would be excavated by hand and that protective barriers would be constructed in accordance with BS 5837:2012¹⁴ being positioned a minimum of 2m from the trunk of any tree. The fencing has been installed in accordance with this approved scheme. As part of this application the applicant has installed an emergency gate in the southern corner to provide an emergency exit for staff unable to exit the site via the main entrance. The gate is to remain closed and secured. Installation of the gate. The gate was installed in accordance with the approved scheme with regards to ensuring no harm to the ancient woodland. The Natural Environment and Assessment Team Manager raises no objection and is satisfied with the comments provided by the applicant.

¹⁴ Trees in relation to design, demolition and construction”.

Hedgerow

170. As part of the construction phase, the applicant proposes to lay the pipeline from Bletchingley 2 to Bletchingley Central, underneath an existing hedgerow which is adjacent to the existing trackway. The proposal does not seek to remove the hedgerow and the applicant proposes to 'mole' the pipeline underneath the hedgerow. To ensure protection of the hedgerow a condition was imposed requiring details as to how the pipeline would be laid beneath the hedgerow to ensure it is protected during that work. These details were submitted (ref: TA2015.1572) and approved in April 2017 subject to consultation with the Natural Environment and Assessment Team Manager, the County Landscape Architect and the County Geological Consultant. The proposal does not seek to remove any further hedgerows.

Conclusion

171. Application TA/2015/1572 incorporated a number of measures to reduce the ecological impact of the proposal. Whilst the development would take place over a total period of 15 years, the applicant set out mitigation measures to ensure no harm to ecological aspects from any of the phases of the development. Officers are satisfied that the proposed changes to the scheme would not significantly adversely affect any ecological designation or protected species or change the mitigation measures put forward as part of TA/2015/1572. Conditions previously imposed can be brought forward as part of this application. It is concluded that subject to the imposition of conditions, the ecological impact aspect of this application complies with the relevant development plan policies.

Heritage Assets

172. Policy MC14 of the SMP2011 requires information sufficient for the mineral planning authority to be satisfied that there would be no significant adverse impact arising from the development on the historic landscape, sites or structures of architectural and historic interest and their settings, and sites of existing or potential archaeological interest or their settings. Policy DP20 of the TLP2014 aligns with the NPPF stating that *"only where the public benefits of a proposal significantly outweigh the harm to, or loss of a designated heritage asset or its setting, will exceptional planning consent be granted. These benefits will be proportional to the significance of the asset and to the level of harm or loss proposed"*; and *"where a proposal is likely to result in substantial harm to, or loss of, a designated heritage asset of the highest significance (i.e. scheduled monuments, grade I and grade II* listed buildings, and grade I and grade II* registered parks and gardens), granting of permission or consent will be wholly exceptional"*. The policy also requires an archaeological desk top assessment where any proposal or application which is considered likely to affect a County Site of Archaeological Importance, or an Area of High Archaeological Potential (AHAP), or is for a site larger than 0.4 hectares. The applicant has submitted as part of this proposal a desk top archaeological assessment.
173. The NPPF states at para 189 that *"local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting"*. The NPPF recognises that such a description should be proportionate to the assets importance and *"no more than is sufficient to understand the potential impact of the proposal on their significance"*. With regards to archaeology, the NPPF requires that where a site has the potential to include heritage assets with an archaeological interest, a desk based assessment should be submitted and, where necessary, a field evaluation. Para 190 of the NPPF requires local planning authorities as part of the determination process, to identify and assess the particular significance of any heritage asset that may be affected by a proposal including the potential to affect its setting, taking account of the available evidence and necessary expertise. This assessment should then be taken into account when considering the impact of a

proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

174. Para 193 goes on to state that *“when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”*. Paragraph 194 goes on to state that harm or loss should require clear and convincing justification with substantial harm or loss of a grade II listed building, part of garden being exception; and substantial harm or loss of designated heritage assets of the highest significance should be wholly exceptional.
175. Para 195 discusses where a proposed development will lead to substantial harm to or total loss of significant of a designated heritage asset, planning permission should be refused. Para 196 outlines that *“where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal”*. Para 197 deals with non-designated heritage assets stating these should be taken into account in determining planning applications that may affect directly or indirectly such assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
176. The nPPG provides guidance on the assessment of heritage assets when considering planning applications. Para 007¹⁵ states that heritage assets may be affected by direct physical change or by change in their setting. The paragraph goes on to state that being able to properly assess the nature, extent and importance of the significant of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals. Para 018¹⁶ states that what matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset which derives not just from its physical presence but also its setting. The paragraph goes on to state that it is the degree of harm to the asset’s significance rather than the scale of the development that is to be assessed.
177. Historic England has published a series of guidance notes to assist in the determination of planning applications that could have an impact on heritage assets. These are Good Practice Advice in Planning: 2 “Managing Significance in Decision-Taking in the Historic Environment” and Good Practice Advice in Planning: 3 “The Setting of Heritage Assets”. Advice note 3 para 4 recognises the extent of a setting cannot have a fixed boundary and may alter over time due to changes in circumstance. Para 5 recognises that views can contribute to setting of heritage assets e.g. viewing points or where a view is a fundamental aspect of the design of the asset or where assets were meant to be seen by one another for aesthetic, functional, ceremonial or religious reasons.
178. Advice note 2 para 4 outlines that the first step is to understand the significance of any affected heritage asset and, if relevant, the contribution of its setting to its significance. The significance of a heritage asset is the sum of its archaeological, architectural, historic and artistic interest.
179. The application site is located adjacent to the Godstone/ Bletchingley Parish boundary to the south west of what was known as the Great Broad Field and is in an area which contains a number of historic features. The two closest historic features are the earthwork enclosures in Birchen Coppice and Prickle Shaw which are Sites of Archaeological Importance and thought to be medieval in nature. Prickle Shaw is also classified as an Area of High Archaeological Potential. To the north is the former

¹⁵ Paragraph 007 Reference ID: 18a-007-20190723

¹⁶ Paragraph: 018 Reference ID: 18a-018-20190723

Godstone Brickworks (now Lambs Business Park) where kilns used in the firing process for producing bricks, still remain on site and these are recorded on the Historic Environment Record. Approximately 650m south east of Bletchingley 2 lies Yewtree Farm (including a barn) which is a Grade II listed building. Approximately 1km south east of Bletchingley 2 is Godstone Place which is Grade II listed. Approximately 700m east of Bletchingley 2 is Lagham Manor which is Grade II*, has a brew house which is Grade II listed, and is surrounded by an Area of High Archaeological Potential and a County Site of Archaeological Importance for its medieval moat. Approximately 600m south of Bletchingley Central is Lower South Park Farm a Grade II listed building. Approximately 880m north west of Bletchingley Central is South Park Conservation Area which also includes the Chapel of St Mark which is Grade II listed.

180. Given the location of the application site, planning application TA/2015/1572 was accompanied by a Historic Assessment of the historic assets in the locality. Officers carried out an assessment of this document and the proposal on the historic assets and concluded that no setting associated with any of the listed buildings in the vicinity as of Bletchingley Central and in relation to that specific wellsite, would be harmed by the construction, operational or restoration phase and therefore affect the significance of the designated asset. This is because all the plant and buildings to be placed on Bletchingley Central would be below the tree line of Birchen Coppice so that the site would be well screened by the existing heavy woodland of Birchen Coppice. As such Officers consider that due to the well screened nature of Bletchingley Central that the operational and restoration phases of the proposed development would not interrupt views from these heritage assets nor interrupt the agricultural and woodland and hedgerow setting which many of the listed buildings sit within. Officers are also satisfied that the proposal would not create noise emissions from any phase at Bletchingley Central that would affect the setting or significance of the listed buildings.

Archaeology

181. Archaeology was considered as part of TA/2015/1572 because that application proposed to physically extend both wellsites and also works to the existing access track which is in close proximity to an earthwork enclosure in Prickle Shaw is at its northern extent and is probably a medieval moated site. The County Archaeologist had recommended that a condition for a watching brief to address any archaeological concerns be imposed due to the works proposed and this would include not just the wellsites but the trackway as well. Condition 7 was imposed on TA/2015/1572 and details were submitted and approved (ref: TA2015/1572) in March 2017. The County Archaeologist has commented that the application site has previously been the subject of an archaeological evaluation in respect of Planning Condition 7 (Archaeology) attached to approval TA/2015/1572. The evaluation was negative and given this, and that the proposed alterations to the wellsites are largely, if not wholly, contained within the previously approved and evaluated development areas, as such the County Archaeologist has no archaeological concerns. With regards to the earthwork enclosure, Officers carried out an assessment of this as part of TA/2015/1572 and the details of this planning application will not affect or alter that previous assessment.

Restoration

182. The importance of securing a good quality restoration is central to the consideration of mineral working and associated proposals. The provision of timely restoration and aftercare at mineral sites is sought by paragraph 205 of the NPPF which states that such activities should be carried out at the earliest opportunity to high environmental standards through the application of appropriate conditions.
183. Policy MC17 of the SMP2011 states that “mineral working will be permitted only where the mineral planning authority is satisfied that the site can be restored and managed to a high standard”. The policy goes on to require restored sites to be sympathetic to the

character and setting of the wider area and capable of sustaining an appropriate after-use. The policy requires restoration to be carried out at the earliest opportunity. Policy MC18 requires restoration to deliver benefits such as enhancement of biodiversity interests, improved public access and provision of climate change mitigation such as greater flood storage capacity.

184. This S73 application does not seek to amend the restoration and aftercare proposals for the application site from those previously permitted as part of TA/2015/1572. This would involve on cessation of operations, all the above ground plant, structures, equipment and the pipeline would be removed and the site would be restored back to agriculture with the original soils being recovered from the storage bunds on site. At Bletchingley 2 the proposed new hedgerow would remain in place providing a biodiversity gain. The western section of the access track would also be restored to pasture however the eastern section would be retained to allow continued agricultural access. The access to the highway (Tilburstow Hill Road) would be removed and boundaries would be reinstated through the planting of hedgerows. The wells on site would be abandoned in line with best practice and checking the integrity of the wells and their abandonment would be the responsibility of the Environment Agency. The applicant outlines that all concrete would be broken up and removed, the impermeable membrane removed, all potentially hazardous materials would be disposed of appropriately and all pipes, cabling and ducting disconnected and removed.
185. Once this is carried out soils from the soil bunds would be placed back over the compound areas and western part of the track. If any pan has been created underneath the compound areas these areas would be ripped prior to the placement of the soils. After this the soil bed would be levelled by Cambridge roller or similar and any large materials brought to the surface would be removed. The applicant outlines that seeding would take place during the spring or early summer. The aftercare period for the site would be five years.
186. A condition was imposed on TA/2015/1572 (condition 41) requiring the submission of a restoration scheme for the whole application site setting out actions to restore the site to a suitable agricultural aftercare use. As this application does not seek to amend any elements of the restoration or aftercare scheme or approaches that were previously considered, Officers are satisfied that the requirements of Condition 41 be carried forward for this application. There has been no technical objections from statutory consultees with regards to the restoration of the application site back to agriculture therefore Officers are satisfied that the proposal would offer restoration of the site back to agricultural use corresponding with the surrounding land use and would comply with the requirements of the Development Plan.

HIGHWAYS AND ACCESS

Surrey Minerals Plan 2011

Policy MC15 – Transport for Minerals

Tandridge Local Plan Detailed Policies 2014

Policy DP5 – Highway Safety and Design

187. The SMP2011 recognises that one of the most significant impacts of mineral working in the county, and the one that usually causes the most public concern, is the lorry traffic generated from transporting the minerals. The plan goes on to say the nature of the market in Surrey means that lorries are used for transportation in the overwhelming majority of cases as this is the most cost effective means of transport. But as a consequence lorries also contribute to overall traffic congestion. Para 7.3 recognises that pipelines can be an effective alternative to lorries with the lowest visual impact. Para 7.9 states that it is important to ensure the effects of traffic generated by mineral development on local communities, the environment and the local road network, are carefully considered. Para 7.10 goes on to state that the movement of minerals by road

should as far as possible be confined to the motorway and primary route network with attention being given to the routing of vehicles between the proposed development and the motorway and primary route network.

188. Policy MC15 of the SMP2011 requires a transport assessment of the potential impacts on highway safety, congestion and demand management to be provided as part of applications for minerals development. The policy requires applicants to address alternatives to road-based methods of transport and sets out criteria whereby minerals development involving transportation by road will be permitted including:
- i) there is no practicable alternative to the use of road based transport that would have a lower impact on communities and the environment
 - ii) the highway network is of an appropriate standard for use by the traffic generated by the development or can be suitably improved; and
 - iii) arrangements for site access and the traffic generated by the development would not have any significant adverse impacts on highway safety, air quality, residential amenity, the environment or the effective operation of the highway network.
189. Policy DP5 of the TLP2014 states that development will be permitted provided the proposal meets the following criteria: complies with the relevant highway authority design guidance; does not necessarily impede the free flow on the existing network or create hazards to that traffic and other road users, retains or enhances existing footpath and cycle links; provides safe and suitable access to the site; and fully funds where appropriate any measures required to mitigate significant impacts.
190. With regards to transportation and access in the NPPF, it is clear that the policy document wishes for the transport system needs to be balanced in favour of sustainable transport modes giving choice about travel. However this aspect is not relevant to this proposal. What is relevant in the NPPF at para 109 states that "*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*". Para 111 requires development proposals that are to generate significant amounts of movement should be required to provide a travel plan and be supported by a transport assessment or statement to assess the implications of the proposal. Paragraph 108 bullet points b) and c) also require that development proposals ensure there is safe and suitable access to the site for all users and any significant impacts from the development on the transport network or on highway safety can be cost effectively mitigated to an acceptable degree.
191. Access to the application site is from an existing track to Tilburstow Hill Road which was improved as part of the previous application (ref: TA06/1788). The County Highway Authority (CHA) consider the access track and the visibility splays in terms of geometry and visibility for the current proposal are adequate and would not need any improvement. Tilburstow Hill Road measures approximately 5.8m in width adjacent to the entrance to the application site before widening to over 6m in width. There is a speed limit of 50mph on Tilburstow Hill Road with grass verges and trees situated on either side at the point of access to the application site. The access road to the wellsite is gated approximately 20m back from the edge of the carriageway of Tilburstow Hill Road. The access road is hard surfaced and is just over 1,000m in length and approximately 5.5m wide and leads from Tilburstow Hill Road to Bletchingley Central. There is sufficient width to allow the simultaneous movement of entering and exiting vehicles. Given the above both the access road, its point of entry on to Tilburstow Road; and the local highway network are of an appropriate standard for the proposal and would provide a safe and suitable access to the application site. Officers are satisfied the requirements of Policy MC15 (ii) and Policy DP5 (1 and 4) are met.
192. Tilburstow Hill Road links with the A22 Eastbourne Road approximately 350m south of the site. The existing weekday 24 hour traffic flow on Tilburstow Hill Road is 3338

vehicles of which 113 are HGVs. The A22 Eastbourne Road carries 17963 vehicles of which 936 are HGVs. Traffic levels and HGV proportions are reduced on a Saturday. The existing operation at the site currently generate 3 cars per day (6 movements) and 2 HGV/ tankers per day (4 movements).

193. As part of planning application TA/2015/1572, the CHA had commented that Surrey Police recommended that HGVs accessing Tilburstow Hill Road from the north on the A22 avoid the right turn in and drive to the Newchapel Roundabout to U turn and then turn left in. This was identified in the Construction Transport Management Plan submitted with that planning application. The Construction Transport Management Plan also proposed measures to ensure that conflict does not occur at the site access that would result in vehicles parked up on Tilburstow Hill Road, waiting to enter the site. The plan proposed that HGVs would have to contact the site in advance to ensure that they can be accommodated on site upon arrival. It is suggested that Cobham or Clackett Lane services be used as parking facilities until vehicles are given the go ahead to journey to the site. Officers accepted these measures as part of application TA/2015/1572 and the applicant does not propose to amend these measures as part of this proposal.
194. The construction phase of bringing the application site into production and the decommissioning phase were assessed as part of application TA/2015/1572. As this application does not propose to amend any aspect of these phases, Officers are satisfied that the highways assessment carried out as part of application TA/2015/1572 remains unchanged and is valid in respect of this application.
195. Gas from the proposal is proposed to be exported from the site via gas to wire therefore that element need not be considered but complies with the requirements of Policy MC15(i) for alternative methods of transportation to be used to transport minerals off site.
196. Oil is proposed to be exported by road tanker and taken from the site to the Holyborne railhead in Hampshire via Tilburstow Hill Road (travelling southwards), the A22 northwards, the M25 at junction 6, the A3 southbound and the A31. This is the same as that proposed as part of TA/2015/1572. During production there would be one oil tanker movement in and one out per day, less than one water tanker movement in and one out per day and between 4 and 8 car or light van movements per day. Therefore the production stage would generate the same number of HGVs and an additional car to the existing activities on site. Given the existing traffic levels on Tilburstow Hill Road and the A22, the CHA have commented that these proposed levels are insignificant and would not impede the free flow of traffic on the local highway network.

Rights of Way Network

197. As described above at paragraph 3, there are three rights of way within the immediate vicinity of the application site, bridleway 293 and footpath 269. There is also bridleway 537 which runs along the route of Water Lane which is found on the eastern side of Tilburstow Hill Road running down towards the A22. Therefore it is clear that there is the potential for walking, cycling and equestrian activity in and around the application site. SMP2011 Policy MC14 (vi) requires in the determination of planning applications for mineral development, potential impacts related to the rights of way network be considered.
198. The TA for application TA/2015/1572 identified that the number of movements associated with vulnerable road users in the vicinity of the application site was small. The access track to the application site is gated and is not a public right of way therefore there would be no vulnerable road users using the access track to bring about any conflict. Additionally the closest rights of way are some distance away from both the access track and the wellsites themselves. Consequently the only potential for conflict would be from vehicles using Tilburstow Hill Road.

199. In view of the above, the CHA raise no objection to this proposal in terms of likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority has no highway requirements. The CHA recommend conditions previously attached to any planning permission be re-imposed. Officers consider that given the limited number of HGVs proposed as part of the proposal and that some of the hydrocarbons extracted at the site would be converted in to electricity on site and removed via wire, and that the local highway network has the capacity to accommodate the proposed vehicle movements and size and that no highway upgrade works are required; that the proposal meets the requirements of Policy MC15 and Policy DP5 (1, 2 and 4). With regards to DP5 (5) previously the CHA have commented that the number of movements generated by the proposal is low, particularly when compared with the numbers of HGVs generated by Lambs Business Park, which is the main HGV generator on Tilburstow Hill Road and that in this case, it would not be reasonable for the applicant to provide funds to mitigate damage to the highway with specific reference to Policy DP5 (5). This point remains valid for this application.
200. Given the number of HGVs and light vehicle movements that are proposed as part of the proposal (which the CHA raise no objection to) and that there are a limited number of users of the public footpaths in the vicinity of the application site, Officers are satisfied that the proposal would not have any significant adverse impact on users of the rights of way network. Furthermore the proposal does not propose to carry out any works to or on the public rights of way network therefore the proposal would not be in conflict with Policy DP5(3). The Rights of Way team have raised no objection to the proposal. Officers are satisfied the proposal meets the requirements of the Development Plan.

GREEN BELT

Surrey Minerals Plan 2011

Policy MC3 – Spatial Strategy – mineral development in the Green Belt

Tandridge District Local Plan Detailed Policy Document 2014

Policy DP10 – Green Belt

201. The Bletchingley wellsites are located within the Metropolitan Green Belt where policies of restraint apply. National planning policy with regards to Green Belt is set out within the NPPF which states at paragraph 133 that “the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”. Paragraph 134 goes on to state that Green Belt serves five purposes. These are:
- To check unrestricted sprawl of large built-up areas
 - To prevent neighbouring towns merging into one another
 - To assist in safeguarding the countryside from encroachment
 - To preserve the setting and special character of historic towns; and
 - To assist in urban regeneration

The most relevant for this planning application is to assist in safeguarding the countryside from encroachment.

202. Green Belt policy guards against inappropriate development. The NPPF states at paragraph 143 that “inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances”. The NPPF requires at paragraph 144 that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm other Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

203. Paragraph 146 of the NPPF sets out certain forms of development that are not considered to be inappropriate development in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. One of these forms of development is mineral extraction. Whilst this proposal does include mineral extraction in the form of extracting oil and gas from the wellsites, it also includes the transference of the gas to the grid to form electricity which is a secondary process and would therefore not fall into this category and can be considered inappropriate development. Furthermore, para 145 states that new buildings should be considered inappropriate development unless they fall within the list of exceptions set out in the paragraph. Of the exceptions listed, those relevant to this proposal are the following as a number of buildings are proposed:
- *“the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building”* and
 - *“the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces”*
204. The NPPG provides planning guidance with regards to assessing development proposals within the Green Belt. Paragraph 001¹⁷ provides guidance on how impact on openness can be assessed stating that it requires a judgement based on the circumstances of the case. The paragraph goes on to state that *“the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:*
- *openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;*
 - *the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
 - *the degree of activity likely to be generated, such as traffic generation”*
205. As outlined above, paragraph 103 of the nPPG outlines that the life of production sites can be up to 20 years and, on the cessation of extraction, the facilities should be dismantled and the site restored to its former use.
206. The SMP2011 recognises that nearly three quarters of Surrey is designated as Metropolitan Green Belt and that almost all workable mineral deposits in Surrey are within the Green Belt. The Minerals Plan recognises that mineral extraction need not be inappropriate in Green Belts as it is a temporary operation, however proposals for other forms of mineral development in the Green Belt will need to identify very special circumstances. This is reflected in Policy MC3 of the Surrey Minerals Plan which states that proposals in the Green Belt for mineral development other than extraction and primary treatment, will only be permitted where the applicant has demonstrated that very special circumstances exist to outweigh the harm by reason of its inappropriateness and any other harm.
207. Policy DP10 of the TLP2014 states that development that is inappropriate development in the Green Belt and is by definition harmful to the Green Belt, will normally be refused. The policy goes on to state that proposals involving inappropriate development in the Green Belt will only be permitted where very special circumstances exist, to the extent that other inappropriateness and any other harm. Emerging Policy TLP03 of the Tandridge Local Plan “Green Belt” states that planning permission for any inappropriate development which is, by definition, harmful to the Green Belt, will normally be refused. Proposals involving inappropriate development in the Green Belt will only be permitted where very special circumstances exist, to the extent that other considerations clearly

¹⁷ Paragraph: 001 Reference ID: 64-001-20190722

outweigh any potential harm to the Green Belt by reason of inappropriateness and any other harm.

