

MINUTES of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 21 March 2018 at Ashcombe Suite, County Hall, Kingston upon Thames, Surrey KT1 2DN.

These minutes are subject to confirmation by the Committee at its meeting on Wednesday, 23 May 2018.

(* present)

Elected Members:

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

Substitute Members:

- * Mr Nick Darby

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

Apologies for absence were received from Cllr Penny Rivers and Cllr Ernest Mallett. Cllr Nick Darby substituted for Cllr Ernest Mallett.

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

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

3/18 PETITIONS [Item 3]

There were none.

4/18 PUBLIC QUESTION TIME [Item 4]

There were none.

5/18 MEMBERS' QUESTION TIME [Item 5]

There were none.

6/18 DECLARATIONS OF INTERESTS [Item 6]

Dr Andrew Povey declared an interest in that he was a trustee of the Surrey Hills Society.

The Chairman explained that the agenda was light as some applications due to be considered by the Committee had been held up as a result of issues outside officers control.

7/18 SURREY COUNTY COUNCIL PROPOSAL TA/2018/92 [Item 7]

Two update sheets were tabled at the meeting. These are attached to the minutes as Annex 1 and Annex 2.

No members of the public registered to speak on this item.
The Local Member did not register to speak on this item.

Officers:

Dawn Horton-Baker, Principal Planning Officer
Toni Walmsley Macey, Transport Development Planning Officer
Nicola Downes, Transport Development Planning Officer
Caroline Smith, Planning Development Manager
Nancy El-Shatoury, Principal Solicitor

Key points raised during the discussion:

1. The officer introduced the report. Members were informed that a full educational needs assessment had been submitted alongside the application which demonstrated a clear need for the additional school places in the area.
2. The application proposes three extensions to the school to provide an additional four classrooms and a studio space, and formation of a raised earth bund to create a flood storage area.
3. Members were informed that ten letters of objection had been received, predominantly raising concerns around increased local traffic and difficulties with access and parking at drop off and pick up times. It was explained however, as that the impact of increased traffic was confined to short and distinct times of day and not at weekends, this was not considered to be a severe impact to warrant the refusal of planning permission. The officer confirmed that the proposed application would generate an additional 54 car trips in the morning and 44 car trips in the afternoon.
4. As the application will require the development of a full travel plan as part of the conditions, it was considered that this was an opportunity to positively influence parental behaviour and to reduce reliance on cars in favour of other modes of transport to school.
5. Members stated that the most important aspect of travel plan was to ensure that the school will enforce the plan in the long term.
6. Officers explained how the new online travel plan system allowed for monitoring to be carried out and targets to be set. However, Members were concerned because the scheme was voluntary, schools would not ensure robustness of the plan. Members stated that monitoring and enforcement had to be taken seriously by the headteachers, including on-street enforcement and naming and shaming for bad behaviour.
7. The Planning Development Manager explained that the Regulation 3 monitoring officer would ensure conditions were being complied with in respect of the council's own planning applications. The officer explained that there was a developing issue regarding the enforcement of school travel plans that were part of planning conditions; and that a

meeting was scheduled to ensure the correct action was being taken. The protocol was approved by this Committee in September 2017 and this would be the next step in enforcing such matters.

