

MINUTES of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 13 September 2017 at Ashcombe Suite, County Hall, Kingston upon Thames, Surrey KT1 2DN.

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

Members Present:

Mr Tim Hall (Chairman)
Mrs Natalie Bramhall
Mr Stephen Cooksey
Mr Matt Furniss
Mr Jeff Harris
Mr Edward Hawkins
Mr Ernest Mallett MBE
Mrs Bernie Muir

Apologies:

Mr Keith Taylor
Mrs Penny Rivers
Mrs Rose Thorn

224/17 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies for absence were received from Penny Rivers, Keith Taylor and Rose Thorn.

Mary Angell substituted for Keith Taylor. Jonathan Essex substituted for Penny Rivers. Cameron McIntosh substituted for Rose Thorn.

225/17 MINUTES OF THE LAST MEETING [Item 2]

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

226/17 PETITIONS [Item 3]

There were none.

227/17 PUBLIC QUESTION TIME [Item 4]

There were none.

228/17 MEMBERS' QUESTION TIME [Item 5]

There were none.

229/17 DECLARATIONS OF INTERESTS [Item 6]

There were none.

The Committee agreed the re-ordering of the agenda and Item 8 was taken first.

230/17 MO/2017/0916 - BROCKHAM WELL SITE, FELTON'S FARM, OLD SCHOOL LANE, BROCKHAM, RH3 7AU [Item 8]

Officers:

Alan Stones, Planning Development Team Manager
Caroline Smith, Transport Development Planning Manager

Speakers:

A resident, on behalf of Ms Smith, made the following points:

1. The resident referred to a current dispute between the County Planning Authority and the Applicant regarding the BRX-4Z side track for which no planning permission was granted. It was said that the buildings within the current application were to support production from the disputed side track and therefore the applicant should not be granted while the dispute was unresolved.
2. It was stated that the applicant could not be trusted due to previous disputes.
3. Concern was raised regarding the method of extraction as it was not well regulated in the UK.
4. The Committee were asked to defer the application.

Helyn Clack, the Local Member, made the following points:

1. Concern was raised over the progression and long period of time intended for site development.
2. She highlighted the current dispute with the applicant outlined in the report and asked the Committee to take into consideration how this would affect the present and future applications coming before Committee.

Key points raised during the discussion:

1. Officers introduced the report and the update sheet (attached as annex A) tabled at the meeting. The Committee noted the visual impacts of the application and that the site was 500m from the nearest property. Officers highlighted that the site was well concealed and therefore visual impacts were said to be no cause for concern. Members noted Condition 6 of the report which related to the installation of CCTV on the site. Officers suggested to the Committee that further wording be added to the informatives in order to make them more explicit. It was noted that this was a retrospective application and should not be treated negatively because of that.
2. The Committee sought clarification on whether there was enforcement action on the site at the present time. Officers confirmed that there was not.
3. The Committee discussed the site visit which Members previously attended and highlighted that some pictures within the report were outdated. There was concern with some comments made during the site visit which suggested that this application was forward looking for future exploration.

4. A Member was disturbed to learn that the applicant would be using acidization methods for extraction rather than water injection and felt this could have been better publicised.
5. Members discussed the previous disputes with the applicant regarding planning permission which some thought it necessary to take into account when making a decision on the current application. Officers advised against this due to the application being specifically for the installation of on-site facilities.
6. Further discussion was had relating to the possibility of a deferral but this was later dismissed due to there being no planning grounds to do so.
7. The Committee agreed to add an additional informative which encouraged the applicant to engage with the community and the County Planning Authority in all works going forward.

Resolved:

1. For application MO/2017/0916 - Brockham Well Site, Felton's Farm, Old School Lane, Brockham, RH3 7AU to be permitted subject to conditions.
2. That an additional informative to encourage the applicant to engage with the community and the County Planning Authority in all works going forward.

Actions/further information to be provided:

For an additional informative to be added which encourages the applicant to engage with the community and the County Planning Authority on all works going forward.

231/17 WO/2017/0898 - FREEMANTLES SCHOOL, SMARTS HEATH ROAD, WOKING, SURREY GU22 0AN [Item 7]

Officers:

Dawn Horton-Baker, Principal Planning Officer
Caroline Smith, Transport Development Planning Manager

Speakers:

None.