208. The assessment for Green Belt for planning application TA/2015/1572 was to treat the whole development as a single development and because of the gas to wire element not being appropriate development in the Green Belt, Officers considered at that time, in light of relevant case law relating to Green Belt¹⁸, that the correct approach on that application was to treat the whole development as a single development and consequently the whole single development is considered to be inappropriate development. As this application is for a modification of the gas to wire element, increasing production of electricity on site for off-site export, alongside other changes, Officers consider an assessment of the impact on the Green Belt of these changes is appropriate.

Harm

209. This proposal seeks to physically extend the built area of Bletchingley Central and to commence the production phase; and for works to be carried out at Bletchingley 2 so that it too can enter the production phase. Currently at Bletchingley 2 there is stockproof fencing and hedgerow planting carried out in accordance with TA/2015/1572 alongside the wellhead and Heras fencing surrounding the wellsite (as seen in the photographs). As part of this proposal a workover rig and flare would be brought onto site for a very limited period of time followed by cabins and Heras style fencing during the production phase. These would be the only built development elements brought to this site. Two soil bunds would be created from soils stripped from the site. These measure 114m² and 126.5m² respectively.
210. With regard to Bletchingley Central there is more development currently in place including the existing wellheads, a water tank, a gas tank, two oil storage tanks, a water storage tank, a tool store, a mess room, an office, a KOV, a FG, two separators, a power fluid vessel, a heater, a generator and compressor unit; a flare stack and security fencing (installed in accordance with approved details for TA/2015/1572). The proposal would include in addition to the above the installation of the following plant and equipment: three new oil storage tanks (replacing the existing two on site), two separators, a utilities unit, two knock out pots, gas tank, heater, a flare, gas treatment, triplex, three 2Mw generators and transformers, a power fluid vessel, heat exchangers, substation/ switch, a store (replacing the existing), a utilities cabin, an office (replacing the existing) and a water tank. There would also be a bund along the northern boundary made up of the stripped top and subsoils from the extension area measuring 4.5m wide, 77m in length and 3.5m in height. The proposal also includes the provision of security camera to replace an existing camera. In addition to this, the proposal also involves the laying of three pipelines in one trench alongside the existing access track.
211. This would bring onto Bletchingley Central compound structures and plant amounting to approximately 593m² in surface area of development compared to the existing structures amounting to some 318m² in surface area. In addition to surface area there is a need to consider the height of the structures within the Green Belt. The tallest structures would be the temporary workover rig at 31m in height. After this, the tallest structure at Bletchingley Central for the duration of the operations would be the flare stack (as existing) which is some 10m in height followed by the gas engines at 5m in height although 8m in height to their exhausts. The majority of the remaining plant and equipment would be 2.5m in height. At Bletchingley 2 the tallest item would be the KO pot at 1.8m in height. The applicant has stated that due to issues associated with gas processing to meet grid specification, it is no longer viable to proceed with the gas to grid

¹⁸ (*Kemnal Manor Memorial Gardens Ltd. v The First Secretary of State & Anor* [2005] EWCA Civ 835 (14 June 2005) and *Timmins & Anor, R (On the Application Of) v Gelding Borough Council* [2015] EWCA Civ 10 (22 January 2015).)

element of TA/2015/1572. As such the gas processing and drying towers would not be installed.

212. The harm caused to the openness of the Green Belt must be considered as a worst case against a well restored site, although the potential for natural gas and oil extraction remains a possibility and so a material planning consideration. Officers consider that the built form of the proposal amounts to significant harm to the Green Belt by virtue of inappropriateness and the loss of openness and may only be permitted where very special circumstances are demonstrated which clearly outweigh the harm caused. In line with policy the applicant should seek to demonstrate that there are factors which amount to very special circumstances which justify the grant of planning permission.
213. Given the site's Green Belt location it is necessary to consider whether the proposed development would maintain high environmental standards during operation and whether the restoration of the site can be achieved to a good standard and will provide an acceptable afteruse consistent with Green Belt objectives. Much of the consideration of whether high environmental standards could be maintained and whether an appropriate and acceptable restoration can be achieved has been covered in above sections of the report. Where there is need for a mineral and the site can be well restored and harm otherwise controlled acceptably by design or mitigation, then development can be considered to accord with Green Belt policy.

Very Special Circumstances

214. The applicant has put forward what they consider to be factors that amount to very special circumstances to clearly outweigh the harm caused by the proposal by reason of inappropriateness and any other harm. The factors put forward are:
- It has been determined that the site is capable of increased electricity generation.
 - The UK faces security of supply challenges.
 - There is significant national need to ensure secure future energy supplies and projects such as this, sourcing natural gas and producing electricity domestically are key to securing this. This ensures carbon dioxide reduction through reduced transport, reliable energy supplies, competitive markets and affordable energy.
 - The achievement of secure and reliable energy supplies is a key part of Government policy, as reiterated in the NPPF, and is vital to the current need to promote the availability of cost effective energy to support economic growth.
 - National policy makes clear the economic priority to achieve growth in the economy and a presumption in favour of sustainable development is a material consideration.
 - A key principle of Government and development plan policy is to optimise the recovery of viable resources from existing infrastructure. This helps ensure the efficient utilisation of resources, maximise the contribution to UK production and help avoid the unnecessary sterilisation of resources that would otherwise not be economic to work if not recovered as part of the current operations.
 - The increase in electricity generated at the site will have a positive benefit to local energy supply providing power for a larger number of properties than would have been associated with the previously approved scheme.
 - There is a continuous demand that securing domestic production should be encouraged.

Conclusions

215. Officers recognise the proposal would encroach on the openness of the Green Belt by virtue of the plant, equipment and bunds proposed at both compounds alongside the new pipeline route under the access track. As with TA/2015/1572, for the gas to be transferred to wire, there would be a requirement for a new switchgear enclosure near to the access track however this would be covered by Permitted Development Rights and

therefore does not form part of this discussion. Furthermore, the gas to wire would require the use of a transmission pole and power cable both of which already exist so again, do not form part of this discussion. Whilst there are two compounds in place which both have wellheads and also some plant at Bletchingley Central, these structures are much less in square footage and height than the structures being proposed and the new bund sizes would be greater than the existing soil bunds. Furthermore, both compounds are temporary development with planning permission having expired in August 2015 so this proposal should be considered against the backdrop that there should be no plant or equipment on the site at present.

216. Officers consider the proposal does conflict with the openness of the Green Belt as the proposal seeks to install a number of plant and structures which would bring on to the application site structures greater in size (593m² from 318.5m² for Bletchingley Central; and 12m² for Bletchingley 2) and massing (the tallest structure on Bletchingley Central would be the flare at 10m in height; and Bletchingley 2 would be the KO pot at 1.8m in height) than both the existing compound structures and also that of a green undeveloped field. Furthermore the proposal seeks to increase the size of the existing soil bund at Bletchingley Central and also create a new bund at Bletchingley 2. These bunds would also be new features within the Green Belt harming openness. The proposal includes replacement security fencing at both sites and the introduction of stockproof fencing which all would be above that found at a Greenfield site (both these elements have now been installed). Additionally this the application seeks to increase the size of the compound area at Bletchingley Central by 0.3ha albeit it a strip 3m in width along the western boundary of Bletchingley Central would not be developed but would remain as is as grass. Thus, for the duration of the development proposed, the openness of the Green Belt would be materially compromised having a significant moderate impact. Furthermore the elements as described above, would encroach in this area of countryside that forms part of the Green Belt contrary to policy.
217. With regard to the other purposes of including land in the Green Belt, Officers consider the proposal would not cause sprawl of large built up areas, would not cause neighbouring towns to merge into one another, would not impact on the setting or special character of historic towns; and as no impact on influencing urban regeneration. Consequently Officers concur that the proposal does not conflict with these purposes of the Green Belt. With regard to permanence, Officers consider that as the proposal is for a temporary period the proposal would not result in a permanent loss of the qualities of the land to which it is designated for Green Belt. Given the site would be restored to a use compatible with the Green Belt, Officers consider the proposal would not impact on a loss of permanence in the Green Belt, but would none the less cause temporary encroachment on the countryside.
218. Unlike other development proposals, minerals can only be worked where they are found as they are governed by geology. As the Green Belt covers 75% of Surrey consequently large mineral reserves will be situated within this designation. However, whilst mineral extraction may need to take place where the mineral deposit is located, the processing of the mineral could take place on land beyond the Green Belt. In terms of locating processing plant outside of the Green Belt and transporting the gas to such a processing plant, the Green Belt boundary is some 4.7km north east of the application site to the village of Oxted which is a built up area, 4.4km south east to the residential area of Edenbridge and Lingfield both built up areas with the Green Belt then extending beyond again to the Surrey/ West Sussex border some 7.8km away. The Green Belt boundary then extends to the south west towards Horley approximately 6.4km, westwards to Redhill approximately 7.24km; and northwards to Caterham approximately 6.79km. The use of a pipeline to transport the gas from the site (untreated) would also need to traverse either a motorway or a main A road and these areas are predominantly residential in nature.

219. The applicant has stated as part of TA/2015/1572 that any such pipeline carrying untreated gas would have to go to a transmission point of which the closest one is at Ripley which is some 37km from the application site. Transporting the gas from this site this way was said to be uneconomical for the reserve and the applicant is stating it is also unviable to transport the gas out to grid (the gas being treated and fed into the gas network).
220. The temporary nature of the development does not constitute a factor which contributes to very special circumstances. Whilst Officers are satisfied that the harm to Green Belt and its visual amenities has been minimised and the site can be restored to a good standard, the limited duration of the development cannot amount to a benefit. Nevertheless, the provision for restoration is an overall material consideration in determining the planning application and development cannot be permitted without appropriate provision for restoration. Officers consider that whilst the scheme may not actively assist in safeguarding the countryside from encroachment during the operational phase, the encroachment would be significantly mitigated by the restoration proposals and there would be a neutral effect in the longer term.
221. Officers consider that none of the factors identified in the application and considered above can, on their own be considered to constitute very special circumstances and clearly outweigh the harm by virtue of inappropriateness and the temporary loss of openness and encroachment on the countryside. However, Officers consider that the factors identified above when taken collectively and with other factors can amount to very special circumstances these of which include: the need for the energy resource; the sustainable nature of the product; the lack of realistic alternative methods to husband this resource which would not cause environmental or amenity harm. Officers attach significant weight to the need for husbanding domestic oil and gas resources and if not harvested now, it is likely this resource will be sterilised. As such whilst this proposal is contrary to the Development Plan Officers consider that planning permission can be granted as an exception to Green Belt policy subject to addressing other harm.

HUMAN RIGHTS IMPLICATIONS

222. The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.
223. It is recognised there would be short term slight adverse impacts in terms of visual disturbance during the construction and workover rig phase of the development. Officers consider that during the operational (production) phase and the restoration phase the impacts would be negligible. Nevertheless, it is Officer's view that the scale of any potential impacts are not considered sufficient to engage Article 8 or Article 1 and that potential impacts can be mitigated by planning conditions. As such, this proposal is not considered to interfere with any Convention right.

CONCLUSION

224. The proposed development is to enable production, which is the final stage in oil and gas development, of a proven and economically viable oil and gas reserve at Kings Farm wellsites for a period of 15 years. The applicant is seeking to amend the current production planning permission, removing the gas to grid element, and replacing it with an increase to the gas to wire element, increasing the generators on site from 1 to 3, thereby enabling an increase in electricity production from 1Mw to 6Mw. This amendment would result in changes to the proposed internal layout of Bletchingley Central, removing plant that would have been associated with permitted gas to grid set up and changing the infrastructure on site. This results in a reduction in the size of the

wellsite areas as previously permitted by TA/2015/1572.

225. The application site is located in a rural area within the Green Belt, some 600m south of the AGLV and within an Area of Local Landscape Significance. Bletchingley Central abuts Birchen Coppice, classified as Ancient Woodland, alongside further woodland to the west. The access track would run adjacent to archaeological features of importance. The County Planning Authority must be satisfied that the proposal will not give rise to harm to features of importance and local environmental and residential amenity interest and accord with the Development Plan policies. It is necessary for the Authority to be satisfied that the proposal would not give rise to unacceptable impacts in terms of environment and amenity, including highways, which have been discussed in detail above.
226. In terms of the environmental and amenity issues, including highways as set out in detail within the report, technical consultees have raised no objection subject to appropriate conditions, to ensure that high environmental standards are maintained during the development. Officers therefore consider that the recommended planning conditions will ensure that any adverse environmental impacts can be suitably mitigated and provide for the appropriate protection of the environment.
227. The need for the development is one of the key issues in the determination of this application and the previously permitted consent for the production of hydrocarbons in 2016 has already provided clear information that there is an economically viable reserve in terms of quantity, quality and pressure in the gas field to warrant production of oil and gas from this application site. Whilst it is acknowledged there is a need to move towards renewable energy, until there is a more fundamental change in both policy and technology, there is a continued need to husband indigenous oil and gas reserves to meet the Government's position on energy security.
228. Officers are satisfied that there is a need for the development and that the need could be met at this site. Whilst the proposal is minerals development, the aspect of converting the gas to wire can be likened to an industrial process, as such Officers are of the view that the proposal is inappropriate development and factors should be put forward to demonstrate there are very special circumstances to outweigh any harm caused by the reason of inappropriateness and any other harm.
229. Officers are satisfied that there is a national need for extracting and utilising the natural gas and oil, and are satisfied with the evidence put forward by the applicant that there are no other viable alternatives to transport the gas and oil from the application site. There is a known gas and oil resource at Kings Farm wellsite which if not removed would remain in situ should the application site be restored. As such given the significant weight to be attached to need and lack of alternatives, Officers consider the application demonstrates there are factors that clearly outweigh the harm to Green Belt by virtue of its inappropriateness, the temporary loss of openness and encroachment on the countryside. Accordingly, the proposal meets the policy requirements for mineral development in the Green Belt. Taking account of the need for the development, and that the proposal accords with the policies of the Development Plan, Officers recommend that the application be permitted.

RECOMMENDATION

The recommendation is to PERMIT subject to the following conditions:

Conditions:

Approved Documents

1. The development hereby approved shall be carried out in all respects strictly in accordance with the following plans/drawings contained within the application:

Drawing no: BLEO-01 "Location and Sub-Surface Extent" dated 23 July 2015

Drawing no: 3827 P 01 rev D "Wellsite Location Plan" dated August 2015

Drawing no: 3827 P 02 rev C "Existing Site Layout Bletchingley Central" dated April 2015

Drawing no: 3827 P 03 rev D "Existing Site Elevations Bletchingley Central" dated April 2015

Drawing no: 3827 P 04 rev A "Existing Site Layout Bletchingley 2" dated April 2015

Drawing no: 3827 P 05 rev A "Existing Site Elevations Bletchingley 2" dated April 2015

Drawing no: 7262 PR 03 rev F "Preliminary Site Layout Bletchingley Central" dated November 2019

Drawing no: 7262 PR 05 rev A "Preliminary Site Elevations Bletchingley Central" dated July 2019

Drawing no: 7262 PR 04 rev A "Proposed Site Layout Bletchingley 2 Gas Site" dated July 2019

Drawing no: 7262 PR 06 rev C "Proposed Site Elevations Bletchingley 2 Gas Site" dated August 2019

Drawing no: 7262 PR 08 "Proposed Pipeline Section Bletchingley 2 Gas Site" dated August 2019

Drawing no: 7262 PR 07 rev A "Connection to Wire Plan" dated July 2019

Drawing no: 3827 P 15 rev E "Temporary Flare Layout Bletchingley 2" dated November 2015

Drawing no: 3827 P 16 rev E "Temporary Flare Elevations Bletchingley 2" dated November 2015

Drawing no: 3827 P 17 rev D "Proposed Fencing Elevations" dated April 2015

Drawing no: 3827 P 18 rev F "Fencing Plan Layouts" dated November 2015

Drawing no: 7262 PR 09 "Proposed Workover Layout Bletchingley 2 Gas Site" dated October 2019

Drawing no: 7262 PR 10 "Preliminary Site Layout Bletchingley Central" dated November 2019

Drawing no: 7262 PR 11 "General Lighting Plan Bletchingley Central" dated December 2019

Drawing no: 7262 PR 12 rev A "General Lighting Plan Bletchingley 2" dated December 2019

Drawing no: 7262 PR 13 "Proposed Restoration Layout Bletchingley Central" dated December 2019

Drawing no: 7262 PR 14 rev A "Proposed Restoration Layout Bletchingley 2" dated December 2019

Drawing no: plan 7262 PR 15 "Proposed Restoration Layout Access Track" dated January 2020.

Time Limits

2. The development hereby permitted shall cease no later than 11 February 2034 or the depletion of the reservoir, whichever is the sooner. All buildings, plant and machinery (both fixed and otherwise) and any engineering works connected therewith, on or related to the application site (including any hard surface constructed for any purpose), shall be removed from the application site and the site shall be fully restored to a condition suitable for agriculture in accordance with the details set out in Conditions 42 and 43. Notwithstanding this, any plant or equipment required to make the site safe in accordance with DECC requirements at the time and agreed with the County Planning Authority, may remain in position.

Displaying Site Notice

3. From the date that any works commence in association with the development until the cessation of the development/ completion of the operations to which it refers, a copy of this permission including all documents hereby approved and any documents subsequently approved in accordance with this permission, shall be available to the site manager, and shall be made available to any person(s) given the responsibility for the management or control of operations.

Hours of Operation (excluding extraction and the processing plant)

4. a) No lights shall be illuminated, nor shall any operations or activities authorised or required by this permission including access by HGVs, take place other than during the hours of:

0800 - 1900 hours Monday - Friday

0800 - 1300 hours Saturday

Apart from the exceptions referred to above and in b) below, there shall be no working at any time on Sundays, Public Holidays, Bank Holidays and National Holidays. This condition shall not prevent emergency repairs, engineering works and floodlighting being on for maintenance reasons.

b) Temporary gas flaring during workover stages shall take place for a one off period of no longer than four (4) consecutive days on a 24 hour basis.

General Permitted Development Order

5. Notwithstanding any provision to the contrary under Part 17 (Class A, B, C, L & M) of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent Order,
 - a. No plant, building or machinery whether fixed or moveable shall be erected on the application site without the prior written approval of the County Planning Authority in respect of the location, design, specification and appearance of the installation, such details to include predicted levels of noise emission and their tonal characteristics;

b. No waste materials shall be deposited at the site without the prior agreement in writing of the County Planning Authority;

c. No external lights or fences other than those permitted by this application shall be installed or erected at the application site.

Workover Rig

6. No workover rig shall be brought on to the site without prior written approval by the County Planning Authority of a scheme of work detailing the operations involved. Such a scheme shall make provision for notifying the County Planning Authority and neighbouring residents seven (7) days in advance of the operations, which shall include
- a. details of all lighting to be used both on the workover rig and at the wellsite and mitigation measures to ensure no light spill or sky glow
 - b. details of the number of Heavy Goods Vehicle (HGV) movements per day over the workover programme
 - c. information of a programme of noise monitoring including details of noise measurement locations, the method of noise measurement and the maximum permissible levels of noise at each location alongside mitigation measures. Such a programme is to be agreed by the County Planning Authority, implemented thereafter, and further noise monitoring undertaken and results submitted to the County Planning Authority.

Drainage

7. Before the stripping of any soils, before any earthworks or other engineering modifications of any kind to the compound (wellsite) at Bletchingley Central, a Surface Water Drainage Assessment shall be submitted to and approved in writing by the County Planning Authority.

The Surface Water Drainage Assessment shall include:

- a) an assessment of both the containment area and the remainder of the site to demonstrate using appropriate drainage calculations that the proposed drainage strategy is sufficient to meet the desired objectives of controlling and disposing of run off without causing flooding or the risk of pollution. This shall include details of the drainage layout including the location of all sustainable drainage elements, ditches, chambers, pipe diameters and their respective sizes and levels, together with a plan showing the long and cross sections of each proposed drainage element.
- b) an Operational Management and Monitoring Plan that provides the details of a system to manage the drainage ditches in the event of consecutive rainfall events/heavy storms or a delay in tanker arrival, details of how the drainage system will cater for system failure or exceedance events, both on and off site, and details of who will own and maintain the drainage features and the maintenance regime for each feature.

The drainage scheme shall be carried out in accordance with the approved details.

8. Prior to the operation of the development hereby permitted, a verification report carried out by a qualified drainage engineer, shall be submitted to the County Planning Authority for approval in writing. The verification report shall demonstrate that the Drainage System has been constructed to the agreed scheme.