8. A Member highlighted that the report stated that there had been eight personal injuries in the vicinity of the school and questioned the timescale in which these incidents had occurred and whether anything could be learned from these and potentially addressed within the travel plan. Officers responded that as part of the transport assessment provided, the details of the accidents were all due to driver behaviour and dated back as far as 2013. It was confirmed by officers that only two children under the age of 16 were involved in these accidents.
9. Members noted the footpath that would link the school with Downs Way Infant School as part of the amalgamation as of September 2018 would potentially reduce double drop off traffic. The two schools currently had separate vehicular access, however the footpath will allow for parents with children at both the infant and the junior schools to walk between the two rather than drive to each drop off separately, alleviating some traffic pressure.
10. In response to the Principal Planning Officer's explanation that the travel plan was drawn up with various information that the school would not have until the new pupil intake in September 2018, a Member highlighted that the first preference data provided in the report indicated that the school had a good idea of the catchment of its new cohort and therefore the school should be able to start making progress on its travel plan sooner.
11. A Member raised concern with the amended condition 12 on the update sheet, in that the number of cycle spaces was being reduced from 15 to 12. It was suggested that this number should remain at 15 and the decrease in spaces was concerning.
12. The Chairman informed the Committee that in light of the discussions, officers were proposing to revert to original conditions 7 and 12 to ensure the plan was in before occupation and cycle spaces back to 15 not 12.
13. There was discussion around the level of enforcement and seriousness taken by schools in general regarding travel plans. A Member stated that she was aware of schools who named and shamed bad drivers and had teachers out in the streets enforcing the travel plan. The Member added that, as schools continue to get larger, there would be a bigger impact on communities and therefore it was important to influence driver behaviour in the present.
14. A Member of the Committee stated that practicalities around policing travel plans was difficult as there was no legal requirement for them. The Principal Planning Officer confirmed that travel plans were not compulsory.
15. The Chairman declared a vague interest in that he was involved in the Safe Routes to School group in Fetcham and explained that re-educating new cohorts of parents over the years had been challenging to keep up with.
16. Members questioned how the school will deal with additional staff parking, given the fact that the staff numbers will increase in line with the additional pupil cohort. The Transport Development Planning officer suggested that parking should be achievable across both school car parks as part of the amalgamation, however in line with the travel plan, teachers would also be encouraged to car share, walk or cycle where this was possible. It was suggested that given the amount of

books and work teachers carry to and from school, walking or cycling may not be as achievable for school staff.

17. A Member sought clarity regarding the proposed change in the wording of the conditions. It was explained that additional pupils could be accommodated within the existing school buildings until the extensions are complete, therefore it was considered to be an acceptable amendment to the wording. The Member added that it seemed to be right that the travel plan should be in place before the extra cohort of children appear.
18. Having reverted to the conditions 7 and 12 on the original paper, the Chairman moved the recommendation to permit. The Committee voted unanimously in favour.

RESOLVED

That application **TA/2018/92** be **PERMITTED** subject to the conditions and informatives contained in the report and the tabled update sheets, with the exception of conditions 7 and 12 of the update sheet which were not accepted.

8/18 ENFORCEMENT AND MONITORING UPDATE REPORT [Item 8]

Officers:

Ian Gray, Planning Enforcement Team Leader
 Caroline Smith, Planning Development Manager
 Nancy El-Shatoury, Principal Solicitor

Key points raised during the discussion:

1. Members commented that there were some costly traveller incursions within Epsom & Ewell and Reigate & Banstead that were not listed in the report despite enforcement action having been taken. The officer acknowledged the omission and explained that the boroughs and districts had not communicated all incursions to Woking Borough Council who were collating the information following a meeting of the Surrey Chief Executives Group. Members were encouraged to contact district and borough planning officers and encourage them to submit the required details.
2. A Member suggested that the full report be presented to the Police and Crime Commissioner.
3. The Planning Enforcement Team Leader presented the report to the Committee in conjunction with some photographs to illustrate the breaches of conditions and corrective measures that had been taken. The photographs are attached to these minutes as Annex 3.

Action at Authorised Sites

4. The Planning Enforcement Team Leader drew Members' attention to an error in the report regarding Moorhouse Sandpit. The report indicated that the applicant had been fully compliant with the Enforcement Notice (EN), however this was not the case. There remained some unauthorised development, with a concrete base and bay walls still needing to be removed and lowered respectively. The Officer explained that this would not be straightforward as the appeal decision required agreement between the operator and the County Planning Authority (CPA) as to the extent of the removal of the

concrete base, which was the reason why the EN had been issued in the first place. It was explained that an EN has to be very specific in what was required and allowed no room for deviation, which is what had since arisen from the Inspector's decision. The operator appealed against this step of the appeal decision, but it was not upheld by the courts, meaning the CPA was now required to negotiate with the operator again to achieve compliance.

