

MINUTES of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 18 December 2024 at Council Chamber, Woodhatch Place, 11 Cockshot Hill, Reigate, Surrey, RH2 8EF.

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

Members:

*= in attendance

Ernest Mallett MBE*
Jeffrey Gray*
Scott Lewis*
Catherine Powell*
Jeremy Webster*
Edward Hawkins (Chairman)*
John Robini*
Victor Lewanski
Richard Tear
Jonathan Hulley
Chris Farr

70/24 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies for absence were received from Jonathan Hulley, Chris Farr. Victor Lewanski, and Richard Tear.

71/24 MINUTES OF THE LAST MEETING [Item 2]

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

72/24 PETITIONS [Item 3]

There were none.

73/24 PUBLIC QUESTION TIME [Item 4]

Four Public Questions were submitted. The questions and responses were published within a supplementary agenda on 17 December 2024.

1. Jackie Macey asked the following supplementary question:

Your reply to my question concerning the applicant profiting from the unlawful production of oil at the Horse Hill site suggests a course of action has not yet been decided. I would therefore like to ask what is the committees view of this unlawful profit, do councillors feel that it should be ignored, and when do you anticipate your careful assessment will be concluded and the outcome shared with the public.

The Planning Development Manager responded, clarifying that the planning enforcement system was not designed to address issues related to the sale of oil or the profits derived from it. While enforcement action could be taken to address unlawful operations, it typically focused on rectifying planning harm rather than pursuing financial penalties related to profits. However, the

Planning Development Manager noted that the case was still ongoing, so no conclusions had been definitively made at that stage.

2. Deborah Elliott asked the following supplementary question:

It has been stated in previous responses from the committee that UKOG were looking to work with the council with regard to voluntary cessation and remediation on the site at Horse Hill. Will the committee publish the stages of the remedial work being undertaken and a time limit imposed for each stage.

In response, the Planning Development Manager explained that this matter was subject to ongoing discussions with the Planning Enforcement Team and other relevant organisations. It was stated that the information requested within the supplementary question was not typically made public as it was part of an active enforcement investigation, as there was a need to avoid prejudicing those discussions. However, if information became available that could be shared with the public during the process, it would be released.

3. Sarah Freeman asked the following supplementary question:

In your response to my question, you emphasised what UKOG had done to vacate the site so far. You state that a continuous review is in place, but what exactly do you mean in your answer when you go on to say that there is an ongoing process of redetermination happening. Do the Planning department officers anticipate there being a new planning application?

The Planning Development Manager explained that the quashing of the decision in the Supreme Court earlier this year meant the application was now considered a live application for the planning team to determine.

4. Trish Kiy asked the following supplementary question:

As the committee has previously stated, the information of how much oil has been obtained at the Horse Hill site since its activity became unlawful in June 2024 is publicly available. Can the committee explain why it did not take steps to prohibit this unlawful oil production for such a long time.

The Planning Development Manager stated that this question had been addressed in previous responses regarding enforcement action and that there was nothing further to add at this time. The Planning Development Manager agreed to compile previous responses into a single written response for the question for publication.

74/24 MEMBERS' QUESTION TIME [Item 5]

Two Member questions were submitted by Cllr Catherine Powell. The questions and responses were published within a supplementary agenda on 17 December 2024.

1. Cllr Catherine Powell asked the following supplementary question:

Thank you for confirming that the AMC does require the presence of local community representatives. As the local County Councillor for the area I would wish to continue to sit on the AMC. Can you confirm that that would be an acceptable path forward?

The Planning Development Manager stated that planning officers did not determine the membership of the AMC; however, the councillor's position was noted.

2. Cllr Catherine Powell asked the following supplementary question:

Thank you for confirming that planning permission continues to be required. I would seek to get a confirmed position from the Surrey Planning Team as to whether or not planning permission is required for the three changes on site because it is causing angst locally. A continued lack of decision on whether planning is required was problematic, particularly when voluntary groups have previously been required to submit full planning applications for lesser works.

The Planning Development Manager explained that whether a planning application was required depended on the specifics of the development. The Planning Development Manager added that she would update the local member outside the meeting when possible as conversations on the matter were ongoing.

75/24 DECLARATIONS OF INTERESTS [Item 6]

There were none.

76/24 SURREY COUNTY COUNCIL PROPOSAL WO/PLAN/2024/0633 - LAND AT ST JOHN THE BAPTIST SCHOOL, ELMBRIDGE LANE, WOKING, SURREY GU22 9AL [Item 7]

Officers:

James Nolan, Senior Planning Officer

James Lehane, Principal Transport Development Planning Officer

Officer Introduction:

The Senior Planning Officer introduced the report and update sheet and provided a brief overview. Members noted that the application was for the erection and use of a new Special Educational Needs classroom building and associated parking area, with access from Coniston Road. Further to this, Members noted an overview of transport details from the Principal Transport Development Planning Officer as outlined in the report.

Key points raised during the discussion:

1. Members expressed their support for the proposal, acknowledging the council's need for the facility. They regretted the loss of part of the playing field but stated that proceeding with the project was necessary.
2. Members noted that the applicant had submitted plans that show the football pitches, rugby pitches and the running track could still be accommodated on the remaining land.
3. A Member stated that they previously had concerns regarding the turning circle for allotment visitors; however, after reviewing the designs, they felt the issue had been adequately addressed.

4. The Chairman moved the recommendation which received unanimous support.

Actions / Further information to be provided:

None.

Resolved:

The Planning and Regulatory Committee agreed to grant planning application ref: WO/PLAN/2024/0633 subject to the Conditions outlined in the report and update sheet.

77/24 APPLICATION FOR VILLAGE GREEN STATUS - LAND AT LEACH GROVE WOOD, LEATHERHEAD [Item 8]

Officers:

Catherine Valiant, Countryside Access Officer Commons

Officer Introduction:

The Countryside Access Officer Commons introduced the report and provided a summary of the details and background information outlined in the published report. It was noted that the committee were asked to consider whether or not to register the land as a Village Green. Members noted that the officers recommendation was that the application is rejected on the grounds that the application should not be registered as a town or village green under s15 of the Commons Act 2006 for reasons of statutory incompatibility in accordance with the judgment of the Supreme Court.

Key points raised during the discussion:

1. Members expressed their gratitude to the Countryside Access Officer for her clear and concise explanation of the background to the application.
2. A Member expressed support for the officer's recommendation but raised concerns about the public resources expended to reach the conclusion.
3. Members noted that the original inspector's report following the inquiry recommended rejecting the application on the grounds that the neighbourhood was not cohesive enough. This recommendation was then considered by the committee, which, using local knowledge, reached a different conclusion and accepted the application.
4. The Chairman moved the recommendation which received unanimous support.

Actions / Further information to be provided:

None.

Resolved:

The Planning and Regulatory Committee agreed that the application is rejected on the grounds that the application should not be registered as a town or village green under s15 of the Commons Act 2006 for reasons of statutory incompatibility in accordance with the judgment of the Supreme Court.

78/24 DATE OF NEXT MEETING [Item 9]

The date of the next meeting was noted.

Meeting closed at 11.20 am

Chairman

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