Long Term Containment

9. Before the installation of the area of extended containment membrane at Bletchingley Central, as shown in red on plan 7262 PR 10 "Preliminary Site Layout Bletchingley Central" dated November 2019; and before any earthworks or other engineering modifications of any kind to the compound at Bletchingley Central; details shall be submitted to and approved in writing by the County Planning Authority of the type of existing membrane at Bletchingley Central, the type of membrane to be used for the extension, the dimensions of the overlap area, the method of cleaning the overlap area prior to joining, the method of joining the existing and extended areas of membrane, a Construction Quality Assurance (CQA) Plan, and containment system edge details demonstrating how the system will provide appropriate containment. This shall include details of the existing cellar and surrounding concrete apron (to the wellheads) and how the existing membrane interacts and seals against them. This shall also include details of the measures to be provided at the vehicle access point to the impermeable area, and how the containment is completed in this area. The scheme shall be carried out in accordance with the approved scheme.

The installation of the extended area of membrane, jointing with the existing membrane and all other modifications to the containment system shall be recorded and shall be conducted in accordance with the manufacturers guidance and the approved CQA Plan. A CQA report shall be prepared within 1 month of completion of the works and the report shall be submitted to the County Planning Authority for written approval.

Temporary Containment

10. Prior to commencement of any temporary workover operations at either Bletchingley Central or Bletchingley 2 sites, details shall be submitted to and approved in writing by the County Planning Authority of the proposed containment system to be used and materials, plant and equipment to be employed during workover operations. A detailed method statement and operational management plan for the works shall be included.

The containment provided and the materials, plant and equipment utilised during workover operations shall be carried out strictly in accordance with the approved details.

Laying of the Pipeline

11. The laying of the pipeline beneath the hedgerow to the north of Bletchingley 2 shall be undertaken in accordance with the details submitted and approved under planning permission ref: TA2015/1572 dated 6 April 2017 and shall be maintained for the duration of the development hereby permitted.

Highways

12. The Construction and Restoration/Decommissioning of the application site shall be carried out strictly in accordance with the Construction Transport Management Plan dated July 2015.
13. The applicant shall ensure that Tilburstow Hill Road is kept clear of mud, debris and any other extraneous material arising from the site at all times.
14. The visibility splay at the access to Tilburstow Hill Road shall be maintained at 2.4m x 160m in each direction until the restoration of the site has been completed.

- 15. After the site restoration is complete, the access shall be reinstated to conform with the existing adjoining surfaces
- 16. A sign shall be erected at the site exit which should not obstruct the sightlines, advising all drivers of HGVs exiting the site to turn right onto Tilburstow Hill Road. The sign shall be retained for the duration of the development.

Lighting

- 17. The lighting hereby permitted shall be constructed and maintained such that at no time it exceeds the limitations for Environmental Zone E2 given in the Institute of Lighting Engineers (ILE) Guidance notes for the Reduction of Light Pollution 2005. These are:

Sky Glow ULR [Max %] (upward lighting)	Light Intrusion (into windows) Ev [lux] (maximum & should take into account existing light intrusion)		Luminaire Intensity I [candelas]		Building Luminance
	Pre-curfew	Post-curfew	Pre-curfew	Post-curfew	Average L [cd/m2]
2.5	5	1	7,500	500	5

- 18. External lighting shall be installed in accordance with drawings 7262 PR 11 "General Lighting Plan Bletchingley Central" and 7262 PR 12 rev A "General Lighting Layout Bletchingley 2" both dated December 2019, with florescent luminaires: set horizontal or at a maximum tilt angle of 15 degrees; fitted with UV filters; and shall be fitted with a photocell operation with timeclock which turns all luminaires off at 21:00 hours and with a manual override on.

External Materials

- 19. External materials used on the office and WC shall be in accordance with the details submitted and approved under planning permission ref: TA2015/1572 dated 6 April 2017 and shall be maintained for the duration of the development hereby permitted.

Dust

- 20. No activity hereby permitted shall cause dust to be emitted so as to adversely affect adjacent residential uses and/or other sensitive uses and/or the local environment. Should such an emission occur, the activity shall be suspended until, as a result of different methods of working, the addition of additional dust suppression measures or changed weather conditions, it can be resumed without giving rise to that level of dust emissions.
- 21. The dust control and mitigation measures set out in the Dust Impact Assessment dated November 2015 shall be implemented throughout the duration of the development.

Noise

- 22. Any noise arising from construction and decommissioning works to the site access road within 200m of Tilburstow Hill Road shall be limited to 70 dB LAeq during any 30 minute period, when measured free-field (at least 3.5m from the facade of a residential property or other noise sensitive building) at a height of 1.2m above ground level.

23. All plant and machinery shall be adequately maintained and silenced in accordance with the manufacturer's recommendations at all times.
24. Should the site fail to comply with the set noise limits, within 14 days of any breach of the noise limits, the applicant shall submit a scheme for approval in writing by the County Planning Authority to attenuate noise levels to the required level which shall be implemented within 7 days of the County Planning Authority issuing approval for the scheme, or the source of noise shall cease until the scheme is in place.
25. Noise monitoring shall be undertaken in accordance with the details submitted and approved under planning permission ref: TA2015/1572 dated 28 October 2016 for the duration of the development hereby permitted. The results of the noise surveys shall be reported to the County Planning Authority within 14 days of the monitoring. The noise surveys shall only be undertaken by those competent to do so, i.e. Member or Associate grade of the Institute of Acoustics.
26. The noise arising from any operation, plant or machinery on the site, when measured at, or recalculated at a height of 1.2 m above ground level and 3.5 m from the façade of a residential property or other noise sensitive building that faces the site shall not exceed 45 dB LAeq during any 30 minute period.
27. Notwithstanding the provisions of Condition 26 above, during the hours of 1900 to 0800, the level of noise arising from any activity on site, when recalculated at a height of 4 m above ground level and 3.5 m from the façade of any noise sensitive building that faces the site shall not exceed 40 dB LAeq during any 30 minute period.
28. The acoustic barrier as shown on 7262 PR 03 rev F Preliminary Site Layout Bletchingley Central dated November 2019 shall be maintained and kept to a good standard for the duration of the development.
29. For temporary operations such as site preparation, the workover rig, temporary flare and reinstatement, the level of noise arising from any operation, plant or machinery on the site, when measured at, or recalculated at a height of 1.2 m above ground level and 3.5 m from the façade of a residential property or other noise sensitive building that faces the site shall not exceed 65 dB LAeq during any 30 minute period between the hours of 0800 to 1900 Monday to Friday and 0900 to 1300 hours on a Saturday and at no other time. No work causing audible noise at any noise sensitive receptor is permitted at any other time including Sundays, Bank Holidays, Public Holidays or National Holidays.
30. During the hours of 1900 to 0800 hours the level of noise arising from the temporary flare operations and any associated activity, when recalculated as at a height of 4 m above ground level and 3.5 m from the façade of a residential property or other noise sensitive building that faces the site shall not exceed 42 dB LAeq, during any 30 minute period.
31. Notwithstanding the provisions of Condition 29 above, the level of noise arising from any operation, plant or machinery on the site, when measured at, or recalculated at a height of 1.2 m above ground level and 3.5 m from the façade of a residential property or other noise sensitive building that faces the site shall not exceed 47 dB LAeq during any 30 minute period between the hours of 0800 to 1900 Monday to Friday and 0800 to 1300 hours on Saturday and Sunday.

Landscaping

32. All existing hedges, hedgerows and trees shall be retained unless shown on the approved drawings as being removed. All hedges, hedgerows and trees on and immediately adjoining the site shall be protected from damage for the duration of works on site. Any trees or parts of hedges or hedgerows removed without the County Planning Authority's consent or dies, or becomes in the opinion of the County Planning Authority, seriously diseased or damaged during the duration of the development shall be replaced as soon as is practicable, and in any case, no later than the end of the first available planting season following failure, with plants of the same or similar species as agreed in writing by the County Planning Authority.
33. Within 6 months of the date of this decision, details of the tree planting as shown on plan 7262 PR 03 rev F "Preliminary Site Layout Bletchingley Central" dated November 2019 shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include:
- a) planting plans,
 - b) written specifications (stating cultivation and other operations associated with plant establishment),
 - c) schedules of plants noting species, plant sizes and proposed numbers/densities and an implementation programme; and
 - d) Maintenance regime and arrangements for its implementation

The scheme shall be prepared and overseen by suitably qualified and experienced professional(s) with reference to best practice contained within British Standard BS 8545: 2014, carried out strictly in accordance with the approved scheme within the first available planting season following its approval, and shall thereafter be maintained for the duration of the development.

Soils

34. Prior to the stripping of any topsoil and subsoil at Bletchingley Central, a scheme for the stripping, handling and storage of these soils shall be submitted to and approved by the County Planning Authority. The scheme shall include details of how the soils would be separately stripped, handled and stored in accordance with best practice (BS 3882:2015 and BS 8601: 2013) to prevent damage and degradation; and a stability risk assessment shall be provided to demonstrate the appropriate short term and long term stability of the proposed soil bunds as shown on plan 7262 PR 03 Rev E "Preliminary Site Layout Bletchingley Central" dated July 2019.
35. All topsoil and subsoil shall be permanently retained on the site for subsequent use in restoration. No soils or soil making material for use in the restoration shall be brought onto the site.
36. Soils shall not at any time be stripped, stockpiled nor used for the purposes of restoration unless they are in a suitably dry and friable condition to prevent compaction; neither shall any of these operations be undertaken during the months of November to March. Soil shall only be moved when in a dry and friable condition.
37. Subsoil shall not be placed on top of topsoil. Where continuous bunds comprise dissimilar soils, these shall be separated by a third material of which details shall be submitted to the County Planning Authority for approval in writing prior to its use. The

use of a third material between dissimilar soils shall be maintained for the life of the storage of the soils. Materials shall be stored like upon like, so that topsoil shall be stripped from beneath subsoil bunds.

Nature Conservation

38. A herptile barrier fence shall be erected and maintained for the duration of the installation and removal of the pipeline as shown on plan 3827 P 14 rev G `Connection to Wire Plan` dated November 2015.
39. All exposed trenches shall be provided with wooden exit ramps overnight so that any transiting fauna that falls into the earthworks can escape.
40. Birchen Coppice and the 10 metre buffer zone between the wellsite and the parish boundary shall be maintained completely free of any use or storage associated with the development hereby permitted at all times throughout the duration of the development.
41. Fencing around the woodland in Birchen Coppice shall be installed in accordance with the details submitted and approved under planning permission ref: TA.2015/1572 dated 11 May 2017 and shall be maintained for the duration of the development hereby permitted.

Restoration

42. Twelve months prior to the decommissioning and restoration of the application site, a detailed scheme of restoration to enable the application site to be restored to a condition suitable for agriculture shall be submitted to the County Planning Authority for approval in writing. The scheme shall include:
 - a) Details of the restoration of the access track with Tilburstow Hill Road and the reinstatement of the hedgerow to be removed to create the access and the section of hedgerow to be removed which borders the farm track
 - b) Details of what the planned end landuses are and where they will be located within the application site
 - c) Details of the depths that top soil and subsoil shall be spread to
 - d) the frequency of analysis of soil nutrient content, humus and the degree of acidity or alkalinity and a programme to adjust those levels as necessary
 - e) a plan showing the restoration contours in context with the surrounding ground levels
 - f) ground preparation and cultivation works, including the removal of any hard surfaces and details of how any large objects which may obstruct cultivation would be removed
 - g) proposed grass seed mixtures and method of sowing, fertilising, water draining or other treatment of the land;
 - h) numbers, species, sizes and spacing of trees, shrubs and new hedgerow plants to be planted
 - i) the maintenance regime for tree and shrub planted areas; the location and type of fencing and gates
 - j) timescale for carrying out the above works

A person or persons with knowledge of and expertise in site restoration and with authority to require in the interests of restoration that operations be carried out or discontinued, shall supervise all activities concerning soil, soil making materials, restoration and aftercare. The restoration scheme shall be implemented strictly in accordance with the approved scheme.

Aftercare

43. Twelve months prior to the decommissioning and restoration of the application site, an aftercare scheme requiring such steps as may be necessary to bring the land to the required standard for the use of agriculture shall be submitted to the County Planning Authority for approval in writing. The Aftercare Scheme shall include:
- a. the Strategic Aims and Objectives for the Site and the identified land use within it for the five year Aftercare period
 - b. detailed requirements and proposals for both hard and soft landscape elements
 - c. details of field drainage
 - d. details for the provision of an annual meeting between the applicant and the County Planning Authority
 - e. details of an annual programme to be provided no later than two months prior to the annual Aftercare meeting.

The submitted scheme shall specify the steps to be taken and the period during which they are to be taken. The scheme shall be implemented and maintained for a period of five years from the completion of restoration, strictly in accordance with the approved details.

Archaeology

44. The fencing as erected alongside the Birchen Coppice County Site of Archaeological Importance, shall be maintained and remain in place in accordance with details approved under planning approval ref: TA06/1788/D1 dated 25 June 2008 for the duration of the development; and no works shall take place within the area inside that fencing.

Contamination

45. Oil or chemical storage tanks shall be sited on impervious bases and surrounded by a liquid tight bunded compound; the bunded areas must be capable of containing 110% of the volume of the largest tank and all fill pipes, draw pipes and sight gauges should be enclosed within its curtilage.
46. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted a remediation strategy to the County Planning Authority detailing how this unsuspected contamination shall be dealt with. Written approval shall be obtained from the County Planning Authority and the remediation strategy shall be implemented as approved.
47. Within one month of site decommissioning, and prior to the commencement of restoration and placement of any restoration soils, a scheme of inspection and testing of the ground and any surface water and shallow groundwater for any contamination legacy

resulting from the operations at the application site Bletchingley Central and Bletchingley 2, the access track, and along the pipeline route connecting the two sites shall be submitted to and approved in writing by the County Planning Authority. The scheme shall describe how the exposed ground and any groundwater or remnant surface water present shall be inspected, sampled and tested to demonstrate there is no legacy of contamination before restoration is undertaken. The work shall be designed and undertaken under the direction of a competent and experienced contaminated land specialist. The scheme shall be carried out strictly in accordance with the approved details.

Prior to commencement of restoration and placement of any restoration soils the results shall be submitted to the CPA in the form of a Geo-environmental decommissioning report demonstrating that the site contains no legacy of contamination. The CPA shall be informed when the post decommissioning sampling is due to take place and shall be afforded the opportunity to inspect the ground surface before the site is restored. Inspection of the exposed ground shall take place after removal of all surface installations, foundations, hardstandings, membranes, buried utilities, pipelines and the pipe surround materials, and all sumps and drainage elements.

If either: a) during any oil or gas development operations at Bletchingley Central and Bletchingley 2 or b) on implementing the scheme of inspection and testing, contamination not previously identified (unexpected) is found to be present at the site, then no further development or decommissioning work shall be carried out until a further scheme of inspection and testing (if required) and a remediation strategy has been submitted to and approved in writing by the CPA, detailing how the unexpected contamination shall be dealt with. The further investigations and remediation strategy shall be implemented as approved, and the results submitted to the CPA in the form of a verification report.

Reasons:

1. To ensure the permission is implemented in accordance with the terms of the application and to enable the County Planning Authority to exercise planning control over the development pursuant to the Surrey Minerals Plan Core Strategy 2011 Policy MC14
2. To ensure the prompt and effective restoration of the site and comply with Schedule 5 paragraph 1 of the Town and Country Planning Act 1990
3. To enable the County Planning Authority to exercise control over the site for the development hereby permitted and its duration.
4. To protect the amenities of local residents in accordance with the Surrey Minerals Plan Core Strategy 2011 Policy MC14
5. To protect the amenities of the locality in accordance with the Surrey Minerals Plan Core Strategy 2011 Policy MC14
6. To protect the amenities of the locality in accordance with Surrey Minerals Plan Core Strategy 2011 Policy MC14.
7. In the interest of the local environment and amenity and in order to ensure the drainage design meets the technical standards to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14, Tandridge District Core Strategy 2008 Policy CSP15 and Tandridge District Local Plan 2014 DP21

8. To ensure an acceptable Sustainable Drainage System and to comply with the Surrey Minerals Plan Core Strategy 2011 Policy MC14, Tandridge District Core Strategy 2008 Policy CSP15 and Tandridge District Local Plan 2014 DP21
9. To ensure adequate containment in the impermeable areas of the site to protect the environment in accordance with Policy MC14 of the Surrey Minerals Plan 2011.
10. To prevent pollution of the water environment in accordance with Policy MC14 of the Surrey Minerals Plan 2011 Core Strategy and Tandridge District Local Plan 2014 Policy DP22.
11. To protect the health of the hedgerow to be retained in the interest of visual amenities of the local area in accordance with Surrey Minerals Plan Core Strategy 2011 Policy MC14, Tandridge District Local Plan 2014 Policy DP7 and Tandridge District Core Strategy 2008 Policy CSP21
12. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC15 and Tandridge District Local Plan 2014 Policy DP5
13. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC15
14. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC15 and Tandridge District Local Plan 2014 Policy DP5
15. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC15 and Tandridge District Local Plan 2014 Policy DP5
16. To comply with the terms of the application and reduce to the minimum the impact of the HGV traffic resulting from the proposed development in compliance with Surrey Minerals Plan Core Strategy 2011 Policy MC15 and Tandridge District Local Plan 2014 Policy DP5
17. To reduce the impact on the visual amenities of the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Local Plan 2014 Policy DP22
18. To reduce the impact on visual amenities of the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Local Plan 2014 Policy DP22.
19. To protect the visual amenities of the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Core Strategy 2008 Policy CSP21
20. In the interests of local amenity, the environment and/or human health pursuant to Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Local Plan 2014 Policy DP22
21. In the interests of local amenity, the environment and/or human health pursuant to Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Local Plan 2014 Policy DP22

22. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Local Plan 2014 Policy DP22
23. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Local Plan 2014 Policy DP22
24. To ensure there is no loss of amenity at specified noise sensitive properties due to noise emissions from the proposed development and to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Local Plan 2014 Policy DP22.
25. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Local Plan 2014 Policy DP22
26. To ensure there is no loss of amenity at specified noise sensitive properties due to noise emissions from the proposed development and to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Local Plan 2014 Policy DP22
27. To ensure there is no loss of amenity at specified noise sensitive properties due to noise emissions from the proposed development and to comply with Surrey Minerals Plan 2011 Policy MC14 and Tandridge District Local Plan 2014 Policy DP22
28. To ensure there is no loss of amenity at specified noise sensitive properties due to noise emissions from the proposed development and to comply with Surrey Minerals Plan 2011 Policy MC14 and Tandridge District Local Plan 2014 Policy DP22
29. To ensure there is no loss of amenity at specified noise sensitive properties due to noise emissions from the proposed development and to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14
30. To ensure there is no loss of amenity at specified noise sensitive properties due to noise emissions from the proposed development and to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Local Plan 2014 Policy DP22
31. To ensure there is no loss of amenity at specified noise sensitive properties due to noise emissions from the proposed development and to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Local Plan 2014 Policy DP22
32. To safeguard existing the existing landscape features and ensure their contribution to the character of development and the character of the local area in accordance with Surrey Minerals Plan Core Strategy 2011 Policy MC14, Tandridge District Local Plan 2014 Policy DP7 and Tandridge District Core Strategy 2008 Policy CSP21
33. To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area and to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Core Strategy 2008 Policy CSP21
34. To protect soil resources and ensure appropriate storage of soils on site; and for the protection of human health and safety in accordance with Surrey Minerals Plan Core Strategy 2011 Policy MC14.

35. To enable the County Planning Authority to adequately control the development and to secure restoration of the site to a condition capable of beneficial afteruse to comply with Surrey Minerals Plan Core Strategy 2011 Policies MC3 and MC17
36. To comply with the terms of the application and enable the County Planning Authority to exercise control of the operation so as to secure restoration to the required standard and assist in absorbing the site back into the local landscape in accordance with the Surrey Minerals Plan Core Strategy 2011 Policies MC3 and MC17
37. To prevent loss or damage of soil, or mixing of topsoil with subsoil and to prevent damage to adjacent trees and vegetation and features of archaeological interest to comply with Surrey Minerals Plan Core Strategy 2011 Policies MC3, MC14 and MC17
38. To protect species of conservation concern in accordance with the Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Core Strategy 2008 Policy CSP17
39. To protect species of conservation concern in accordance with the Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Core Strategy 2008 Policy CSP17
40. To protect trees and hedgerows of interest to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Core Strategy 2008 Policy CSP17
41. To protect the health of trees to be retained in the interest of safeguarding the ancient woodland and to protect the visual amenities of the area in accordance with Surrey Minerals Plan 2011 Policy MC14, Tandridge District Local Plan 2014 Policy DP7 and Tandridge District Core Strategy 2008 Policy CSP21
42. To comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the development so as to secure restoration to the required standard and assist in absorbing the site back into the local landscape in accordance with the terms of the Surrey Minerals Plan Core Strategy 2011 Policies MC3, MC14 and MC17.
43. To secure restoration to the required standard and assist in absorbing the site back into the local landscape to comply with Schedule 5 paragraph 2 of the Town and Country Planning Act 1990, and pursuant to Surrey Minerals Plan Core Strategy 2011 Policy MC17
44. To ensure that adequate provision is made for the preservation of archaeological remains pursuant to Surrey Minerals Plan 2011 Policy MC14 and Tandridge District Local Plan 2014 Policy DP20
45. To prevent pollution of the water environment in accordance with Policy MC14 of the Surrey Minerals Plan 2011 Core Strategy.
46. To prevent pollution of the water environment in accordance with Policy MC14 of the Surrey Minerals Plan 2011 Core Strategy and Tandridge District Local Plan 2014 Policy DP22.
47. To prevent pollution of the water environment and to ensure there is no legacy of soil or groundwater pollution remaining on site after decommissioning in accordance with Policy MC14 of the Surrey Minerals Plan 2011 Core Strategy.