5. Members were informed of a misunderstanding between the operators of Brockham Oil Well in identifying which well heads were which. It was explained that this was due to the way they were left when they were closed off. Members raised concern that the applicant will be submitting further applications to committee despite such confusion on existing sites.

Action at unauthorised sites

6. The Planning Enforcement Team Leader highlighted the issues at Swift Lane, Bagshot, and Members noted that a Public Inquiry would be taking place in April 2018 at Surrey Heath Borough Council.

Tim Hall left the meeting room at 11:57am and returned at 12:02pm

7. The officer updated Members on the case of Land at New Pond Farm and showed photos of the site that had now been cleared and returned to grass. Members noted that Guildford Borough Council were still taking action on this site as a number of vehicles had now been moved onto the land. Previous clearance of machinery by Guildford Borough Council had resulted in a charge on the land of approximately £80k.
8. A Member questioned if the Health & Safety Executive gets involved. Officers explained that they tend to focus on working with the Environment Agency (EA) and Local Planning Authority, with HSE only occasionally being requested to address issues on authorised sites.
9. Members agreed that there was a need for a better coordinated multi-agency response in dealing with enforcement cases. Suggestions included HM Revenues & Customs. The officer explained that he had contacted HMRC on a couple of occasions with regards to larger sites and one had resulted in a £1million bill being issued.
10. The Principal Solicitor referred to a multi-agency group that used to meet to discuss common issues that had since ceased. A Member explained of a similar concept with the Police localised crime group, where district and borough representatives were invited to attend and provided an opportunity to work together.
11. A Member offered to forward suggestions from officers on to the Secretary of State for the Environment, Food and Rural Affairs and to involve the Environment Agency (EA) in the conversations. The officer said he would be grateful for such an opportunity and would relay the offer to the EA officers that he was working with in relation to traveller incursion issues.

Traveller incursions and Waste disposal in Surrey

12. There was some discussion around instances of traveller incursions around the county and the high costs involved in clearing the residual waste left behind after the sites were vacated and the restoration of land by both Local Authorities and other landowners. The Planning

Enforcement Team Leader explained that in cases of unauthorised traveller incursion which involved them importing and depositing waste on land, video evidence or witness statements were essential in building a case that would enable the EA to seize offending vehicles under their powers, providing they had the support of the police.

13. Members commented on fly tipping and gave examples of cases they had witnessed. The Planning Enforcement Team Leader advised that borough and districts dealt with fly tipping, whilst the CPA focussed on larger cases of unauthorised disposal of controlled waste by companies dealing in commercial waste disposal.

Natalie Bramhall left the meeting at 12:20pm.

14. Members highlighted that there had been some instances of proactivity as a result of previous traveller incursions. Ditching and mounding was becoming more popular in order to restrict and prevent future incursions. Officers welcomed this approach where it was possible and did not in itself require express planning permission.

RESOLVED:

Members noted the report and thanked officers for their work.

9/18 APPOINTMENT TO OUTSIDE BODIES: ROYAL SURREY COUNTY HOSPITAL NHS FOUNDATION TRUST COUNCIL OF GOVERNORS [Item 9]

The Chairman informed the Committee that Fiona White had withdrawn her intention to stand for this appointment, therefore Matt Furniss was appointed as the Surrey County Council Member representative on the Royal Surrey County Hospital NHS Foundation Trust Council of Governors.

10/18 DATE OF NEXT MEETING [Item 10]

The date of the next meeting was noted. However, the Chairman highlighted that due to a lack of complete applications coming through the planning system, it was probable that the April meeting would be cancelled and that Members would be notified if this was to be the case.

Meeting ended at: 12:27pm

Chairman