Key points raised during the discussion:

1. Officers introduced the report and the update sheet (attached as annex B) tabled at the meeting. Officers highlighted to the Committee that the application was for the installation of a new modular classroom unit comprising of four classrooms and ancillary facilities, the provision of 23 additional parking space, a new fire access route and the retention of an existing demountable classroom unit. Members noted that the application was for a temporary period of 14 years. Six letters of representation had been received which were outlined within the report. The Committee noted the loss of trees on site. Officers stated that there was a clear need for a specialised school within the Green Belt.

2. Members sought clarification on the reason why the application sought permission for 14 years. Officers confirmed that this was because of the age group of the children which was ages 4-18. Members questioned why this application was not permanent due to the need for specialised schools in the County which Officers stated that this was at the applicant's discretion.
3. Further details of the application were confirmed to the Committee such as replacement of trees and that there was not a need for a sustainable travel plan due to the nature of travel. Members stated they were happy to see this application due to the need for specialised schools for children in Surrey.

Resolved:

1. That application WO/2017/0898 - Freemantles School, Smarts Heath Road, Woking, Surrey GU22 0AN be permitted subject to conditions and informatives outlined in the report.

Actions/further information to be provided:

None.

232/17 SURREY COUNTY COUNCIL'S LOCAL LIST: REQUEST FORMAL ADOPTION OF LOCAL LIST FOR THE VALIDATION OF COUNTY DEVELOPMENT AND COUNTY MATTERS PLANNING APPLICATIONS [Item 9]

Officers:

Samantha Murphy, Principal Planning Officer
Alex Sanders, Planning Regulation 3 Team Leader

Key points raised during the discussion:

1. Officers introduced the report and informed Members that validation checklists had a requirement to be reviewed every two years. It was noted that they had under gone both external and internal modification.

Resolved:

To adopt Surrey County Council's Local List for the Validation of Planning Applications allowing for periodic reviews of this document and officers to update technical notes, in consultation with relevant consultees, if necessary.

Actions/further information to be provided:

None.

233/17 DATE OF NEXT MEETING [Item 10]

The date of the next meeting was noted.

Meeting closed at 11.52 am

Chairman

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UPDATE SHEET**MINERALS/WASTE MO/2017/0916****DISTRICT(S)** MOLE VALLEY DISTRICT COUNCIL**Brockham Well Site, Felton's Farm, Old School Lane, Brockham, RH3 7AU**

Installation of on-site facilities comprising hardstanding, site office, site toilet facilities, site security office and mess facility; storage containers; lighting units incorporating CCTV equipment; 2.4 metres high palisade fence and gates; electrical control buildings; portable site generator with 2 no. enclosed fuel tanks, and parking area for car/van until 31 December 2036 with restoration to agriculture (retrospective).

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

1. Additional comments have been received on this application. The comments are summarised as the following:

Brockham Oil Watch

- The Officers' report does not mention the fact that there is a dispute on whether the planning permission is needed for drilling of the sidetrack BRX-4Z. Therefore, an addendum to the report is required covering the drilling of the sidetrack and the actions that the Officers propose to rectify this situation is requested.
- The applicant is planning to produce oil from the Kimmeridge layers and has submitted a planning application to the Oil and Gas Authority for the Field Development Plan Addendum to commence oil production for the Kimmeridge layers. As the Brockham X2, X2Z and X2Y are not deep enough to reach the Kimmeridge layers, the only possible way to produce oil from the Kimmeridge layers is from the sidetrack BRX-4Z and Brockham 1 – a water reinjection well (together with sidetrack BRX3). There is no planning permission for the production of oil from the sidetrack BRX-4Z.
- The infrastructure under the current application is considered to support oil production from the unauthorised sidetrack BRX-4Z.

Additional key issues raised by public

2. Two further letters of representation have been received on this application raising concerns. The comments are summarised as the following:

Rep 1:

- Object to this application which should be deferred until the current dispute over sidetrack BRX-4Z between the Surrey County Council and the applicant is resolved.
- The applicant has stated that the no planning application is required with regard to the sidetrack BRX-4Z in January 2017 and that there is no need to apply for a retrospective planning application for the drilling activities. The applicant misled the County Planning Authority during the period of drilling maintenance.
- The proposed development would support oil production from the disputed sidetrack.

- Concerns about the prospect of oil production from the Kimmeridge layers and the technology used which is considered to be risky and have potential harm to the environment and the human health.
- A planning application is needed for the sidetrack BRX-4Z.

Rep 2:

- The County Planning Authority should approve this retrospective application as being in the National interest.