Informatives:

1. The proposal hereby permitted is for conventional oil and gas development and does not involve unconventional methods (e.g. fracking).
2. The applicant's attention is drawn to the comments and requirements of Esso Petroleum Co Ltd set out within the Fisher German letters dated 28 September and 4 December 2015 and the enclosed Special Requirements for Safe Working booklet and the covenants referred to in the Deed of Grant, copies of which have been provided to the applicant or can be obtained from the County Planning Authority.
3. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or is being built. Planning consent for a development does not provide a defence against prosecution under this Act.

Trees and scrub are likely to contain nesting birds between 1 March and 31 August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity during this period and shown it is absolutely certain that nesting birds are not present

4. For soils containing more than 18% clay the criteria for determining dry and friable shall be based on a field assessment of the soils wetness in relation to its lower plastic limit according to the following test. 'An assessment shall be made by attempting to roll a ball of soil into a thread on the surface of a clean plain glazed tile (or plate glass square) using light pressure from the flat of the hand. If a long thread of less than 3mm diameter can be formed, the soil is wetter than the lower plastic limit and soil moving should not take place until the soils have dried out. If the soil crumbles before a long thread of 3mm diameter can be formed, then the soil is dry enough to move. This assessment shall be carried out on representative samples on each major soil type. For all soil types ((including sand loams, loamy sands and sands) no soil handling should proceed during and shortly after significant rainfall, and/ or when there are any puddles on the soil surface'.
5. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecute persistent offenders (Highways Act 1980 Section 131, 148, 149).
6. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
7. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Transportation Service.

8. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority Local Transportation Service before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
9. The Applicant's attention is drawn to the potential need to modify the existing Environmental Permit for the site prior to the commencement of any works with attention being drawn to air quality matters relating to the temporary flare.
10. The Applicant's attention is drawn to the Environment Agency's letter of 3 November 2015
11. Any works to be carried out which will affect the flow or storage of water within, or which place or alter a structure/obstruction within an ordinary watercourse will require Ordinary Watercourse Consent. These can include permanent or temporary structures or works. An 'ordinary watercourse' is a watercourse that is not part of a main river and includes rivers, streams, ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows. Consent within Surrey is issued by the Sustainable Drainage and Consenting Team within Surrey County Council. The team can provide information on the requirements for consent and the application procedure and is contactable by email on SuDS@surreycc.gov.uk. Please note consent cannot be issued retrospectively. Works affecting designated Main River require consent from the Environment Agency.
12. The County Planning Authority confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.

CONTACT

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BACKGROUND PAPERS

The deposited application documents and plans, including those amending or clarifying the proposal, responses to consultations and representations received as referred to in the report and included in the application file and the following:

Government Guidance

[National Planning Policy Framework](#)

[Planning Practice Guidance](#)

The Development Plan

[Surrey Minerals Plan Core Strategy Development Plan Document \(DPD\) 2011](#)

Tandridge District Core Strategy 2008

Tandridge Local Plan Detailed Policies 2014

Other Documents

Environmental Protection UK (EPUK) and Institute of Air Quality Management (IAQM) "*Land Use Planning & Development Control: Planning for Air Quality*", 2017

Officer report for TA/2015/1572

Tandridge District Council 'Our Local Plan: 2033' published January 2019

Tandridge District Council: Examination of 'Our Local Plan: 2033'. Tandridge District Council Hearing Statement, Matter 6 South Godstone Garden Community and housing allocations, September 2019.

Surrey County Council 'Guidelines for Noise and Vibration Assessment and Control', March 2019

Ministerial Statement made on 17 May 2018

(<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-05-17/HCWS690>)

Ministerial Statement made on 23 May 2019

(<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2019-05-23/HCWS1586/>)

"Gas Generation Strategy" , DECC, 2012

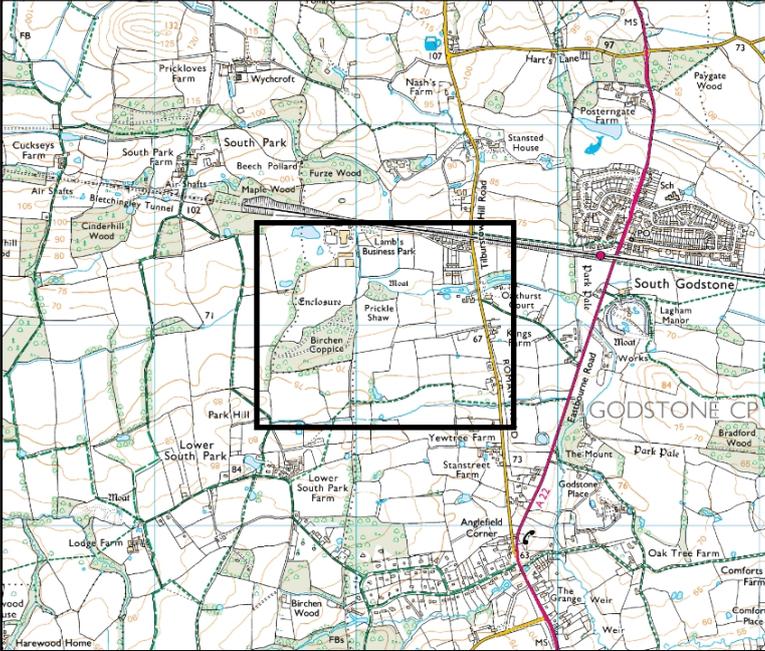
"Meeting the Energy Challenge" DECC, White Paper, 2007

"Energy Security Strategy", DECC, 2012

"Annual Energy Statement", DECC, 2014

Environment Agency and Department for Environment, Food & Rural Affairs "Assess the impact on air emissions on global warming", February 2016, <https://www.gov.uk/guidance/assess-the-impact-of-air-emissions-on-global-warming>

Site Location: **Land at Kings Farm, Tilburstow Hill Road, South Godstone, Surrey RH9 8LB**



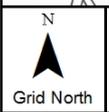
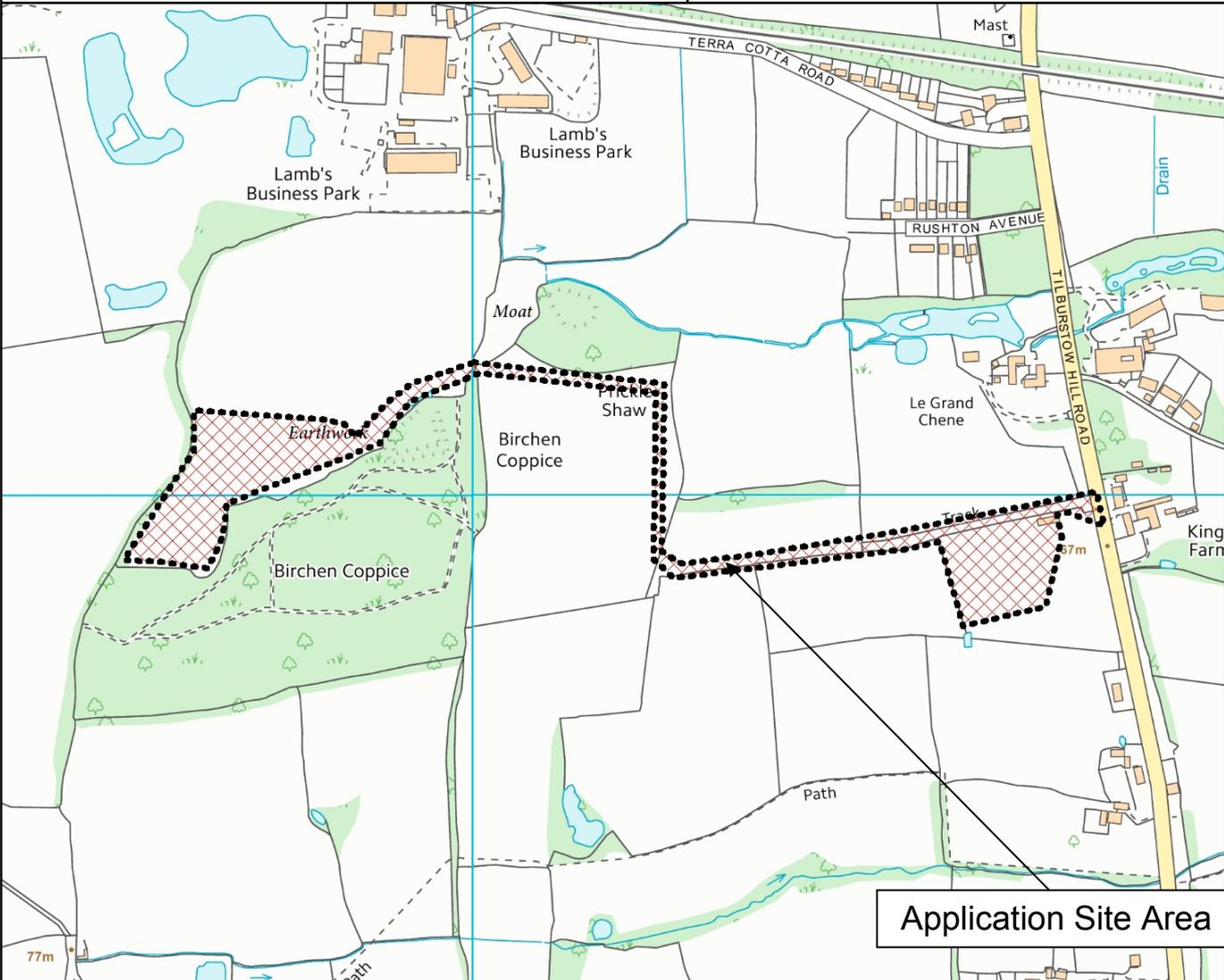
Retention and extension with upgrading of two appraisal wellsites (Bletchingley Central and Bletchingley 2) and access track for the production of conventional hydrocarbons, including associated infrastructure, all on some 1.78 hectares for a temporary period of 15 years with restoration to agriculture without compliance with Condition 10 (plans and drawings) of planning permission ref: TA/2015/1572 dated 24 March 2016 to remove gas to grid processing, to allow a change and increase of gas to wire processing from 1MW to 6MW; and the reconfiguration of internal

Application numbers:
TA2019/1608

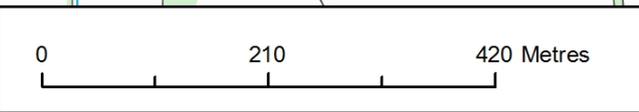
Electoral divisions:
Godstone

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Note: This plan is for indicative purposes only



Ref No:
SCC Ref 2019/0133



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2018 Aerial Photos

Aerial 1 : Land at Kings Farm, South Godstone



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Aerial 2 : Land at Kings Farm, South Godstone



Photo 1: Bletchingley Wellsite 2 (wellhead on the right hand side)



Photo 2: Bletchingley Wellsite 2



Photo 3: View of Bletchingley Wellsite 2 from Tilburstow Hill Road





Photo 4: View of Bletchingley Wellsite 2 from the hedge at site entrance on Tilburstow Hill Road



Photo 5: Tilburstow Hill Road with tipper lorry
(not associated with application site)



Photo 6: Bletchingley Central with flare in the background to the left and existing oil tanks shown on the right



Photo 7: Bletchingley Central existing oil tanks and infrastructure



Photo 8: Bletchingley Central existing infrastructure and offices



Photo 9: Bletchingley Central existing security fence and drainage ditch on the right



Photo 10: View from Bletchingley Central northwards
towards Lambs Brickworks in the background

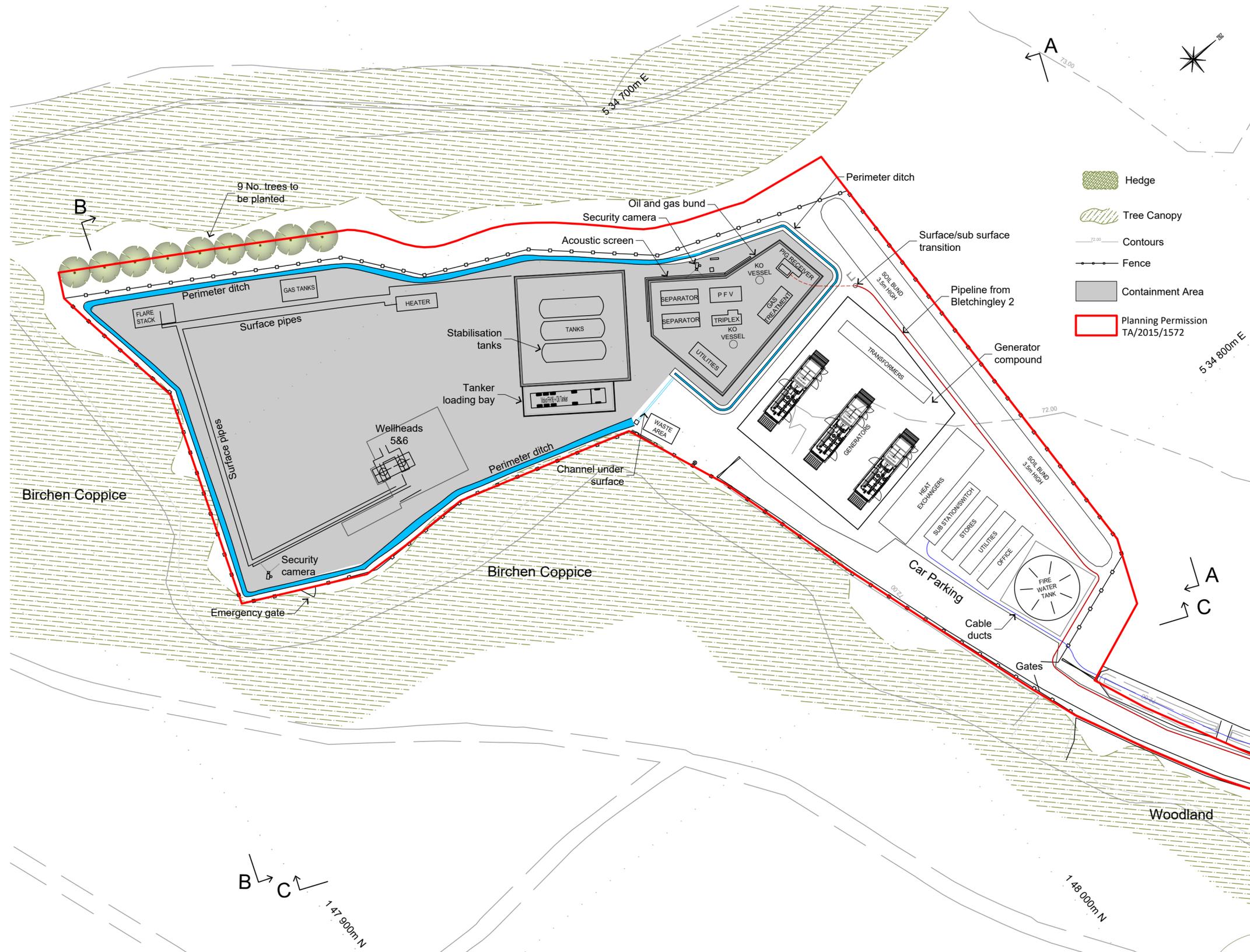




Photo 11: Bletchingley Central view from wellsite towards access gates into the site with Birchen Coppice to the right



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- Hedge
- Tree Canopy
- Contours
- Fence
- Containment Area
- Planning Permission TA/2015/1572

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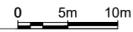
Details
 IGas Energy Plc
 Land at Kings Farm
 South Godstone
 Surrey

Job Title
 Bletchingley Site

Drawing Title
 Preliminary Site Layout
 Bletchingley Central

Date	November 2019	Drawn By	AJNE
Scale	1:500	Sheet Size	A2
Drawing Number	7262 RR 03	Rev	F

Preliminary Wellsite Layout - Bletchingley Central
 Scale 1:500



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TO: PLANNING & REGULATORY COMMITTEE **DATE:** 6 February 2020

BY: PLANNING DEVELOPMENT MANAGER

DISTRICT(S) MOLE VALLEY DISTRICT COUNCIL **ELECTORAL DIVISION(S):**
Dorking & The Holmwoods
Mr Cooksey

PURPOSE: FOR DECISION

GRID REF: 515798 148788

TITLE: SURREY COUNTY COUNCIL PROPOSAL MO/2018/0640

SUMMARY REPORT

The Priory School, West Bank, Dorking, Surrey RH4 3DG

New stand-alone 2 storey science block, and DT classroom extension to existing building, addition of 5no. new parking spaces to front of school site and the alterations to on-site parking and access with removal (retrospectively) of drop-off facility.

The Priory Church of England (VA) School is on the west side of West Bank Road on the western edge of the built up area of Dorking. The school's Governing Body decided to expand the school in 2017 and since that time the school has expanded its roll within its existing building and offered 180 places in 2017 and 2018 (6 forms of entry), followed by 210 places for the 2019 admission year onwards (7 forms of entry) to 2023. This expansion of capacity was fully supported and is financially backed by Surrey County Council and reflects an increase in birth rate in the local area that has been accommodated in the primary sector and is now beginning to transition into the secondary sector. The school therefore already offers 210 places per year.

Along with reorganisation and internal alterations to the existing buildings planning permission is sought in this application for additional buildings to provide facilities to upgrade the academic offer at the school and accommodate the expansion and continued increase in pupil numbers to 2023. The additional buildings proposed in this application comprise a two storey standalone 9 classroom science block and a single storey Design Technology classroom extension.

The application was on the agenda of a previous Planning and Regulatory Committee on the 28th May 2018 with a recommendation that it be approved. However at the Members site visit prior to the consideration of the application officers noticed that the internal drop off area indicated on the plans had very recently been fenced off so the situation regarding vehicle movements to the site did not accord with what was shown on the submitted plans nor what was included in the submitted Traffic Impact Assessment. Officers therefore suggested that consideration of the application be deferred to enable the applicant to update the plans and Transportation Assessment to reflect the new arrangements. The applicant had to undertake supplementary traffic and parking surveys and these were only submitted in October 2019 and new consultations had to then be undertaken.

The application was originally publicised by the posting of two site notices and an advert was placed in the local newspaper. A total of 101 owner/occupiers of neighbouring properties were directly notified by letter. A total of 30 letters of objection were received on the original plans with a number of detailed matters raised largely around highways and residential amenity. When the new information was submitted in October 2019 owner occupiers of neighbouring properties were again notified of these directly by letter. A further 16 letters have been received again raising issues largely relating to highways. The comments made have been considered in detail by officers and are summarised in the report. Mole Valley District Council raised no objections on the originally submitted proposal but raises objections on the amended proposals and to the loss of the on-site drop off facility and this issue and their comments are considered in the report.

The school has put forward a strong case in respect of the educational need for this expansion and as this proposal is for facilities to support the expansion in accordance with advice in the NPPF this should be accorded great weight in the decision making. Against this Officers have assessed all of the other issues which are relevant including impact on residential dwellings, the design of the proposal and visual impact including impact on existing trees, playing fields, Area of Outstanding Natural Beauty and Area of Landscape Value, highways considerations and archaeology. Officers conclude that the proposal complies with the Development Plan though it is accepted that there will be some moderate adverse impact on residential amenity from traffic which is confined to very small parts of the day and does not amount to a severe impact. Having regard to government advice officers consider that the importance attached to meeting the need for school places clearly outweighs the harm in this case.

Also for information and relevant to this school and future planning applications on 14 January 2020 Mole Valley District Council published its draft Local Plan and on that plan a parcel of land to the north of the Priory School (SA30: Sondes Place Farm, Westcott Road, Dorking) is allocated for residential development. One of the development requirements states:

The development of the site should enable opportunities for new-and-improved access to The Priory Church of England School incorporating a coach and student drop-off area and extension of the staff car park within the proposed development, and a pedestrian link directly into the school site.

The implications of this proposed policy change in respect of this current planning application is discussed in the report.

The recommendation is to PERMIT subject to conditions

APPLICATION DETAILS

Applicant

The Board of Governors of The Priory School and SCC

Date application valid

27 March 2018

Period for Determination

14th February 2020 (extension of time agreed with the applicant)

Amending Documents

Amended Contractor Transport Management Plan Version 3 dated 14th May 2018 received on 18th May 2018)

20/09/19 New Transport Assessment with Appendices

21/10/19 Revised Application Form (proposed description of development amended to reflect changes to on site drop off)

21/10/19 Drawing 82280100-A-900.001 Rev 6 Proposed Site Plan dated 16 October 2019

21/10/19 Drawing 82280100-A-900.002 Rev 2 External Works dated 9 June 2017

21/10/19 82280100-A-900.003 Rev 0 External Works sheet 2 of 2 dated 7 June 2018

SUMMARY OF PLANNING ISSUES

This section identifies and summarises the main planning issues in the report. The full text should be considered before the meeting.

