

MINUTES of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 20 March 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*)

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

Apologies:

Mr Stephen Cooksey

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

Apologies were received from Mr Stephen Cooksey.
Mr Jonathan Essex substituted for Mr Cooksey.

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

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

The Planning Development Manager notified the Committee that at the 17 October 2018 Planning and Regulatory Committee, Members considered *Minerals and Waste Application TA12/902- Oxted Quarry, Chalkpit Lane, Oxted, Surrey, RH8 0QW*.

Under Resolution (III) as minuted, a motion was carried against the Officer's recommendation and in accordance with the Code of Best Practice, Member reasons had to be provided. It was agreed for these reasons to be brought back to the Chairman of the Committee for agreement. The following reasons had now been approved by the Chairman;

The reasons for Members imposing a lower HGV cap than proposed by officers were as follows:

1. Safety concerns as a result of the number of HGVs accessing the site;
2. That no evidence had been provided by the applicant to indicate that the economic viability of the site would be prejudiced adversely to an unreasonable degree by a lower daily HGV cap figure.

3/19 PETITIONS [Item 3]

There were none.

4/19 PUBLIC QUESTION TIME [Item 4]

There were none.

5/19 MEMBERS' QUESTION TIME [Item 5]

There were none.

6/19 DECLARATIONS OF INTERESTS [Item 6]

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

7/19 WASTE APPLICATION REF. WA/2018/0097- BROADWATER PARK GOLF CLUB, MEADOW, GODALMING, SURREY, GU7 3BU [Item 8]**Officers:**

Dustin Lees, Principal Planning Officer
 Caroline Smith, Planning Development Manager
 Stephen Jenkins, Deputy Planning Development Manager
 Nancy El-Shatoury, Principal Lawyer

Speakers:

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

- Resident of Farncombe and is broadly in support of the application which he believes will benefit the local community but opposes one aspect of the application which is the erection of a new steel perimeter fence. This fence will exclude the public from approximately one third of the park.
- Steel mesh construction will dominate the south eastern corner of the park and views from the park will be obscured by this fence.
- There is mention of dog fouling, vandalism and public safety as a reason for requiring the fence. There are now improved powers to deal with dog fouling. With regards to vandalism no records of incidents have been presented in the report and with regards to public safety many golf courses have public footpaths running through them.
- Report talks of improved public access but only route being referred to has been in use for over 24 years.
- Ask Committee to reject this element of the application.

Mr Adrian Johnson, the Applicant, raised the following key points:

- There are major concerns around the safety of young children. The corner of the golf course has become an extension of the park with young children running onto the course and stealing golf balls and

abusing golfers. If a child was struck by a golf ball from the driving range this would lead to serious injuries.

- With regards to vandalism, netting from the driving range has been slashed and stolen, two golf buggies have been stolen, flood lights have been stolen which has cost the applicant a great amount.
- Drug taking paraphernalia has been found at the back of the golf course.
- Dog fouling is a big issue and this is a reality the applicant has to deal with when working on the golf course.
- There are also cases last summer of cyclists riding their bicycles over the course and ruining the land. This stops golfers from returning to the course. It is important the business gets the protection to stop this detrimental activity.

The Local Member, Penny Rivers will not speak as Local Member but will address the application in her capacity as a Member of the Committee.

Key points raised during the discussion:

1. The report was introduced by the Principal Planning Officer.
2. The Local Member for the application area stated that the application site was very much loved as an open space by the local community and the remedial work required on the site was a benefit to the community. However the Local Member was objecting to the new 2m high dark green weldmesh perimeter fence which she believed was too high.
3. A Member of the Committee explained that he was a keen golfer and had concerns around public safety and golf balls potentially hitting members of the public walking across the site. It was felt that a perimeter fence was necessary to ensure public safety. On the other hand, another Member stated that he lived next to a golf course which co-exists with walkers and therefore could not see the need for a perimeter fence.
4. With regards to the approximate 70 HGV movements per working day, the Committee raised significant concerns around this and the impact on Surrey's road network. The Committee were of the view that this needed to be monitored to ensure there was no negative impact on the surface of the road.
5. There was a discussion around the perimeter fence referred to in the application and specifically Condition 23 of the report regarding perimeter fencing. A Member of the Committee asked that when details of the perimeter fencing are submitted to the County Planning Authority for approval if these could also be shared with the Committee Chairman to ensure the fence is fit for purpose.
6. The Principal Planning Officer explained that the principle of the perimeter fencing had not been opposed by Waverley Borough Council who had responsibility of the wider park. The County's landscape architect and the Surrey Hills Area of Natural Beauty Board had not raised issues around the perimeter fencing. Mr. Sandford's views regarding the fencing had been taken on board and officers had therefore tried to strike a balance between the applicant and objectors needs. For that reason, a condition was being imposed on any

consent granted requiring the applicant to think about the fencing and provide officers with details which would be subject to a further round of consultation with interested parties. If requested, the details of the fencing could return to the Committee for consideration.

