

UPDATE SHEET TO AGENDA ITEM 7

Planning and Regulatory Committee 3 September 2014

Minerals and Waste Application: WA/2014/0005

Site: Alton Road Sandpit, Farnham, Surrey, GU10 5EL.

Application: Extraction of sand (770,000 tonnes) and clay (512,000 cubic metres) from a site of 36.2 ha; filling of existing and resultant void with (2.6 million cubic metres) non-hazardous industrial, commercial, household and inert waste; installation of plant and equipment; alterations to existing site access onto A31; and comprehensive restoration of the site over a period of 11.5 years without compliance with Condition 1 of planning permission ref. WA99/0223 to allow the development be completed in all respects not later than 31 December 2029.

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

CONSULTATIONS AND PUBLICITY

Wrecclesham Village Society / TRASH Campaign

Paragraph 59: On 15 August 2014, SCC responded to a complaint made by Wrecclesham Village Society / TRASH Campaign against the County Planning Authority. On 26 August 2014, Wrecclesham Village Society / TRASH Campaign then emailed in respect of SCC's response. The following main points of complaint were made against SCC:

- 1. No evidence has been provided that would amount to proof that the Planning Application is actually legally valid.*
- 2. No evidence has been provided to demonstrate that the Applicant's proposals themselves fall within any part of the current Adopted Minerals and Waste Local Plans.*
- 3. Serious infringements of environmental and criminal law, namely:*
 - Incidents described within our email dated 22 May 2013 (including underground electric cables being exposed, and two lapwing nests being destroyed with stray fledglings running around).*
 - Incidents of motorcycle trespass and nuisance reported on 12 November 2013 and 14 April 2014.*
 - Land clearance on 7 June 2014 reported by email on 14 June 2014.*
- 4. Longstanding serious unacceptable risks caused by the Operators of the Gas Management System and the potentially significant increased risks that would be caused by the Proposals themselves.*
- 5. No evidence has been provided to demonstrate that the County Planning Authority have appropriately considered all of the options relating to this site.*

Officer's note: The above main points were made in respect of a separate complaints procedure and are provided here for completeness. In respect of point '1' above, the detail of Counsel advice received by SCC was previously requested, though as this is '*legally privileged*' (i.e. confidential) Officers have instead provided outline details in paragraph 13 of the Committee Report.

In respect of point '3' above, as set out in the Committee Report at paragraph 213 and paragraph 284, matters of environmental law (e.g. wildlife protection) and criminal law (e.g. trespass) are a matter for the Police and the sites' owners. The matter of claimed lapwing nest disturbance was considered at paragraphs 208-209 of the Committee Report. At the time of the reported incident, a County Planning Enforcement Officer visited the site and could find no signs of ground disturbance. Officers note that the detail of the account of events appears to vary yet again, with reference now to stray lapwing fledglings on the ground. At the time of writing the Committee Report and this Update Sheet, no evidence of damage to underground cables has been provided to SCC to pass on to the National Grid / Southern Electric, nor evidence of destroyed lapwing nests provided to pass on to the Police.

In respect of point '5', it was suggested on 26 August 2014 that the site should be considered as a Suitable Alternative Natural Greenspace (SANG) for the benefit of the whole community. Officers note, however, that a SANG designation would need to be formally adopted (e.g. via a Core Strategy examination process) and that the proposed final restoration would in any case allow community use and access.

Officers consider that no other new points or material considerations have been raised to those set out in the Committee Report.