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
PRINCIPLE OF DEVELOPMENT AND EDUCATIONAL NEED	Yes	18-32
DESIGN AND VISUAL AMENITY	Yes	33-34
IMPACT ON RESIDENTIAL AMENITY	Yes	35-44
IMPACT ON TREES	Yes	45-50
IMPACT ON PLAYING FIELDS	Yes	51-54
IMPACT ON LANDSCAPE CHARACTER AND AREA OF OUTSTANDING NATURAL BEAUTY	Yes	55-58
ARCHAEOLOGY	Yes	59-63
FLOOD RISK AND SUSTAINABLE DRAINAGE	Yes	64-68
SUSTAINABLE CONSTRUCTION	Yes	69-71
HIGHWAYS AND TRAFFIC	Yes	72-89

ILLUSTRATIVE MATERIAL

Site Plan

Plan 1

Aerial Photographs

Aerial 1

Aerial 2

Aerial 3

Site Photographs

- Figure 1** Site of proposed science block looking south west
- Figure 2** Existing footpath to gate in southern boundary
- Figure 3** Existing school buildings looking north-west from the site of the new science block
- Figure 4** Site of new Design and Technology Classroom extension
- Figure 5** Area of proposed new lay-by parking close to eastern boundary of the site
-

BACKGROUND

Site Description

- 1 The Priory Church of England (VA) School is on the west side of West Bank Road on the western edge of the built up area of Dorking. The school site is L-shaped and the school buildings themselves are located to the south of the site with playing fields further north bounded on their northern edge by the A25 Westcott Road. The school buildings themselves lie within the urban area whilst the school playing fields are within the Green Belt. There are changes in levels across the site with generally higher levels to the south. The Powell Corduroy Primary School lies to the west of the site and there are residential dwellings to the east and south.
- 2 The existing school buildings vary in height between single storey and four storey and are a mixture of flat and pitched roofs. External walls are predominantly brick but there are also elements of external cladding including timber as well as purpose built structures such as a tennis dome.
- 3 The main vehicle and pedestrian access to the site is from West Bank Road to the East of the site. This leads into areas of staff and visitor parking most of which is accessed via a secure gate. There is an additional dedicated school coach drop off point located at the end of Longfield Road and further pedestrian access from here via a footpath which runs along the school's southern boundary where there are two existing pedestrian entrances.
- 4 The school currently offers 210 places per year coupled with additional provision for six form pupils.

Planning History

- 5 There have been several previous planning applications at this school most of which have been determined by the District Council, the most notable of which are listed below:

MO/2014/1698 Variation of condition 1 of approved planning permission MO/2013/1463. Erection of detached single storey timber clad classroom building. Permitted

MO/2013/1463 Erection of detached single storey timber clad classroom building. Permitted

MO/2012/1504 Erection of single storey detached classroom block. Permitted

MO/2012/1450 Erection of electrical switch-room and substation enclosure. Permitted

MO/2012/0620 Erection of single storey detached classroom block. Permitted

MO/2012/0435 Erection of electrical transformer enclosure and separate detached switch room. Permitted

MO/2011/1260 Construction of new inflatable sports dome onto a ground level ring beam. Permitted

MO/2008/1431 Replacement windows on the entrance façade. Permitted

MO/2008/1351 Amendment to school access and widening of access gateway. Permitted

MO/2007/1992 Replacement windows to North elevation of four storey block. Permitted

MO/2007/1405 Erection of canopy to create covered play area. Permitted

MO/2007/0342 Part replacement of sub-standard windows with new curtain walling. Permitted

MO/2004/1446 Create courtyard infill to provide additional space for new library, staff preparation rooms, office and teaching areas, with rooflights over. Permitted

MO/2004/2033 Reserved matters for expressive arts block to provide drama, music etc. Permitted

MO/2003/1184 Construction of sports hall and performing arts centre. Permitted

THE PROPOSAL

- 6 On the basis of a formal consultation conducted in 2015, the school's Governing Body decided to expand this school, so that it offered 180 places in 2017 and 2018, followed

by 210 places for the 2019 admission year onwards. The school has therefore grown incrementally year-on-year since 2017, meaning that it will reach its new capacity of 1,050 pupils in September 2023. To date the expansion has been accommodated within the existing buildings. This expansion of capacity is fully supported and financially backed by Surrey County Council and reflects an increase in birth rate in the local area that has been accommodated in the primary sector and is now beginning to transition into the secondary sector.

- 7 Along with reorganisation and internal alterations to the existing buildings planning permission is now sought for the following additional buildings for facilities to improve the academic offer and support the agreed increase in pupil numbers:
- A two storey standalone 9 classroom science block. This has overall dimensions of 24m by 33m and would be two storey with a flat roof and an overall height of 8.6m. The external elevations would comprise facing brickwork on the ground floor level with render above. There would be windows in each of the four elevations serving the science labs on the ground and first floor. This building would be sited on an area of open grassed land south of the main school buildings and to the west of the existing swimming pool. It would be a minimum of 15m from the southern school boundary and 25m to the front wall of the nearest residential dwellings to the south (18 to 21 Nower Close West which are flats and 16 and 17 which are semi detached houses). There are a number of existing trees between the proposed building and the school boundary which are shown to be retained. A lighting report has been submitted which identifies the proposed external lighting on the building and which will comprise strategically positioned LED wall lights generally local to access doors and which would be switched off outside of school operational times.
 - A single storey Design Technology classroom extension. This would have overall dimensions of 9m by 12.6m and would be 4.3m in height having a flat roof. The external elevations would be brick. The extension would be on the northern side of the school building currently used as a parking area for school minibuses.
 - A new car parking area formed as a layby to the east of the school buildings on part of an existing grassed verge. This would provide five additional car parking spaces.
- 8 In May 2018, electronic security gates and fences were installed within the school site near the school entrance off West Bank. These were installed to improve on the school's safety and security. Staff who wish to drive to school now have security passes to access the staff car park which is within the newly fenced area. There is a small area for visitor parking at the front of the school building which can be accessed from the non-secure side of the school. As these changes occurred before the determination of this planning application amended plans and Transportation Information was requested (and has now been submitted) in order to consider the implications of these amended drop off arrangements as part of the transportation assessment of this proposal.

CONSULTATIONS AND PUBLICITY

Consultees (Statutory and Non-Statutory)

8	Mole Valley District Council originally	No objection to plans Submitted. Objection raised to amended plans showing the removal of the on-site drop off facility on grounds of the impact on the quality of life of local residents (Officer comment: see paragraphs 75-77 below).
9	Archaeological Officer	No objection subject to a Planning condition
10	Arboriculturalist	No objections subject to conditions
11	Local Lead Flood Authority (SuDS & Consenting Team)	No objection subject to conditions
12	County Highways Authority (Transportation Development Planning)	No objection subject to conditions
13	Sport England	No objection

Summary of publicity undertaken and key issues raised by public

14 The application was publicised when originally submitted by the posting of two site notices and an advert was placed in the local newspaper. A total of 101 owner/occupiers of neighbouring properties were directly notified by letter. In October 2019 following the receipt of amended information relating to the school drop off facility a further letter was sent out to those originally notified advising them of the receipt of the amended information. As a result of the two rounds of publicity 43 letters have been received which have been taken into account in the consideration of this application. A summary of the objections/comments raised is provided below:

1. Concerns over the likely increase in traffic; are there any measures which will seek to alleviate this such as direct access onto the A25 from the school or only accepting pupils who can walk there (Officer comment: Direct access to the A25 would entail loss of playing fields and would be not be acceptable. It would not be reasonable to limit intake to only those pupils who could walk to school though

- the school is intending to change its admissions policy to seek to increase pupils from the local area within walking or cycling distance – see paragraph 27 below)
2. Buses are also not the answer as they create more congestion because of their width
 3. Concerned regarding noise pollution from a two storey building so close to my home
 4. Concerns regarding loss of light.
 5. The provision of 7 bays along Longfield Road for owners vehicles is insufficient to cater for residents vehicles there
 6. Access to The Priory School and Powell Corderoy School is already very tight with large volumes of traffic how is the additional traffic going to be catered for
 7. The construction traffic access is via the coach park which will reduce parking available for coaches and increase congestion – construction traffic should be from The Priory's own entrance
 8. The vast majority of students are not from the local area and the six form at The Priory is under subscribed as it is not the preferred school even for faith pupils therefore there does not seem to be a need
 9. Large numbers of pupils access the school from West Bank where there is no right of way as it's a private road and cause nuisance to residents with litter and smoking (County Highways Authority comment: If a large number of pupils are accessing the school via the private section of West Bank, this is not a highways issue. Only one section of West Bank is private, and the private section is clearly signed and gated as such. Whilst this may cause amenity issues for residents living on the private section of West Bank, it is down to the owners to address with the school. It could however be a measure which could be included within the Travel Plan as it is taken forward)
 10. The new building will have an impact on the AONB and the Landscape assessment which has been submitted does not properly address this as the site hasn't been viewed from the surrounding hills
 11. The proposal is not a sustainable solution with large numbers of children travelling long distances to school
 12. The additional parking spaces at the front of the school will affect trees where bats roost this has not been considered (officer comment the car parking spaces at the front do not have an impact on existing trees)
 13. Building work will be noisy to residents (officer comment: this is not a valid reason to withhold planning permission)
 14. The transportation issues have not been properly considered there is already congestion and this proposal would worsen that
 15. Parents dropping off children have poor habits which affect local residents
 16. The transportation information makes assumptions which have the effect of reducing the likely impact (officer comment: The County Highways Authority assesses the impact in respect of the *worse case scenario*)
 17. The increase in staffing is suggested will be five teacher – this seems very low (Officer comment: In a secondary school the staff-to-pupil number ratio can vary as it will relate more to subject choices as opposed to class numbers)
 18. The science block will give rise to a loss of view (officer comment: the loss of view is not a valid planning objection)
 19. The proposed science block would give rise to unacceptable overlooking of neighbouring dwellings (see *Impact on Residential Amenity* section below)

20. The calculations for the demand for future pupil places do not seem correct as they do not reflect the numbers of children in primary school and The Priory is currently not fully subscribed. Why is Surrey County Council spending on expanding a school which has spare capacity? (Officer comment: the additional pupils can largely be accommodated within the existing buildings but this proposal will specifically provide improved science and technology facilities for pupils which is an area which was identified as needing improvement in the school's Ofsted report)

PLANNING CONSIDERATIONS

Introduction

- 15 The guidance on the determination of planning applications contained in the Preamble/Agenda frontsheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
- 16 In this case the statutory development plan for consideration of this application consists of the Mole Valley Local Plan 2000 and Mole Valley Local Development Framework Core Strategy 2009. Mole Valley District Council has started work on its next Local Plan 'Future Mole Valley' and a draft copy of the Plan was published on the 14th January 2020. Public consultation on the draft Future Mole Valley Local Plan is due to take place between 3 February and 16 March 2020 so the plan is in its very early stages of preparation and therefore at the present time will carry very little weight in the determination of planning applications. Of relevance to this current planning application a parcel of land to the north of the Priory School (SA30: Sondes Place Farm, Westcott Road, Dorking) is allocated for residential development. One of the development requirements states: *The development of the site should enable opportunities for new-and-improved access to The Priory Church of England School incorporating a coach and student drop-off area and extension of the staff car park within the proposed development, and a pedestrian link directly into the school site.* If this provision is carried through into the adopted plan for this area then it will offer scope to improve access arrangements for The Priory School in the future. However this current application has to be determined on its own merits against the existing planning policies and this proposed future provision is not a material consideration at this time.
- 17 In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations. It will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. The main planning considerations are as summarised in the table above.

PRINCIPLE OF DEVELOPMENT AND EDUCATIONAL NEED

Mole Valley Local Development Framework Core Strategy 2009

Policy CS1 Where Development will be Directed

- 18 Paragraph 94 of the National Planning Policy Framework 2018 (as amended June 2019) states that it is important that a sufficient choice of school places is available to meet the

needs of existing and new communities. It continues by stating that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. It states that Local Planning Authorities should *inter alia* give great weight to the need to create, expand or alter schools and should work with school promoters and statutory bodies to resolve key planning issues. The site of the proposed development lies within an existing built up urban area; Policy CS1 states that new development will be directed towards previously developed land within the built up areas of towns including Dorking.

Educational Need

- 19 The Priory Church of England (VA) School already offers 210 places per year coupled with additional provision for Six Form pupils. On the basis of a formal consultation conducted in 2015, the school's Governing Body decided to expand the school, so that it offered 180 places in 2017 and 2018, followed by 210 places for the 2019 admission year onwards. The school will continue to grow incrementally year-on-year, meaning that it will reach its new capacity of 1,050 in September 2023. This expansion of capacity is fully supported and financially backed by Surrey County Council and reflects an increase in birth rate in the local area that has been accommodated in the primary sector and is now beginning to transition into the secondary sector. The school is a vital part of the Council's education offer in the local area, in terms of the role it plays in supporting the County Council in delivering against its statutory duty to provide sufficient school places, relative to demand.

Supply/Demand Patterns

- 20 Mole Valley is still experiencing a significant increase in the demand for school places, reflecting both a significant rise in birth rate and increased house building and migration within the area. Births in the Borough in 2013 were 6.4% higher than births in 2002. A significant number of primary school places have been provided reflective of this demand and this increased pupil cohort is now starting to make the transition into the secondary sector.
- 21 Within Dorking, when the application was first submitted in 2018 there was provision for 390 places per year in Year 7, composed of the following:
- The Ashcombe School (offering 240 Year 7 places per annum); and
 - The Priory Church of England (VA) School (offering 150 Year 7 places per annum).

Forecast

- 22 Projections of future demand for school places (as sent in with the application when it was first submitted in 2018) are presented in the below table:

Year	Y7 PAN	Y7 Projection	Deficit
2017/18	390	416	26
2018/19	390	406	16
2019/20	390	456	66
2020/21	390	435	45
2021/22	390	470	80
2022/23	390	461	71
2023/24	390	449	59
2024/25	390	445	55

Table 1: Projection of School Places

23 As can be seen from Table 1 above, there will be a sustained need for secondary places in the area for some time. The expansion of The Priory Church of England VA School by two forms of entry was proposed and agreed to reduce all of the above projected deficits by 60 places and was therefore required in order to supply sufficient school places to meet local demand.

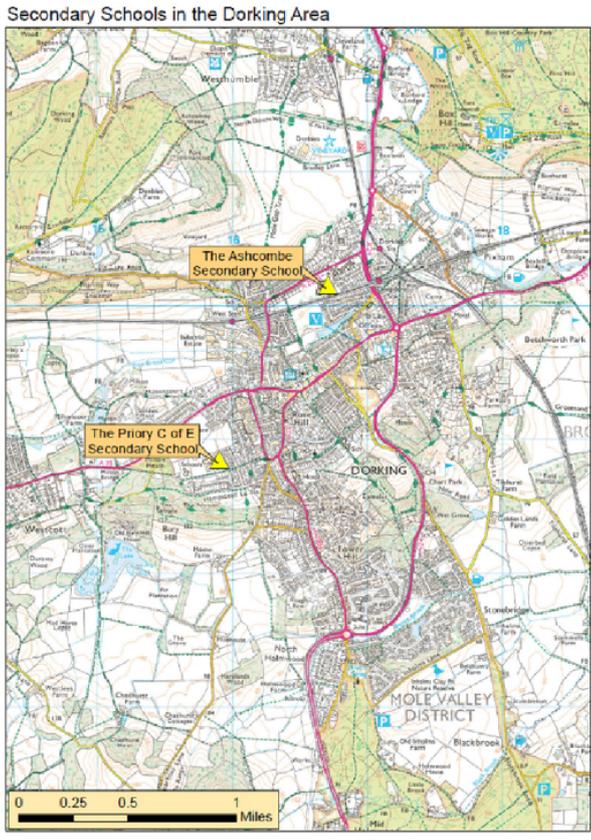
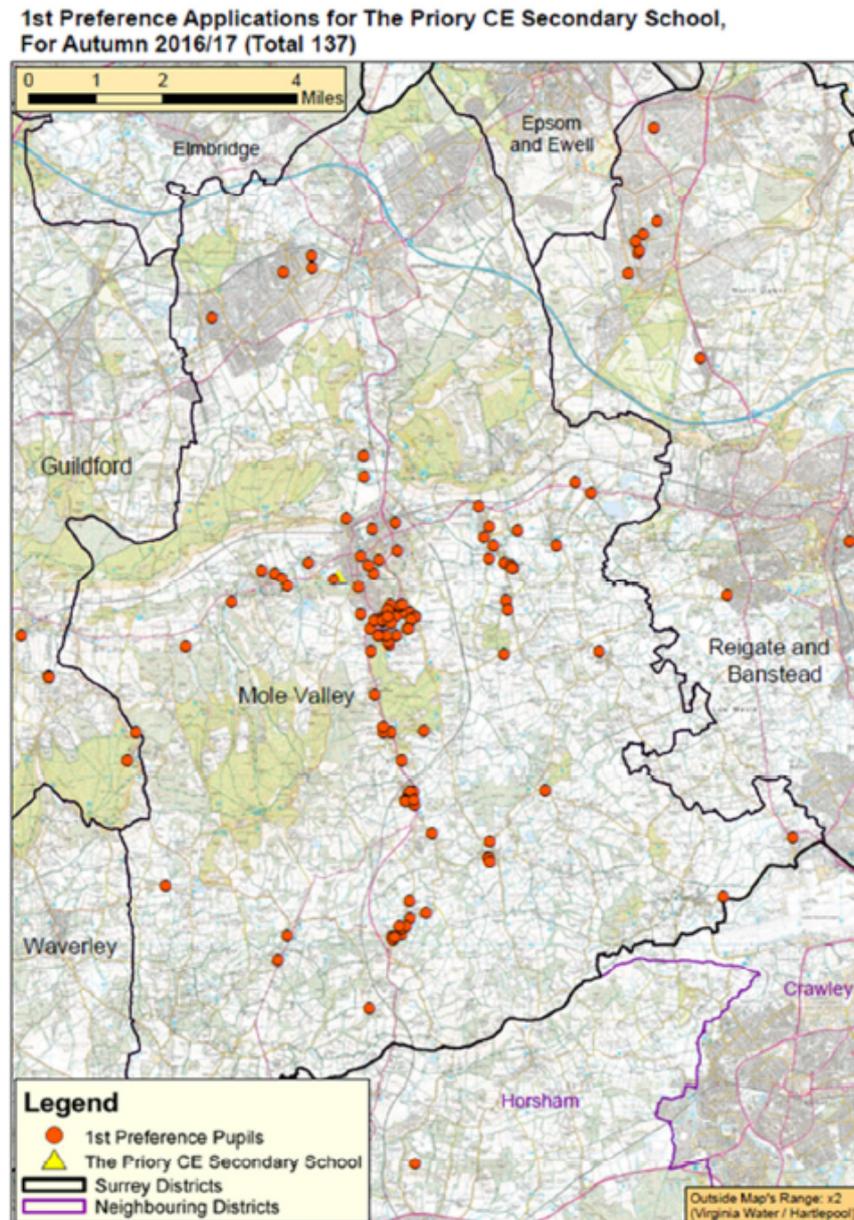


Figure 1: Dorking Area Secondary School Plan

Pupil Locations

- 24 The School does not operate a defined catchment area but recruits to admission criteria that give priority to siblings; those who regularly attend a Church of England Church; those who regularly attend another Christian church; those who regularly attend a place of another religious faith; and those with exceptional medical or social needs. Remaining applicants are then sorted on the basis of distance from home to school. A plan of the pattern of first preferences for admission at the school in 2018 when the application was first submitted is presented below (Figure 2):



It is worth noting that the school are presently reviewing their admission arrangements in light of the expansion proposal, so as to ensure that they target a local intake.

Figure 2: Pupil Location Plan

Meeting Local Demand

25 Irrespective of a school’s Admission Policy, the location of a school (combined with the location of its neighbouring schools) is universally the most important factor in terms of defining its intake. As such, an increase in the number of places at any state school will automatically increase the supply of places to the local community and consequently meet local demand. The standard determination of ‘local demand’ for a secondary school is defined as being 3 miles from the school itself, in line with the Home to School Transport Policy. In order to understand more fully the current situation for The Priory School, the map below was provided when the application was first submitted in 2018, which shows the 11-16 year old pupils on roll in 2016, together with a 3 mile radius from the school. Of the 697 pupils on roll, 293 were within the 3 mile radius and would therefore be determined to be ‘local demand’ by the standard definition.

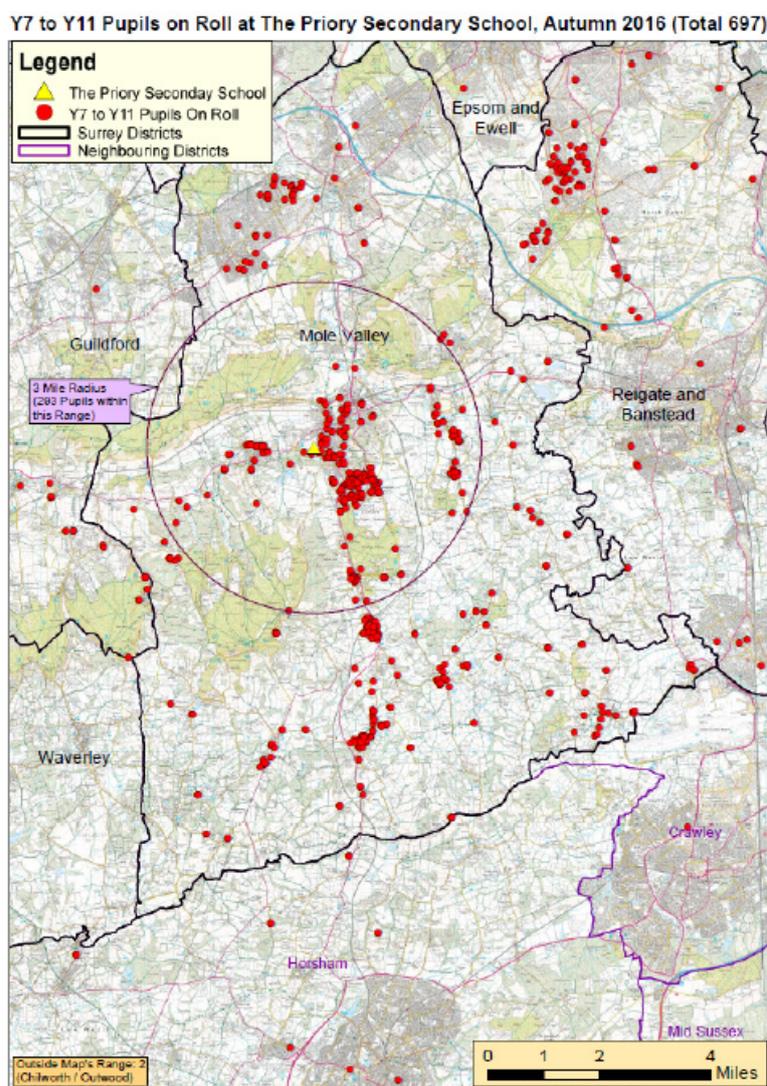


Figure 3: Yr7 to Yr11 on roll to The Priory Secondary School 2016

26 This showed that a significant proportion of the places supplied (c.42%) were provided to “local” pupils. However, the issue for reliance on the standard definition in a rural county such as Surrey is that it doesn’t take account of the fact that many rural communities do not have a “local” school so defined. This is the case for South Mole Valley and, as can

be seen from the above map, a significant proportion of the “non-local” intake to The Priory is comprised of pupils from the South Mole Valley area. The number of pupils on roll who resided in the Mole Valley area south of the Leatherhead / Fetcham area amounted to 531 pupils. As these pupils have no closer secondary schools within Mole Valley to attend than The Priory (assuming that Ashcombe School is an equivalent option in this respect), they could equally be defined as “local demand”, requiring places in Dorking to provide them with a feasible option with respect to secondary schooling. Defined in such a sense, c. a higher proportion of The Priory’s places currently meet “local” demand and could be expected to do so in future and, indeed, the pupil place modelling provided for this planning statement assumes that a similar proportion of demand from the South Mole Valley area will continue to take up places at The Priory.