7. It was further added that the County Highway Authority were of the view that the volume of vehicle movement was acceptable. The Planning Officer referred the Committee to Paragraph 143 of the officer report which states that *'the proposal would lead to a modest and temporary increase in traffic at the site access junction and the A3100/B3000 junction which both have adequate capacity to deal with such an increase'*. Planning officers were reliant on the advice provided by the County Highway Authority when making recommendations. It was further added that before and after surveys of the B3000 would be required as a condition of the application.
8. The County Lighting Consultant and the Surrey Hills Area of Natural Beauty Board had not objected to the lighting proposed in the application and there was a condition in the report to control this. The new lighting proposed would improve the lighting situation on the site and would reduce lighting spill. The County Ecologist was satisfied the development was acceptable and would bring about substantial improvement on the ecological front with the provision for more habitat.
9. A Member of the Committee commented that 70 HGV movements per day was not substantial when considering various other locations in Surrey.
10. With regards to staggering HGV movements as part of the traffic management plan, the Principal Planning Officer stated that this would be hard for the County Planning Authority to control as it was unlikely the applicant would have secured any contracts for the delivery of the materials to the site. An informative on this issue could be included within the report. It was added that the County Planning Authority did not want HGV's to be waiting on the highways.
11. There was further discussion around the perimeter fencing and specifically that the location of the fence was not mentioned in Condition 23. The Officer stated that sub section (a) of the Condition specifies location of the fence. The condition was seeking to leave the issue of fencing as a reserve matter for further consideration by the Applicant.
12. The Committee agreed an amendment to Condition 23 of the report, to read as follows:

"Within 6 months of the date of this permission details of the fencing to be provided around the application site shall be submitted to the County Planning Authority for approval. These details shall include:

- (a) The specifications, location, alignment and extent of the perimeter fencing;*
- (b) Native hedge planting specifications for both sides of the fence including maintenance responsibilities and regimes;*
- (c) Provision for 13cm x 13cm gaps every 100m to allow small mammals to pass unhindered.*

The details shall be implemented and maintained as approved".

13. The Chairman moved the recommendation to permit the application. There were ten votes for and one vote against; therefore the recommendation was carried and the application permitted.

RESOLVED:

Subject to conditions and informatives and the amendment agreed to Condition 23, that application reference. **WA/2018/0097** be **PERMITTED.**

8/19 APPLICATION FOR VILLAGE GREEN STATUS-LAND AT THE GREEN, LANDEN PARK, HORLEY [Item 9]

Officers:

Helen Gilbert, Commons Registration Officer
Joanna Mortimer, Principal Lawyer

Speakers:

No Members of the public had registered to speak on this item.

The Local Member, Ms Kay Hammond registered to speak on this application, the following key points were raised:

- Delighted with the inspectors report and believes it is a thorough examination of the issues at hand. Commend the work of applicants with providing evidence to the inspector.
- Ms Kay Hammond has been the County Councillor for the area since 1997 and has known the area since then.
- This is a much loved area within the local community and believes that all the criteria the inspector reviewed has been satisfied.
- Have been involved with the local community in this area for a number of years.
- Hope the Committee support the inspector's recommendation.

Key points raised during the discussion:

1. The report was introduced by the Commons Registration Officer.
2. A Member of the Committee stated his support for the application and was happy to see that this application had not been as complex as previous Village Green applications.
3. The Chairman moved the recommendation to accept the application. The Committee unanimously voted to accept the application; therefore the recommendation was carried and the application accepted.

RESOLVED:

That with the omission of the pavement between Landen Park and Arne Grove, the application to register land at the Green, Landen Park, Horley is **ACCEPTED** and the remainder of the area edged green be registered as a new town/village green for the reasons explained in detail in the Inspector's report dated 11 December 2018.