Officers' Comments

3. The current Officers' Report deals with the above concerns.
4. Paragraph 28 of the Officers' Report clearly states that this retrospective application seeks to regularise the facilities for the purposes of administrative, parking and equipment storage use **ancillary to the existing permitted oil production activities**. Paragraphs 53 to 56 of the Officers' Report have factually covered the matter of the sidetrack which does not form part of this application.
5. In Paragraph 54, Officers state that planning permission is required for the onsite facilities as permitted development rights were withdrawn under the existing planning permission (ref. MO06/1294) which allows the applicant to produce oil by using permitted production wellheads BRX1 and BRX2 until 31 December 2036. Paragraph 55 explains the statutory requirements of the planning permission related to hydrocarbon extraction and oil & gas activities under the Planning Practice Guidance and the National Planning Policy Framework. Paragraph 56 clearly states that *"it is a fact that no planning permission has been granted by the County Planning Authority for the production of oil from the wellheads other than BRX1 and BRX2. In any event, there are no proposed or new oil production and drilling activities in this retrospective application."* Officers also recommend an informative to make the County Planning Authority's position clear with regard to the scope of the proposed development.

UPDATE SHEET**SURREY COUNTY COUNCIL PROPOSAL WO/2017/0898****DISTRICT(S)** WOKING BOROUGH COUNCIL**Freemantles School, Smarts Heath Road, Woking, Surrey GU22 0AN**

- 1.) installation of new modular classroom unit comprising 4 classrooms and ancillary facilities**
 - 2.) provision of 23 additional parking spaces and new fire access route**
 - 3.) retention of existing demountable classroom unit permitted under application WO11/0011**
- all for a temporary period of 14 years.**

ILLUSTRATIVE MATERIAL

Photograph of proposed classroom unit (the unit was previously used temporarily at Danetree School and is currently in storage pending the decision on this application).

**CONSULTATIONS AND PUBLICITY*****Additional key issues raised by public***

One further letter has been received from a neighbouring dwelling which expresses support for the proposal but makes the following comments:

1. Can the existing car parking spaces opposite 8 and 9 School cottages still be used by visitors to those dwellings (officer comment: these car parking spaces are required for the operational use of the school but outside of school hours how the spaces are used is a private matter between the school and adjacent residential dwellings)

2. Whether additional lighting is required and where this would be located (the submitted plans do indicate three new lamp posts in this vicinity but the details of these and the luminaires which would be attached to them have not been provided. Two additional conditions are therefore suggested to cover these matters).

IMPACT ON RESIDENTIAL AMENITY

Woking Core Strategy October 2012

Policy CS21 – Design

Development Management Policies Development Plan Document 2016

Policy DM21 Educational facilities

Add the following additional sentences at end of paragraph 21 as follows:

Three additional lighting columns are proposed within the proposed new parking areas but no details have yet been submitted showing the details of these. Two additional conditions are recommended (conditions 11 and 12) requiring these details to be submitted prior to the installation of the lighting.

FLOODING AND SUSTAINABLE DRAINAGE

Woking Core Strategy October 2012

CS9 – Flooding and Water Management

Update on paragraph 33

As paragraph 33 suggests the applicants have been seeking to provide the technical information required by the Local Lead Flood Authority prior to this decision been made but they have not managed to complete this in time. Therefore the recommended pre-commencement conditions will still need to be attached to this permission as already set out in the report.

RECOMMENDATION

Add following additional conditions/reasons:

11. The new lamp posts to serve the extended parking areas (as indicated on drawing 282/082/12 dated June 2017) shall not be installed until details of the columns and luminaires have been submitted to and approved in writing by the County Planning Officer. Those details shall include an assessment of the level of luminance on the façade of the adjacent residential dwellings. The installation shall be carried out in all respects in accordance with the approved details.

Reason for condition 11: In the interest of the residential amenity of neighbouring residential dwellings in accordance with Policy CS21 of the Woking Core Strategy October 2012 and Policy DM21 of the Development Management Policies Document 2016

12. The use of the new lights to be installed on the extended parking areas as referred to in condition 11 above shall be limited to times when the school is in use for teaching and they shall be switched off outside of those hours.

Reason for condition 12: In the interest of the residential amenity of neighbouring residential dwellings in accordance with Policy CS21 of the Woking Core Strategy October 2012 and Policy DM21 of the Development Management Policies Document 2016