27 In addition to the above The Priory School amended its Admissions Policy for 2018 onwards, to focus it on prioritising the supply of places to the local community. The first three criteria of the Admission Policy now reads:

1. Looked After and previously Looked After Children.
2. Students who will have a brother or sister attending the school at the time of application.
3. Students for whom The Priory is the nearest Church of England Secondary School.

28 As can be seen from the above, the admissions policy now prioritises applications on the basis of proximity to the school site, irrespective of faith and, as such, this will secure the provision of the new places to meet local demand, as shown in the forecasts presented in the main Education Planning Statement.

Conclusion

29 In order to align supply with demand in respect of school places, The Priory School has already expanded secondary places in the Dorking area by two forms of entry. This strategy has been agreed between the Council and both secondary schools in the area. Where possible, the Council’s strategy is to expand high quality provision that meets parental demand, whilst also ensuring that there is a diverse pattern of provision, so as to provide families with some element of choice. As an Ofsted-rated ‘Good’ school, The Priory meets these aspirations, with this being the key rationale underpinning the joint decision to take this expansion scheme forward.

30 To enable the school to enhance its facilities and continue to accommodate the additional two forms of entry, further buildings will be required, in line with the national guidelines specified in Building Bulletin 103. The expansion to the school has been designed in line with these requirements and will enable the school to function effectively at its proposed new capacity.

CONCLUSION ON NEED

31 Surrey County Council, as the Local Education Authority, has a statutory duty to provide sufficient school places. The present and future demand indicates that one more form of entry in this area is required and this proposal would achieve this and would enable

Surrey County Council to meet the known demand and also allow a small surplus capacity for late applicants, any additional small housing developments and in-year admissions.

- 32 In conclusion on this issue this application seeks to provide additional teaching buildings to support the provision of already agreed additional school places within the built up area of Dorking for which there is a defined need. Relevant national policy advice state that the need for school places should be accorded great weight. The proposal does therefore accord with that policy advice and there is therefore a strong presumption in favour of this development subject to compliance with other relevant policies in the development Plan as examined below.

DESIGN AND VISUAL AMENITY

Mole Valley Local Development Framework Core Strategy 2009

Policy CS14- Townscape, Urban Design and the Historic Environment

Mole Valley Local Plan 2000

Policy ENV22- General Development Control Criteria

Policy ENV23- Respect for Setting

Policy CF2- Provision of New Community Facilities

- 33 Core Strategy Policy CS14 resists development of a poor quality of design and requires all new development to respect and enhance local character. Local Plan Policy ENV22 requires the design and layout of development to satisfy several criteria including being appropriate to the site in terms of its scale, form and appearance and external building materials; and respecting the character and appearance of the locality. Respect for the setting of development is also expressed in Local Plan Policy ENV23, which requires that development proposals consider the scale, character, bulk, proportions and materials of the surrounding built environment. Local Plan Policy CF2 requires that proposals for community facilities should not detract from the character and appearance of the property and surrounding area.
- 34 There are numerous existing school buildings on this site most of which are brick built and the majority have flat roofs. The design of the proposed new extensions is similar to some of the existing buildings and the scale and bulk of the additions are appropriate to the site. Officers therefore consider that the proposed buildings are sympathetic to the existing buildings and will not detract from its character and appearance nor that of the surrounding area. As such the proposal accords with the provisions of the Development Plan and is acceptable in this regard.

IMPACT ON RESIDENTIAL AMENITY

Mole Valley Local Plan 2000

Policy ENV22 – General Development Control Criteria

Policy CF2 – Provision of New Community Facilities

- 35 NPPF paragraph 109 states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are *severe*. Local Plan Policy ENV22 requires development not to significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking or its overpowering

effect, noise, traffic or other adverse environmental impact. Local Plan Policy CF2 requires that development for community facilities satisfies a number of criteria including not detracting from the character and appearance of the property and the surrounding area; it has no adverse impact on the amenities of the locality, especially those of neighbouring properties; and traffic generated by such development has no adverse effect on local residential amenity.

- 36 There is no impact arising from the extension to provide the Design and Technology classroom as this is on the northern side of the school and there are no residential dwellings in that location.
- 37 The proposed science block is on the southern part of the site and there are existing residential dwellings adjacent to the southern boundary and in close proximity to it. There are a number of existing trees between the site of the new building and the residential dwellings in question. Clearly given the height of the new building it will be visible from the residential dwellings to the south. These dwellings currently look out onto the open grassed area. However a distance of at least 15m is maintained between the proposed building and the school boundary and there is a total of at least 25m wall to wall between the new building and the existing dwellings. Given that the building is two storey and lies to the north of the existing dwellings there will be no sustainable loss of light outlook to those dwellings which would render the proposal unacceptable in this regard. The general accepted acceptable distance between two storey buildings is 20m so here it is in excess of that.
- 38 Turning to overlooking. There are windows in both the ground floor and first floor of the proposed science block which serve classrooms (science labs) and are at a height that are capable of being seen through. There are four flats within the block which comprises 18 to 21 Nower Close West which have living room and kitchen windows which face onto the school site (both at ground and first floor) and the properties adjacent (16 and 17) which are semi detached houses also have both living room and bedroom windows facing onto the application site. Again given a distance of at least 25m between the two buildings, plus the existence of a number of trees in between officers do not consider that the proposal will give rise to any unacceptable overlooking.
- 39 The proposal includes the addition of some external wall mounted down lighters on the external walls of the proposed Science Block strategically placed around the building to light the entrance doors and access routes. A lighting report has been submitted which shows that the light spillage from these lights is very low. Officers are satisfied that this level of lighting is acceptable and will not have any adverse impact on the residential amenity of neighbouring dwellings provided that the lighting is switched off outside of the operating hours of the science block and a condition is proposed in this regard.
- 40 One of the letters of objection to the proposal raises concern over the impact from noise arising from the proposed science block which will provide science labs. These specialist classrooms will generally be used during normal school hours. Given the nature of the use and the distances involved it is not considered that there will be any unacceptable noise impact arising from this proposal.
- 41 Officers are therefore of the view that the proposed buildings themselves will not give rise to any adverse impact on adjacent residential dwellings.

- 42 Turning to impacts in respect of traffic. Officers acknowledge that the proposed expansion to this school will give rise to an increase in traffic in the local area at drop off and pick up times and will therefore have some additional impact on nearby residents at those peak times. This situation is already difficult for local residents as indicated in the letters of objection on this application (summarised above), giving rise to a loss of residential amenity by virtue of inconvenience of access, noise, and fumes.
- 43 Having regard to the conclusions of the Transportation Assessment and the County Highways Authority, Officers are of the opinion that the additional traffic can be satisfactorily accommodated on the highway network without detriment to highways safety.
- Whilst there is an impact on amenity to local residents the increase in this case will be a modest one having regard to that which already occurs and the fact that it is confined to short periods during weekdays only. The impact in respect of residential amenity will be mitigated to some degree by:
- (a) the proposed extension of the on street parking restrictions proposed which will improve the flow of vehicles in these roads at peak times
 - (b) the requirement for an updated School Travel Plan which can promote measures to increase more sustainable modes of transport to be used
 - (c) the provision for additional cycle parking within the site to encourage the use of this mode of transport.
- 44 The proposal would not give rise to any residual cumulative impact which is *severe* as referred to in the NPPF paragraph 109 (see paragraph 35 above). Officers are therefore satisfied that the proposal accords with the provisions of the Development Plan in this regard and is acceptable.

IMPACT ON TREES

Mole Valley Local Plan 2000

Policy ENV53- Trees in the Built-Up Areas

- 45 Local Plan Policy ENV53 requires the Council to continue to preserve and enhance existing tree cover in the built-up areas through the use of development control powers and the making of Tree Preservation Orders particularly where important trees are under threat.
- 46 There are a number of trees on this site including some in close proximity to the site of the proposed works. A full Arboricultural Assessment has been submitted with this application which shows that no trees will need to be removed to facilitate the development though pruning of some lower branches is required on two trees. Tree protection measures to ensure that the existing trees are not damaged during the course of the application are proposed.
- 47 There are two key groups of trees on this site which officers consider are of significance. The first group is on the eastern side of the site near the site boundary with West Bank and in the vicinity of the proposed new parking bays (T22 to T26). These trees are mature category B trees which significantly contribute to the character and appearance of the site and are visible in the surrounding area. The Council's Arboriculturist has

confirmed that the tree protection measures are acceptable and the trees will not suffer any adverse impact from the installation of the proposed additional parking bays. This is subject to compliance with the recommendation in the applicants report that excavations of the final most southerly bay are undertaken by hand only to prevent root destruction (this is within the submitted arboricultural report).

- 48 The second key group of trees are those which exist near the southern boundary with residential dwellings to the south (T2 to T20). This group of trees acts as an existing screen between the residential dwellings and the school and given that the new science block will be sited directly adjacent to the north of these trees their retention is considered to be important. The trees lie outside of the building area and again measures are shown to protect them from damage during construction and the Arboricultural officer is satisfied with these.
- 49 Finally on trees there are two existing trees to the north of the school building and near the line of the construction access to the area of the new Design and Technology extension. Again the applicant has confirmed that these trees are to be retained and protected during development. The Arboriculturist has requested additional ground protection during the course of the development and confirmation of this is awaited and will be reported on an update sheet once received.
- 50 Subject to confirmation of the additional ground protection and to conditions to ensure that the recommendations in the arboricultural report are adhered to officers are of the view that the proposal will not have any adverse impact on the existing trees on this site and accords with the Development Plan in this regard.

IMPACT ON PLAYING FIELDS

Mole Valley Local Development Framework Core Strategy 2009

CS16 – Open Space, Sport and Recreation Facilities

- 51 Para 97 of the NPPF states that existing open space including playing fields should not be built on unless the land is surplus to requirements, the loss would be replaced elsewhere or the need for the development outweighs the loss. Policy CS16 states that open space, sports and recreation facilities will be safeguarded from development.
- 52 This proposal is for development in part on an existing open grassed area within the school. It does not have any official designation as open space. The grassed area is undulating in nature, contains a number of trees and is crossed by a footpath. It does not form part of the playing fields on this site which lie to the north.
- 53 At their request Sport England were consulted on the planning application and has raised no objection on grounds that the proposed science block is on land which is incapable of forming part of a playing pitch and it would not result in the loss of, or inability to make use of any playing pitch now or in the future.
- 54 Officers are of the opinion that as there is no official open space designation on this land and it is within the school site and not part of the playing fields the proposal does not

conflict with the relevant national and local planning policy in this regard and is acceptable.

IMPACT ON LANDSCAPE CHARACTER AND AREA OF OUTSTANDING NATURAL BEAUTY

Mole Valley Local Development Framework Core Strategy 2009

Policy CS13 - Landscape Character

Mole Valley Local Plan 2000

Policy ENV 4 – Landscape Character

- 55 Policy CS13 of the Core Strategy requires that development respects areas of Landscape Character in which it is proposed. Policy ENV 4 of the Local Plan seeks to ensure that development proposals and forestry schemes in the countryside and rural settlements conserve and will not detract from the character of the local landscape and requires major proposals to be accompanied by a Landscape Appraisal.
- 56 The Priory School itself does not directly lie within an Area of Landscape Character (ALC) or an Area of Outstanding Natural Beauty (AONB) but there are areas with these designations close to the site to the west and east. The applicants have therefore submitted a Landscape and Visual Impact assessment with the application which examines the context of the proposal and concludes that there will be minimal impact on the surrounding areas.
- 57 The proposed design technology extension raises no issues as it is an extension of the existing building on its northern side which is on the opposite side to the AONB and ALC. The new standalone science block being two storey in height may be visible from the surrounding areas, particularly from higher viewpoints within the AONB. However as the proposed new building lies within the school site and between the main school building (which is higher) and residential dwellings to the south and west it is not considered that in this context it would have any adverse impact such that it would detract from these areas.
- 58 Officers therefore considers that the proposal is not contrary to development plan policies in this regard and is acceptable.

ARCHAEOLOGICAL IMPLICATIONS

Mole Valley Local Development Framework Core Strategy 2009

Policy CS14 – Townscape, Urban Design and the Historic Environment

Mole Valley Local Plan 2000

Policy ENV 49 – Sites of Historical or Archaeological Importance

Policy ENV 50 – Unidentified Archaeological Sites

Policy ENV 51 – Archaeological Discoveries During Development

- 59 The NPPF (paragraph 189) requires applicants on planning applications to describe the significance of any heritage assets affected by proposals and include proportional measures to deal with any impact. Core Strategy Policy ENV 49 states that areas and sites of historic or architectural importance will be protected and, where appropriate enhanced in accordance with the legislation, national and regional guidance. Policy ENV

50 of the Local Plan requires that desk based assessments of any likely archaeological implications be submitted with proposals on sites of over 0.4 acres. Policy ENV51 states that where archaeological remains are discovered on unidentified archaeological sites and development has already commenced, the co-operation of the developer will be sought to permit access to an investigation of the area.

- 60 The site has a high archaeological potential given its proximity to other heritage assets and the size of the site exceeds 0.4ha. Therefore in accordance with Local Plan Policy ENV 50 further archaeological investigation is required. The applicants have submitted an archaeological desktop assessment with this application. This was based on examination of existing sources of archaeological information given that the proposals would affect a very small part of the site, together with a walkover survey.
- 61 No new heritage assets were identified as part of this assessment and the Heritage Statement concludes that the area has perhaps a high archaeological potential for the discovery of buried archaeological evidence. The recommendation is that a trial trench evaluation be undertaken across the site of the new science block which should be set out in a Written Scheme of Investigation and a draft outline of this has been provided with the application.
- 62 The County Archaeologist has confirmed that he agrees with the conclusions of the applicants advisors in this respect and that the draft Written Scheme of Investigation does provide appropriate methodology for carrying out the further works required. He has advised that these works should be secured and this can be secured by a condition on the planning permission.
- 63 Officers consider that subject to a condition requiring implementation of the Archaeological Trial Trenches specification, this proposal is acceptable in this regard.

FLOOD RISK AND SUSTAINABLE DRAINAGE (SuDS)
Mole Valley Local Development Framework Core Strategy 2009
 Policy CS 20- Flood Risk Assessment

- 64 House of Commons: Written Statement (HCWS161) "Sustainable drainage systems" requires local planning policies and decisions on planning applications relating to major development- (as set out in Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010) - to ensure that sustainable drainage systems for the management of run-off are put in place, unless demonstrated to be inappropriate. Under these arrangements, in considering planning applications, local planning authorities should consult the relevant lead local flood authority on the management of surface water; satisfy themselves that the proposed minimum standards of operation are appropriate and ensure through the use of planning conditions or planning obligations that there are clear arrangements in place for ongoing maintenance over the lifetime of the development. The sustainable drainage system should be designed to ensure that the maintenance and operations requirements are economically proportionate.
- 65 Policy CS 20 states the Council will expect to see the use of appropriate sustainable drainage systems (SUDS) as part of any development proposals. A Flood Risk

Assessment will be required for sites within or adjacent to areas at risk of surface water flooding as identified in the SFRA.

- 66 The site lies within Flood Zone 1 and is not at risk of flooding from external sources. A Flood Risk Assessment was not therefore required. The applicants have submitted details of a drainage strategy which includes elements of Sustainable Drainage where appropriate to:
- (i) manage runoff at or close to its source;
 - (ii) manage runoff at the surface;
 - (iii) be integrated with public open space areas and contribute towards meeting the objectives of the urban plan;
 - (iv) be cost-effective to operate and maintain.
- 67 The Lead Local Flood Authority has assessed the details submitted and are satisfied that it meets the requirements subject to conditions to ensure the scheme is properly implemented.
- 68 Officers are of the view that subject to appropriate conditions the provisions of the Development Plan and other guidance have been complied with in this regard.

SUSTAINABLE CONSTRUCTION

Mole Valley Local Development Framework Core Strategy 2009

Policy CS19 Sustainable Construction, Renewable Energy and Energy Conservation

- 69 Policy CS19 of the Core Strategy requires applicants for development to submit evidence to demonstrate that the proposal meets BREEAM (Building Research Establishment Environmental Assessment Method) 'very good' development standards.
- 70 The applicants have submitted a full BREEAM pre-assessment with this application which examines all aspects of the environmental impact of the project from the initial build through to the ongoing operation of the building. It aims to ensure that best environmental practice is incorporated in the planning, design, construction and operation of the buildings and scores the proposed methods in this project against rating benchmarks. This assessment predicts and demonstrates that the project can achieve a rating of 58.61% which falls within the 'Very Good' category. The information that has been submitted with the application satisfies part of the requirement of Policy CS19 since it demonstrates that a score of 'very good' for this development *is* achievable. Officers are of the view that to fully satisfy the policy a condition will be need to be added requiring the submission of evidence that the 'very good' score has been achieved following completion of the development.
- 71 Officers are therefore of the view that subject to an appropriate condition the proposal accords with the Development Plan policy in this regard and is acceptable.

HIGHWAYS CONSIDERATIONS

Mole Valley Local Plan 2000

Policy MOV2 – The Movement Implications of Development

Policy MOV5 – Parking Standards

PolicyCF2 – Provision of New Community Facilities

- 72 NPPF paragraph 109 states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are *severe*. Local Plan Policy MOV2 states that development will only be permitted where it can be made compatible with the transport infrastructure and the environmental character in the area and where appropriate developers will be required to contribute to transportation initiatives and highways improvements. Policy MOV5 applies the County Council's parking standards as maxima, having regard to the developer's own requirements and subject to road safety or traffic management implications. The specific criteria applied to development of community facilities under Policy CF2 include that parking and access requirements can be satisfactorily accommodated and that the amount of traffic generated would not adversely affect highway safety or the residential amenities of occupiers of dwellings in the locality.
- 73 The school's Governing Body decided to expand this school in 2017 and the expansion was fully supported and financially backed by Surrey County Council and reflects an increase in birth rate in the local area that has been accommodated in the primary sector and is now beginning to transition into the secondary sector. Since that time the school has expanded its roll within its existing building and offered 180 places in 2017 and 2018 (6 forms of entry), followed by 210 places for the 2019 admission year onwards (going from 5 forms of entry pre 2017 to 7 forms of entry). The school therefore already offers 210 places per year accommodated within the existing buildings.
- 74 In May 2018 during the consideration of this planning application for additional buildings on the site electronic security gates and fences were installed near the school's main entrance off West Bank. These measures, along with locking of the pedestrian only side gates once lessons are underway, were undertaken to improve the school's safety and security on site. Since that time all staff who drive to school have to use security passes to access the staff car park which is within the fenced area. There is a small area for visitor parking which can be accessed from the non-secure side of the school but the previous on-site drop off facility for parents bringing their children to school no longer exists and has not been available since May 2018. As these changes occurred before the determination of this planning application amended plans and Transportation Information was requested (and has now been submitted) in order to consider the implications.
- 75 At the time of the installation of the fence the Head teacher wrote to all parents explaining the situation and advised that parents/guardians would no longer be able to drop off or pick-up their children from within the school car park and that they will need to find alternative locations to do this. Parents/guardians were encouraged to use alternative means of getting children to school. Consequently, travel patterns changed, and the surveys undertaken originally have now been updated with new surveys undertaken post the change.
- 76 Officers considered that it was necessary for the applicant to amend the plans submitted with this planning application to reflect the loss of the on-site drop off area at the school and to enable the transportation implications of this proposal to be properly considered in the light of the current changed circumstances. However it should be noted that the loss of the on-site drop off area in itself would not have required planning permission. There are no conditions on previous planning permissions which would have been breached by its loss and the school could have erected an internal fence to effectively cordon off this

area at any time without planning permission. In respect of this planning application therefore the highways implications revolve around assessing the proposal in the light of the changed on site circumstances but the loss of the on-site drop off facility in itself would not be a valid reason to object to or refuse this planning application.