9/19 **MINERALS/WASTE WA/2018/1613- LAND ADJACENT TO WETWOOD COTTAGE, CHIDDINGFOLD ROAD, DUNSFOLD, GODALMING, SURREY GU8 4PB [Item 7]**

Officers:

Caroline Smith, Planning Development Manager
Stephen Jenkins, Deputy Planning Development Manager
Nancy El-Shatoury, Principal Lawyer

Speakers:

No Members of the public had registered to speak on this application.

The local Member, Victoria Young could not attend the meeting but submitted a statement for the Chairman to read out on her behalf:

"I wish to object to this application on the basis that firstly the development will have a harmful impact on the setting and appearance of a very rural location, and secondly on the basis of the noise and traffic created by the operations which will be inconsistent with the rural location of the site. We should be protecting our rural countryside which is a great asset to the county and not let it simply be destroyed. In terms of traffic, the vehicle movements created by this application should be taken together with those that are already being created by the adjacent Chiddingfold Storage Depot. Chiddingfold Road is a minor C class road and is simply not suitable for large HGVs, which will have to travel along unsuitable narrow minor roads to reach the site. I am also concerned about the noise that the operations will cause at the site, and the ensuing disruption to neighbours. If this permission is granted, I would ask that the hours of operation are reduced so that they do not start earlier than 7.30 am and finish" by 5.30 pm, Monday to Friday. There should be no working at weekends or bank holidays."

Key points raised during the discussion:

1. The report was introduced by the Deputy Planning Development Manager.
2. It was confirmed that there would be 17 vehicle movements in total per day with the application. These would comprise of 6 vehicles coming into the site in the morning and then 3 vehicles leaving shortly after. There would then be 3 vehicles returning back into the site in the afternoon and 5 vehicles departing in the evening, making it 17 movements in total. It was explained that this was a very small site with little room to increase traffic movements and capacity.
3. With regards to noise pollution, the Deputy Planning Development Manager explained that the application may involve an element of chipping but the majority of processing would be done off site. There was a condition within the report to monitor the noise level which the County Noise Consultant supported.
4. It was further added that a transport plan would be submitted under condition in due course by the Applicant.
5. A Member of the Committee queried if Areas of Great Landscape Value (AGLV) were treated the same as Areas of Natural Beauty (AONB) in planning policy terms. Officers commented that in the context of the setting and scale of the site they do not believe there would be an adverse impact on the AGLV.

6. It was queried why the Chilworth site was no longer being used and if this due to traffic concerns. The Deputy Planning Development Manager explained that the Chilworth site did not have facilities for storage therefore material was being transported to another site which incurred traffic mileage.
7. It was confirmed that the buildings on the application site would only be used for the green waste operations.
8. There was a short discussion around noise levels and the noise level set for the site at (44 dB). The Deputy Planning Development Manager explained that noise levels were recorded over a period of time usually an hour and that the noise levels set for this site was the same as the noise level set at the Chiddingfold storage depot.
9. A Member of the Committee stated that the noise level within the condition did not incorporate a period of time. It was agreed that the condition would require amending to include 'any 30 minute period of time' to give officers assurance.
10. A Member of the Committee stated that they supported this application as it was a rural industry in a rural location and would enable rural industries to grow.
11. It was confirmed that the nearest noise sensitive receptor was Wetwood Cottage.
12. The Chairman proposed that the Noise Control condition in the report be amended to match the Noise Control condition for the Chiddingfold application site. The Deputy Planning Development Manager explained that this would include adding a qualifying time period of 30 minutes to the Condition. The Chairman moved the recommendation to permit the application. There were ten votes for and one vote against; therefore the recommendation was carried and the application permitted.

RESOLVED:

Subject to conditions and informatives and the amendment agreed to Condition 4, that planning application no. **WA/2018/1613** be **PERMITTED**.

10/19 ENFORCEMENT AND MONITORING UPDATE REPORT [Item 10]

Officers:

Ian Gray, Planning Enforcement Team Leader

Key points raised during the discussion:

1. The Planning Enforcement Team Leader introduced the report adding that there was disappointment regarding Ridgeways Farm and legal advice was being sought on the matter. The case regarding Stoney Castle was becoming more complex on a daily basis even though there was a judgement against Mr Hill.
2. The Chairman thanked the Planning Enforcement Team Leader and the Enforcement Team for their hard work, stating that this work made a difference to the lives of Surrey residents.

RESOLVED:

The report was noted.

11/19 DATE OF NEXT MEETING [Item 11]

It was explained that the meeting scheduled for 17 April had been cancelled and the next meeting would take place on 22 May 2019.

Meeting closed at 11:46am

Chairman