Existing Trip Generation

- 77 A number of surveys were undertaken to establish existing travel patterns associated with the school when the application was originally submitted and were resurveyed following the installation of the school gates and the loss of the former on-site drop off facility. These surveys included Automatic Traffic Count surveys, manual pedestrian and cycle surveys, coach and car park surveys, vehicular pick-up / drop off surveys, on street parking beat surveys, and a pupil and staff travel survey.
- 78 The results show that at this school 17.2% of pupils arrive and 17.8% depart by car, and a further 5.2% car share in the morning and 4.7% car share in the afternoon with the remainder using sustainable modes such as school and public bus, walk, cycle, scooter and train. The pupil survey results show that most pupils commute to school via a public service bus or dedicated school bus with 49.4% of pupils using these modes in the morning and 48.5% in the afternoon. A further 18.1% of pupils walk to school and 19.4% walk home from school in the afternoon.
- 79 Not unusually the results of these surveys show a considerable peak in vehicle movements during the morning between 08:00 – 09:00 as school children and staff are arriving, and a further peak in the afternoon between 15:00 – 16:00 with the afternoon peak being slightly more spread out due to after school clubs and activities. Hampstead Lane is shown to be the most popular location for drop-off and pick-up, particularly for drop-off in the morning peak, followed by Longfield Road. The parking beat surveys indicate that there is capacity for further on street parking near to the school in the morning and afternoon peaks as the surveys show:
- the East-West section of Longfield road has capacity for 54 vehicles, and of these approximately 40 utilised in the morning and afternoon peaks;
 - West Bank (West) has capacity of 62 vehicles, and of these approximately 30 are utilised by parked vehicles at any one time;
 - West Bank (East), Hampstead Lane and Nower Road mostly consist of residents parking and have spare capacity for additional on-street parking to take place;
 - The Longfield Road coach park is at capacity (6 coaches) in the afternoon when they need to wait to collect pupils but has some spare capacity in the mornings. Other parking takes place in the afternoons, once the coaches have left; and
 - Milton Heath car park has capacity for up to 28 vehicles and reaches a maximum of 15 so has some spare capacity for additional parking to take place.

Proposed Trip Generation

- 80 In the applicants Transportation Assessment the current mode shares for existing pupils and staff have been applied to the total number of pupils and staff proposed for the next 5 years, assuming additional intake of 60 children and 1 staff member per year. The results show that by the end of the expansion period in 2023, there is projected to be 54 additional children walking, 2 pupils cycling, 67 by PSV, 81 by school bus, 25 parking

and walking, 3 by train, 16 arriving as part of a car share, 52 pupils by car and lastly 0 arriving on a scooter in the morning. In the afternoon, there would be 58 additional children walking, 2 cycling, 145 by bus (64 by PSV and 81 by school bus), 23 parking and striding, 3 by train, 14 by car share, 53 by car, and 0 scooting. The County Highways Authority (Transportation Development Planning) has been consulted on the planning application and raises no objection subject to conditions. TDP makes the observations on the proposal as set out in the following paragraphs (81 to 87) below.

- 81 Changes to the admission policy are likely to result in more *local* children attending the school that will further improve the modal split and thus reduce the overall impact of car based trips. However, it is impossible to know the extent of this effect, the applicant has reasonably assumed one third but this remains arbitrary and therefore the assessment of this application has been carried out based on the existing modal split of pupil and staff travel and therefore represents an absolute *worst case scenario*. This is the most robust approach to take.
- 82 Based on this worst case scenario the expansion will result in an additional 52 car trips in the AM peak and 53 in the PM peak. The detailed parking surveys carried out within the TA clearly demonstrate that this modest increase in car trips can be accommodated within the existing highway network.
- 83 In respect of drop off there are existing parking restrictions at the eastern end of Longfield Road Monday to Friday 08:00 - 09:30 and 15:00 - 16:30 near the grass triangle and the applicants are proposing as part of this application that these be extended (with the same day and time restrictions) which will improve the flow of traffic along Longfield Road and Hampstead Lane particularly for coaches and school buses needing to access the school. They will also improve pedestrian safety for children walking to school and crossing the road as the visibility is improved. The restrictions will also prevent parents from dropping off close to the school and hopefully encourage pupils/parents to use more sustainable modes of travel. This is particularly important as there will be a need for 2 additional coaches to arrive at the school each day. The majority of existing residents in these roads have sufficient space at the front of their properties to park at least 2 cars but 8 on street parking spaces would be provided to accommodate the few houses that don't currently have off street parking. The proposed parking restrictions will be operational during the school drop off and pick up times only which means that local residents will be able to park on street at all other times.
- 84 The parking restrictions will displace some vehicle drop offs that are already taking place, particularly on Longfield Road but the TA has shown clearly that even taking account of the additional pupils, there is sufficient capacity on the neighbouring roads and in the formal/informal car parks.
- 85 Of the 5 new additional car parking spaces for staff, it is recommended that one of these is equipped with an electric charging point with a 7kw Mode 3, Type 2 Connector specification in order to encourage and enable the use of electric charging for staff. This accords with Surrey County Councils vehicular and parking guidance January 2018 and paragraph 110 of the NPPF.

- 86 The level of cycle parking proposed exceeds SCC's recommended standards by 10 spaces that will allow for future growth of cycling as a mode of travel to the school.
- 87 The submitted Travel Plan is out of date; the most recent travel survey was undertaken in Jan/Feb 2017, meaning the data is nearly 3 years old and needs to be updated.

Conclusion from County Highways Authority

- 88 TDP raise no objection to the application but recommend that conditions are attached to the permission to secure the following:
- The extension of existing on-street parking restrictions during peak times
 - The provision of the additional parking spaces proposed
 - The provision of one electric vehicle charging point within the site
 - The provision of the additional cycle parking proposed
 - Implementation of the Construction Traffic Management Plan
 - The submission of an updated School Travel Plan.

Officer's conclusion on highways impact

- 89 In conclusion on this issue the expansion of this school has been taking place since 2017 with the support of Surrey County Council and has to date been accommodated within the existing buildings on the site. The proposed buildings will enable the expansion to continue to the school's maximum capacity in 2023 by providing new facilities which will enable additional classrooms to be provided for the forthcoming intake of pupils. Officers have considered the 'worse case scenario' in terms of looking at the highways impact of the proposal and have reached the view that the continued expansion of the school with this proposal will not give rise to any adverse impact in respect of *highway safety*. Traffic conditions in the vicinity of the school do have some impact on residential amenity at peak times (considered under that section in the report above). The impact in respect of residential amenity will be mitigated to some degree by:

- (d) the proposed extension of the on street parking restrictions proposed which will improve the flow of vehicles in these roads at peak times
- (e) the requirement for an updated School Travel Plan which can promote measures to increase more sustainable modes of transport to be used
- (f) the provision for additional cycle parking within the site to encourage the use of this mode of transport.

The impact itself is confined to small parts of the day at peak arrival and departure time and must be weighed against the other factors in this application in particular the need for the development. Having regard to this officers consider that subject to appropriate conditions the application is acceptable and accords with Development Plan Policy in this regard.

HUMAN RIGHTS IMPLICATIONS

- 90 The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.
- 91 In this case, the Officer's view is that while impacts on amenity caused by traffic are acknowledged, the scale of such impacts is not considered sufficient to engage Article 8 or Article 1 of Protocol 1. Their impact can be mitigated by conditions. As such, this proposal is not considered to interfere with any Convention right.

CONCLUSION

- 92 The site lies within the Urban Area where development is acceptable in principle and there is a strong educational need for the expansion and therefore a presumption in favour of approval.
- 93 Officers consider that the development would be in keeping with the design and visual amenity of the existing site and surrounding area. The design of the proposed extensions would integrate with the main school buildings. The location and scale of the building would ensure that the development would not adversely impact upon residential amenity, nor have any adverse impact on the nearby Area of Outstanding Natural Beauty or Area of Landscape Value. Subject to conditions requiring tree protection measures the proposal will not have any impact on existing trees within the site, and any archaeological interest will also be protected by virtue of a condition which requires the implementation of archaeological work involving trial trenches across the site of the science block. Sustainable drainage and construction measures have also been submitted and will be controlled by condition and these also accord with development plan policy. The proposal is acceptable on highway safety grounds. Whilst it is acknowledged that there will be an increase in traffic to and from the school at peak times which will give rise to a small degree of impact on local residents, this must be weighed against the need for the development which is located within a sustainable location.

RECOMMENDATION

- 94 That pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, that application be **MO2018/0640** PERMITTED subject to the following conditions:

Conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in all respects in accordance with the following plans/drawings:

B2280100/A/050.002 Rev 1 Location Plan dated 9 June 2017
 B2280100-A-900.001 Rev 6 Proposed Site Plan dated 16 October 2019
 2016/195/01 Site Survey dated September 2016
 B2280100/A/050.001 Rev 2 Existing Site Analysis Plan dated 18 April 2017
 16/03/2018 B2280100/A/100.015 Existing Ground Floor Plans dated 9 January 2017

B2280100/A/100.005 Proposed Ground Floor Plan dated 16 November 2016
 B2280100/A/100.004 Rev 1 Internal Adaptations Upper Floor Plans dated 16 December 2016
 B2280100/A/100.003 Rev 2 Internal Adaptations Ground Floor Plans dated 13 January 2017
 B2280100/A/100.001 Rev 1 New Science Block Ground Floor and First Floor Plans dated 25 January 2017
 B2280100/A/140.001 Rev 2 Science Block Elevations dated 7 February 2017
 B2280100/A/140.003 Rev 2 Science Block Elevations Coloured dated 30 January 2017
 B2280100/A/120.002 Rev 1 New Science Block Sections dated 7 February 2017
 B2280100/A/100.002 Rev 1 New Science Block Roof Plan dated 7 January 2017
 B2280100/A/120.001 Rev 2 Proposed Site Sections dated 30 January 2017
 B2280100/A/140.002 Rev 1 New DT Classroom Elevations Section and Roof Plan dated 2 March 2017
 B2280100/A/140.004 Rev 2 DT Classroom Elevations Coloured dated 30 January 2017
 B2280100/A/100.090 Rev 2 New Science Block DT Block dated 30 January 2017
 B2280100/A/900.002 Rev 2 External Works dated 9 June 2017
 B2280100-A-900.003 External Works Sheet 2 of 2 dated 7 June 2018
 B2280100/A/900.051 Rev 1 Contractors Constraints dated 4 January 2017
 JNY9055-04 Preliminary Parking Plan dated 12 April 2017
 JNY9055-05 Bus Swept Path dated 13 April 2017
 B2280100-C-DWG-100 Proposed Surface Water Drainage Layout dated 1 February 2017
 B2280100-C-DWG-300 Drainage Details Sheet 1 dated 1 February 2017
 B2280100/A/FS001 Rev F1 Tree Survey dated 20 September 2016
 B2280100/A/900.051 Rev 1 Tree Protection dated 4 January 2017

3. (a) Before any equipment, machinery or materials are brought onto the site for the purposes of carrying out the development hereby permitted, protective fencing in accordance with the details contained the Development Tree Survey and Arboricultural Report dated 10th July 2017 and on the Tree Protection Plan drawing B2280100/A/900.051 revision 1 submitted with the application shall be installed and shall thereafter be maintained until all equipment, machinery and surplus materials have been removed from the site. For the duration of works on the site no materials, plant or equipment shall be placed or stored within the protected area.
 (b) The development shall be carried out in all respects in full accordance with all other measures to protect trees during construction as set out in the Development Tree Survey and Arboricultural Report.
4. The development hereby permitted shall be carried out in accordance with the Archaeological Trial Trench Evaluation Specification contained in Appendix 1 of the Archaeological Desk Based Assessment dated December 2016 submitted with the application.
5. Prior to the installation of any drainage on the site details of the proposed surface water drainage scheme shall be submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
 - a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
 - b) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+30%) allowance for climate change storm events during all stages of the development (Pre, Post and during) including an extended catchment taking in to consideration the steep embankment along the south and west of the proposed development.

- c) Detailed drawings to include: a finalised drainage layout detailing the location of SuDS elements, pipe diameters, levels, details of how SuDS elements will be protected from root damage and long and cross sections of each SuDS element including details of any flow restrictions and how they will be protected from blockage.
- d) Details of how the runoff (including any pollutants) from the development site will be managed during construction.
- e) Details of Management and Maintenance regimes and responsibilities for the drainage system.
- f) A plan showing exceedance flows and how property on and off site will be protected. Especially within steep Greenfield areas directing surface water flow towards the proposed development.
6. Prior to the first occupation of the development hereby permitted, a drainage verification report carried out by a qualified drainage engineer shall be submitted to and approved in writing by the County Planning Authority to demonstrate that the Drainage System has been constructed as per the agreed scheme.
 7. No later than 6 months after the first occupation of the buildings hereby permitted, an assessment shall be carried out by an accredited person confirming that the development has achieved a standard of sustainable construction that would achieve a BREEAM (Building Research Establishment Environmental Assessment Method) rating of 'very good' and the assessment shall be deposited with the County Planning Authority.
 8. The external lighting on the science block shall not be illuminated when the building is not in use.
 9. Subject to Condition 10 below, the development hereby permitted shall be implemented in accordance with the 'Contractor Transport Management Plan B2280100/vers 3 dated 14 May 2018 submitted with the application.
 10. In carrying out the development hereby permitted, no HGV movements to or from the site shall take place between the hours of 08.00am and 09.15am and 14.30pm and 16.00pm nor shall there be any HGVs associated with the development at the site laid up, waiting, in roads of West Bank, Longfield Road and Hampstead Lane during these times.
 11. The development hereby permitted shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for 5 additional parking spaces and for the loading and unloading of number vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking, loading and unloading, turning areas shall be retained and maintained for their designated purposes.
 12. The development hereby approved shall not be occupied unless and until 1 of the available parking spaces on the school site are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
 13. The development hereby approved shall not be occupied unless and until space has been laid out within the site in accordance with the approved plans for 10 cycles to be securely stored for staff and 40 cycles to be securely stored for pupils. Thereafter the cycle parking area shall be retained and maintained for their designated purpose.
 14. The development hereby permitted shall not be occupied until an updated School Travel Plan has been submitted to and approved in writing by the County Planning Authority. The submitted Travel Plan shall include details of measures to promote sustainable modes of transport and provisions for the maintenance, monitoring and review of the impact of the Plan and its further development. The development shall thereafter be carried in all respects in accordance with the approved details.

15. The development hereby permitted shall not be first occupied unless and until the proposed parking restrictions on Longfield Road and Hampstead Lane as shown on approved Drawing Number JNY9055-04 Rev A are implemented in full.

Reasons:

1. To comply with Section 91 (1)(a) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure the retention of trees on the site in accordance with Policy ENV53 of the Mole Valley Local Plan 2000
4. To ensure the protection of any archaeological interest in accordance with the requirements of Policy CS14 of the Mole Valley Local Development Framework Core Strategy 2009 and policies ENV 49, ENV 50 and ENV 51 of the Mole Valley Local Plan 2000
5. To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site in accordance with Policy CS20 of the Mole Valley Local Plan 2000..
6. To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS in accordance with Policy CS20 of the Mole Valley Local Plan 2000..
7. To ensure the development achieves an appropriate standard of sustainable construction in accordance with Policy CS19 of the Mole Valley Core Strategy.
8. In the interest of the residential amenity of neighbouring dwellings in accordance with Policies ENV22 and CF2 of the Mole Valley Local Plan 2000
9. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and/or are required in recognition of Section 4 'Promoting Sustainable Transport' in the National Planning Policy Framework 2012. These conditions are required to meet the objectives of the NPPF (2012), and to satisfy policies MOV2, MOV5 and CF2 of the Mole Valley Local Plan 2000
10. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and/or are required in recognition of Section 4 'Promoting Sustainable Transport' in the National Planning Policy Framework 2012. These conditions are required to meet the objectives of the NPPF (2012), and to satisfy policies MOV2, MOV5 and CF2 of the Mole Valley Local Plan 2000
11. In the interests of highways safety and mitigating the impacts of the development in accordance with Policies MOV2, MOV5 and CF2 of the Mole Valley Local Plan 2000
12. To work towards achieving more sustainable transport modes in accordance with Surrey County Councils vehicular and parking guidance January 2018 and paragraph 110 of the National Planning Policy Framework.
13. In the interests of highways safety and mitigating the impacts of the development in accordance with Policies MOV2, MOV5 and CF2 of the Mole Valley Local Plan 2000
14. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and/or are required in recognition of Section 4 'Promoting Sustainable Transport' in the National Planning Policy Framework 2012.

These conditions are required to meet the objectives of the NPPF (2012), and to satisfy policies MOV2, MOV5 and CF2 of the Mole Valley Local Plan 2000

15. In the interests of highways safety and mitigating the impacts of the development in accordance with Policies MOV2, MOV5 and CF2 of the Mole Valley Local Plan 2000

Informatives:

1. The attention of the applicant is drawn to the requirements of Sections 7 and 8 of the Chronically Sick and Disabled Persons Act 1970 and to Department for Children, Schools and Families Building Bulletin 102 'Designing for disabled children and children with Special Educational Needs' published in 2008 and Department of Education Building Bulletin 104 'Area guidelines for SEND and alternative provision' December 2015, or any prescribed document replacing these notes.
2. This approval relates only to the provisions of the Town and Country Planning Act 1990 and must not be taken to imply or be construed as an approval under the Building Regulations 2000 or for the purposes of any other statutory provision whatsoever.
3. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website at the following link.

<https://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice/more-about-flooding/suds-planning-advice>

If there are any further queries please contact the Sustainable Drainage and Consenting team via SUDS@surreycc.gov.uk. Please use our reference number LLFA/SCC/18/241 in any future correspondence.

4. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
5. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
6. In determining this application the County Planning Authority has worked positively and proactively with the applicant by: entering into pre-application discussions; scoping of the application; assessing the proposals against relevant Development Plan policies and the National Planning Policy Framework providing feedback to the applicant where appropriate. Further, the County Planning Authority has: identified all material considerations; forwarded consultation responses to the applicant; considered representations from interested parties; liaised with consultees and the applicant to resolve identified issues and determined the application within the timeframe agreed with the applicant. Issues of concern have been raised with the applicant including impacts of and on traffic and addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirements of paragraph 38 of the National Planning Policy Framework 2019.

CONTACT

Dawn Horton-Baker

TEL. NO.

020 8541 9435

BACKGROUND PAPERS

The deposited application documents and plans, including those amending or clarifying the proposal, responses to consultations and representations received as referred to in the report and included in the application file and the following:

Government Guidance

[National Planning Policy Framework](#)

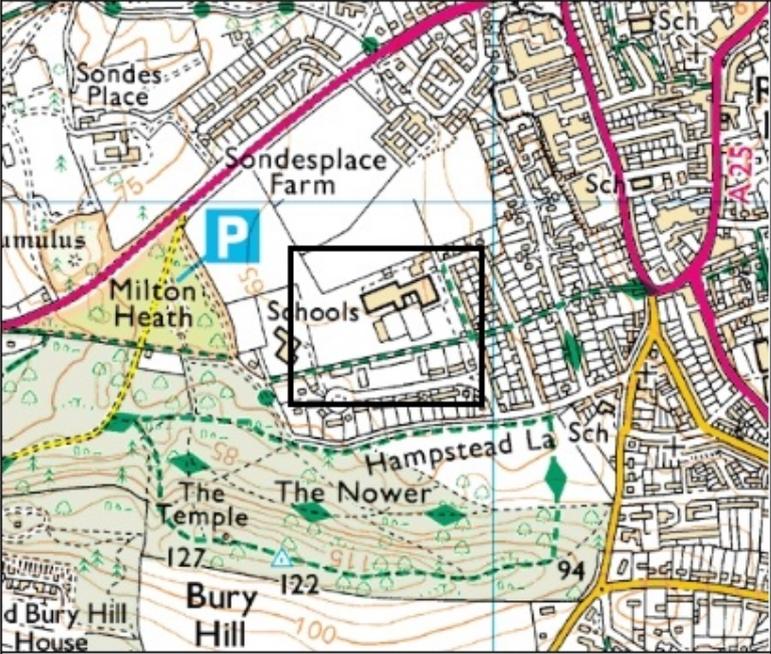
The Development Plan

Mole Valley Local Plan 2000

Mole Valley Local Development Framework Core Strategy 2009

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Site Location: **The Priory School, West Bank, Dorking, Surrey RH4 3DG**



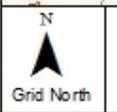
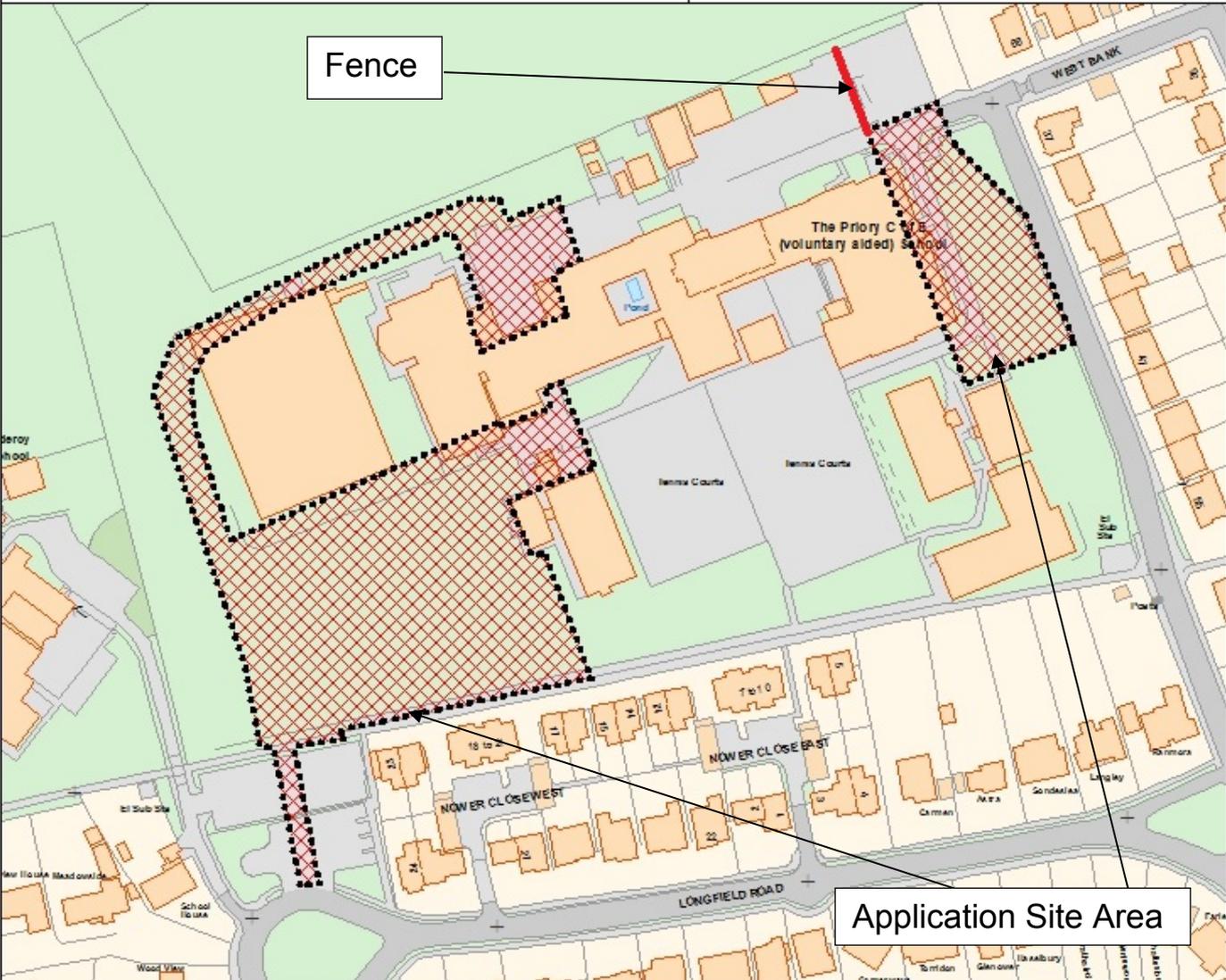
Construction of a two storey science block together with a single storey extension to the existing school building to provide a DT classroom and the creation of 5 new car parking spaces.

Application numbers:
MO/2018/0640

Electoral divisions:
Dorking & The Holmwoods

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Note: This plan is for indicative purposes only



Ref No:
SCC Ref 2018/0037



Scale: **1:1690**
Printed on: 04/02/2019



2018 Aerial Photos

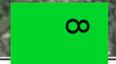
Aerial 1 : Priory School, West Bank, Dorking



Page 129



All boundaries are approximate



2018 Aerial Photos

Aerial 2 : Priory School, West Bank, Dorking

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2018 Aerial Photos

Aerial 3 : Priory School, West Bank, Dorking



Page 131



All boundaries are approximate

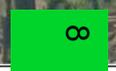


Figure 1 : Site of proposed science block looking south west





Figure 2 : existing footpath to gate in southern boundary



Figure 3 : Existing school buildings looking north west from site of new science block



Figure 4 : Site of new Design Technology Classroom extension



Figure 5 : Area of proposed new lay-by parking close to eastern boundary of the site (trees to be retained)



TO: PLANNING & REGULATORY COMMITTEE

DATE: 6 February 2020

BY: PLANNING ENFORCEMENT TEAM MANAGER

DISTRICT(S): ALL

ELECTORAL DIVISION (S):

PURPOSE: FOR INFORMATION

GRID REF:

TITLE: ENFORCEMENT & MONITORING UPDATE REPORT

SUMMARY

This report covers the period from 1st March 2019 to 1st December 2019

MONITORING OF AUTHORISED MINERAL & WASTE SITES

- 1.1 Following a Divisional review of our working practises, with one Monitoring Officer receiving Voluntary Redundancy and the other moving to our Development Management Team as a Planning Officer, our monitoring of consented sites and dealing with complaints regarding them is now being undertaken by our DM Planning Officers with assistance and guidance from Enforcement Officers if identified breaches are not resolved. Environment Enhancement (EE) Officers monitor sites in aftercare and undertake an annual joint inspection with DMP (DMP) Officers on sites with progressive restoration or large scale landscaping that requires expertise in assessing its maintenance.
- 1.2 This assists DMP Officers in their practical comprehension of functioning sites, whilst also giving them accelerated insight into a much broader range of operational issues than they would have previously been able to experience through only dealing with planning applications, which will assist them in working with developers in a positive and proactive way as required by the National Planning Policy Framework.
- 1.3 The change to our monitoring commenced on 1st April 2019, as the system is set up in line with the fiscal calendar. DMP Officers have been adapting to this new dual role system which has had a considerable impact on working practices and our performance levels dipped in comparison to previous years as a result which was anticipated. Unfortunately, visits to waste sites was impacted further by staffing issues that have now been addressed. Of the scheduled visits to Mineral sites, we achieved 79% in in Q1 and 88% in Q2 and scheduled visits to waste sites achieved 76% in Q1 and 46% in Q2,
- 1.4 Whilst DMP Officers have adapted quickly to the additional monitoring work they now undertake, it is anticipated that a Monitoring Officer will be appointed to work solely on this work next year, but all currently involved officers will maintain their involvement on several sites each year to broaden their knowledge of them and to develop their enforcement knowledge if such matters arise.

- 1.5 I am confident that once we are fully resourced again in terms of staff, this unusual dip in performance will soon be rectified and in 2020-2021 we will return to our previous high standards. Visits to both mineral and waste sites are a statutory requirement, but they have and will continue to be reduced in number for the waste sites that generate few breaches, as there is a regulatory safety net through the monitoring of licensed sites undertaken by the Environment Agency.
- 1.6 Enforcement Officers continue to deal with wholly unauthorised development on sites with no planning permission, working in partnership with both the Environment Agency and Local Planning Authority at all times.
- 1.7 These visits continue to bring positive benefits in checking that development accords with the extant planning permissions for each site and identifying breaches of existing conditions or unauthorised development at an early stage, with Officers building up broader relationships with site managers and those responsible for planning at all relevant companies, which may result in either cessation of certain activities or pre-application discussions and ultimately retrospective planning applications or becoming involved in enforcement work which strengthens the team as a whole.

ACTION AT AUTHORISED SITES

- 2.1 **Moorhouse Sandpits, Westerham Road, Westerham** – A Certificate of Lawful Proposed Use or Development (CLOPUD) and a Certificate of Lawful Existing Use or Development (CLEUD) for a new mortar plant was refused by SCC in February 2014. While the mortar plant has been removed, an Enforcement Notice (EN) was issued on 30th September 2014 that requires the reduction in height of the storage bays formerly associated with a mortar plant. Appeals were lodged by the landowners against the EN, and the refusals of both the CLEUD and CLOPUD, and the cases were heard at a Public Inquiry at County Hall in November 2015, but both appeals were dismissed in February 2016. The Secretary of State decision was subsequently appealed to the High Court and Court of Appeal, both of which upheld the decision.
- 2.2 Unfortunately, the Appeal decision requires that the operator and the CPA agree on what areas of concrete surface are to be removed, which we could not do before, which was the very reason why an EN was issued in the first place. An EN has to be specific in what steps are required, with no ambiguity, but in this instance the Inspector's appeal decision created just that.
- 2.3 The CPA has since written to the landowner/operator and their agent without response. However, since the site has now been included within Tandridge District Council's draft Development Plan, compliance is not to be sought until that plan has been finalised as future development that has been outlined may be supported by policy.
- 2.4 **Epsom Skip Hire, The Chalk Pit, College Road, Epsom** - A Planning Contravention Notice has been issued in respect of the unauthorised siting installation of an area of concrete hardstanding, storage bays, a picking station, roofing over picking station and trommel and a lighting pole. Although the operational development is recognised, it has not been formalised. However, a request for the submission of a planning application or a CLEUD has been declined by the operator, and as such the CPA recognises that the development is exempt from enforcement.

- 2.5 **NJB Recycling, Epsom Chalk Pit, College Road, Epsom** - A former site operator submitted a retrospective application for a Materials Recycling Facility (MRF) to address a material change of use on the area of lawful use, from waste transfer to materials recycling facility. The application was refused, no appeal made and for a while the use continued so enforcement action looked likely, but the unauthorised use ceased and a new tenant is using the site in accord with an extant CLEUD, but has discussed the possible future submission of an application for a Materials Recycling Facility.
- 2.6 **2 Perrylands, Smallfield** – A Breach of Conditions Notice is to be issued in respect of the siting and several instances of the operation of a concrete crusher on the site. A planning application to address the breach is due to be made and will be considered in due course.

ACTION AT UNAUTHORISED SITES

- 3.1 Complaints and the investigation of unauthorised waste development and breaches of planning control are given priority and continue to be dealt with in accordance with the Division's performance targets.
- 3.2 **Dean Oak Cottage, Deanoak Lane, Leigh, Reigate** – Unauthorised landraising took place in April 2019 and importation was stopped by the landowner after a visit from us, after which the imported waste soils were re-profiled. A retrospective planning application seeking to regularise the development is being prepared and is due to be submitted before Christmas.
- 3.3 **Hedgehog Field, Dowlands Lane, Copthorne** – The unauthorised construction of perimeter bunds and landraising on the field within took place in spring 2019 and importation for the landraising was initially stopped by the landowner after a visit from us, but resumed briefly to complete the soiling of the field and an area of hardstand within the field entrance. Pre-application advice in relation to a green waste processing site was given advising it was unlikely to be supported by the CPA and it is likely that the issue of an EN to address the bunds and landraising is likely.
- 3.4 **Courtlands, Antlands Lane, Shipley Bridge** – A Planning Contravention Notice was issued in relation to the unauthorised importation and storage of chipped wood waste, the reply to which will now be assessed and a final decision made as to the appropriate course of action. Since a retrospective planning application was encouraged but not submitted, an EN may need to be issued to ensure a recognised use does not become established.

UPDATES ON SITES WHERE ENFORCEMENT ACTION WAS PREVIOUSLY TAKEN

- 4.1 **Land at Stoney Castle Ranges, Grange Road, Pirbright** – An EN was issued on 31st March 2015 requiring the cessation of waste import, deposit, storage and disposal by spreading or burning of inert and non-inert waste respectively and the removal of all imported waste from the land. Mr Robin Hill the landowner lives in the Philippines. Despite his adult son having met Officers several times on site and asking many times, he failed to supply an address for his father. As a result, a copy of the EN was served on father via his planning agent.

- 4.2 An appeal was submitted by the landowner's son who had confirmed his interest in the land to Officers of the CPA, the Environment Agency (EA) and PINS as he had previously appealed an EN issued by Guildford BC, but further to his submission of an additional letter, PINS subsequently deemed he did not have an interest in the land and therefore declined to validate his appeal.
- 4.3 In the absence of an appeal, cessation was required by 10th July 2016 and removal of the waste by 9th January 2016, but compliance was not forthcoming. Despite difficulties faced with the registered landowner living abroad, it remained the CPA's intention to pursue a prosecution of his son who we had evidence of as being responsible for managing the site. An application to the Magistrates Court was made in December 2017 and an initial hearing at Guildford Magistrates Court was set for 7th February 2018 at which the defendant elected to be heard at the Crown Court. A case review then took place at Guildford Crown Court on 6th March, followed by an hour hearing on 24th May 2018, to adjudicate as to whether or not the defendant was in fact in control of the site.
- 4.4 HHJ Black concluded that there was a case to be answered by Mr Daniel Hill against the charge of continuing the deposit of waste at the site in breach of the extant EN and a 5-day trial was scheduled to begin on 3rd December 2018. Additional evidence was submitted to the Court by 14th June 2018, with further evidence in respect of Mr Daniel Hill managing the site submitted as well. This is the first time in over 20 years that Planning Enforcement has taken a case to trial at Crown Court, with the associated complexities of full evidence disclosure.
- 4.5 Mr Daniel Hill was found guilty by majority verdict for 'causing or permitting the carrying out of activity that was required to cease by the Enforcement Notice', and as a result we were granted by HH Judge Black the right to initiate confiscation proceedings under the Proceeds of Crime Act 2002 (POCA), which would assess both the financial benefit to Mr Daniel Hill over the 6-years before the case was brought to court, and an assessment of his current financial assets. This involved the CPA in hiring a specialist POCA investigator and counsel's ongoing involvement. The final hearing was scheduled for 25th – 27th November 2019, at which the sentencing for breaching the terms of the EN would also take place.
- 4.6 Both Paul Warner and Dustin Lees have done an excellent job in leading on this new phase in enforcement proceedings and worked very closely with a number of different solicitors in our legal team, as well as ensuring that all working partners and other interested parties were kept fully up to date.
- 4.7 During this time, Mr Daniel Hill appealed his conviction by the Crown Court at the Court Of Appeal (aka the High Court), the CPA responded to his grounds of appeal and to date a single Judge has refused him leave to appeal. Subsequently, he has requested it be re-heard, which involves 3 Judges considering his application. If he is given leave to appeal, a hearing will take place at the Court of Appeal, which would require Counsel and both the CPA's Legal and Enforcement Team, so further costs and resources would be involved. If he were successful in his appeal, the Court of Appeal would overturn his conviction and the associated confiscation order issued in relation to POCA would also be dismissed. The possibility of making an appeal to the Supreme Court is limited to cases involving a point of law of general public importance, and as such is rare.
- 4.8 At the hearing on 25th November, HHJ Black first passed sentence in relation to POCA and advised Mr Daniel Hill, that having accepted he had benefitted from the offence for which he had been found guilty by not less than £233K, and with assets

available to him of £26K, a confiscation order to the value of £26K was issued. In passing sentence HHJ Black told Daniel that if his personal circumstances were different or if it was an organisation that had committed the relevant offence, then the fine imposed would have amounted to hundreds of thousands of pounds, owing to the scale and seriousness of the offence.

- 4.9 Following this, Mr Daniel Hill was sentenced and having taken account of his personal circumstances and financial means, His Honour Judge Black fined him £2,500 for the offence he was convicted of in December 2018 and made a cost order to the value of £2,500, plus a nominal compensation order of £120. These are payable by June 2020 and December 2020 respectively.
- 4.10 Despite all of our work on this case, the unauthorised development at the site continues, and the ongoing offences comprising the importation, deposit, storage and disposal of waste at the site (and failure to remove previously deposited waste), will be subject to continued discussion between the County Planning Authority, Guildford Borough Council and the Environment Agency and appropriate action will be taken to resolve this difficult situation as far as possible in the absence of the landowner who still resides in the Philippines.
- 4.11 **Garth Farm, Newchapel Road, Lingfield** – An Enforcement Notice was issued on 1st April 2015 requiring the unauthorised use of the land for the import, deposit and disposal of mixed waste disposal and green waste disposal cease, with all imported waste to be removed. An appeal was lodged and a Local Hearing was anticipated, but PINS advised that a Public Inquiry was to be arranged for July 2016 due to the need for evidence on oath by the principal appellant.
- 4.12 The appellant failed to turn up for the Public Inquiry, apparently having had to attend hospital, but having failed to advise PINS and the CPA. In her absence, the Inspector decided that there were inconsistencies within the EN and accompanying plan that she could not correct and as such the CPA unfortunately had to withdraw the EN.
- 4.13 Following the Public Inquiry, mixed uses in addition to unauthorised waste development were subsequently identified as occurring on the land. Further to discussion with Ta DC the CPA were informed that they were considering making a without prejudice offer to the registered landowner, Mr Christmas (aka Smith), which would involve Ta DC implementing their direct action powers to ensure he complied with their extant enforcement notice by requiring the cessation of use and removal of a residential caravan at the landowners expense, but with the cost being underwritten by a prospective purchaser of the land. Thereafter, with there being no persons living on the land, subject to the prospective purchaser agreeing to secure the site, the unauthorised importation and disposal of waste would be brought to an end followed by the clearance of all remaining imported waste from the land. The offer would be conditional to Ta DC employing reputable contractors.
- 4.14 **Ridgeways Farm, Lonesome Lane, Reigate** – Following the issue of a PCN in December 2008 regarding unauthorised import, deposit, storage, processing and disposal of waste materials, a Certificate of Lawful Existing Use Development (CLEUD) application was subsequently submitted in October 2010, but refused in May 2011.
- 4.15 An Enforcement Notice was to be issued in February 2013, however the question of unauthorised ‘mixed uses’ arose which we believed undermined the CPA’s ability to enforce, due to the establishment of racking for storage of materials in relation to an authorised pre-existing use and the use of steel containers, scaffold and roofing

sheets to create an additional covered storage area, screening of soils and partial infill of a pond. Following a meeting between Legal and Enforcement Officers from both SCC and R&B BC, it was initially agreed that R&B BC would address the unauthorised development due to the unauthorised uses being mixed. Unbeknown to the CPA, R&B BC had received an application to regularise the unauthorised racking which appeared to address that which caused the mixed use concerns. As a result it was intended that the CPA would issue an EN to address the remaining unauthorised waste related development in spring 2016.

- 4.16 The landowner had moved abroad and indicated he was having the land cleared of the unauthorised waste development, which continued to be monitored as clearance was anticipated by mid September 2016. However, clearance was not completed and the landowner appeared to have returned to the UK and allowed occupancy of the yard by a tenant who was undertaking waste recycling on the site. The landowner was advised by our solicitors that unless all waste operations ceased and the waste removed from site by 19th December 2016, an EN would be issued after consultation with R&B BC due to other non-waste related breaches. The landowners planning consultant advised that an appeal would be made in respect of any such enforcement action. Due to ongoing concerns about mixed uses at the site, which would have undermined the service of an Enforcement Notice, considerable delays arose for a number of reasons. Having reviewed the matter with Officers from Reigate & Banstead Borough Council, it was been agreed that since R&B BC Officers have confirmed their view that there are no breaches of district planning matters taking place, Surrey County Council would issue the Enforcement Notice and deal with the subsequent appeal. An Enforcement Notice was issued on 3rd January 2018 on both the landowner at his registered UK address and his planning consultant, as the landowner now lives in Thailand. An appeal was made and a Public Inquiry took place in February 2019.
- 4.17 The Public inquiry commenced on 12th February 2019. Unfortunately, following concerns raised by the Inspector and the appellant's counsel in terms of both under enforcement relating to two uses that were LPA planning matters and ambiguity in terms of the Enforcement Notice that we issued, the County Planning Authority were advised by our counsel to withdraw the Enforcement Notice. Rather than risk the notice being quashed, or the Appeal being lost, the decision was subsequently made to withdraw the notice, obtain further counsel advice and then review the remaining enforcement options available with Reigate & Banstead Borough Council. Despite submissions against this, the Inspector has made an award of costs against the CPA. Evidence of costs produced by the appellant's representative as a result of this will be carefully scrutinised for reasonableness prior to being agreed.
- 4.18 The CPA have reviewed the position and a PCN was issued by R&B BC, but sharing of the information contained within the response was challenged by the planning consultant. The CPA anticipates that R&B BC will serve a further PCN next year in order that an up to date review of the site is able to be undertaken.

Examples of successful negotiation and ongoing challenges include:

- 5.1 **Environment Agency** – The establishment of a taskforce to deal with national crime problems has quickly resulted in them, being swamped with more work than they can handle, meaning that regional Environmental Crime Teams are still having to deal with work that is above the scope of what they should be dealing with, meaning that they themselves are under resourced to deal with sites that they would have historically been involved with. As a result, they are unable to support Enforcement Officers in

dealing with most unauthorised waste development sites that arise in Surrey and beyond.

- 5.2 Added to which remains the problem caused by the issuing of many exemptions and permits to waste operators without the need for planning permission to be in place, leading to waste businesses operating sites without the benefit of planning control, but having decriminalised the criminal element of their development, leaving planners to address the civil law issued which only becomes criminal when in breach of an enforcement notice.
- 5.3 This situation is continually exploited by waste operators, with some targeting landowners to apply for exemptions in their own names and once in receipt they believe that they are authorised to undertake the activity on the land, and are very surprised when they find out from Officers that they require express planning permission.

PRIVATELY OWNED LAND SUBJECT TO TRAVELER INCURSION AND WASTE DISPOSAL ON THE LAND

- 6.1 **Land north of Tesco, Leatherhead** – The unauthorised occupation and accompanying import, deposit and disposal of a considerable quantity of mixed waste took place in mid-December 2017 by an identified group of travellers has left a cleanup operation of between £20 - £40K for the landowner to address. Mr Simon Claridge, the son of the other two landowners ignored advice to improve the security of the site access, and the land was subsequently subject to a second traveler incursion of 2 days duration in late February. This resulted in further controlled waste being deposited with fires resulting in some of the waste on site being burnt.
- 6.2 An Enforcement Notice was issued requiring the land to be cleared of all imported waste by 1st August 2018. The Enforcement Notice was not complied with and having been advised that a successful prosecution for non-compliance at this stage was unlikely, an extended compliance period by 31st May 2019 has been given by the County Planning Authority and if not complied with by 1st June 2019, prosecution will be reconsidered.
- 6.3 In January and March, waste removal was started and progressed, with hardcore being removed, other waste being sorted and put into skips on site. Two or three additional visits will be scheduled in late March, April and in May 2019 to complete the clearance of the waste imported by the travellers from the land as required by our extant Enforcement Notice.
- 6.4 In May 2019, the final phase of site clearance was completed and the site has now been left secured with a roro skip laden with waste concrete to prevent unauthorised future access. Whilst the delays in compliance with the EN requirements were frustrating to neighbours of the site, the patient approach of working with the landowner in order to achieve the excellent clearance that was ultimately achieved by the waste contractor working on their behalf, was I believe proven to be worthwhile.

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BACKGROUND PAPERS:

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