

Draft Heads of Agreement V.1 – FEBRUARY 2022

These Draft Heads of Agreement relate to the following planning application which is being reported to the 27 March 2022 Planning and Regulatory Committee:

Application Ref. MO/2017/1432 and WA/2017/1466: grassland, lakes, woodland and grassland; together with the construction of a tile factory with a chimney, and the permanent diversion of footpath 89; and on a site of 113ha.

Site: Ewhurst Brickworks, Horsham Road, Walliswood, RH5 5QH

Set out below are the broad heads of agreement, subject to the granting of planning permission for the above application, to be included in a legal agreement between Landowners, (Applicant and Landowner) and Surrey County Council (County Planning Authority) to secure:

Part 1 - Routing of Heavy Goods Vehicles

The Owners shall submit for the written approval of the County Council, a Goods Vehicle Traffic and Route Management Plan. The approved plan shall be implemented by the Owner within 3 months of the execution of the S106 agreement.

1.1 The Goods Vehicle Traffic and Route Management Plan shall include the following details;

- Written instructions and means of communication of the approved route for goods vehicles that the Owners propose to use to inform all employees, suppliers and customers as to the approved route to be observed by all goods vehicles travelling to and from the site. The approved route shall be in accordance with Drawing No. Figure 3 – Weinerberger HGV Routes (contained within the Transport Statement dated March 2020, Pg. 40).
- A review of the highway directional signage on the approved route required to direct all goods vehicles accessing and egressing the application site, and identification of any highway signage improvements that are required.

- A schedule of regular maintenance for the highway directional signage.
- The issuing of instructions to suppliers and customers to prevent them from accessing and egressing the site outside of the hours of 0700 to 1800 Monday to Friday and 0700 to 1300 hours on Saturday other than for the despatch of up to three brick delivery lorries per day, Monday to Friday, which may leave the site prior to 0700 hours.
- The issuing of instructions to employees, suppliers and customers that waiting or parking on the public highway within the vicinity of the site is strictly prohibited.
- The issuing of instructions to all drivers of goods vehicles accessing and egressing the site to abide by the Highway code at all times, particularly the need for drivers to take due care and attention on the approved route and to observe the posted speed limit on the approved route through Okewood.
- The issuing of instructions to all drivers of goods vehicles accessing and egressing the site to drive at 30mph along the Route identified in the Route Management Plan.

Part 2 Revocation and Commencement

2. With effect from Implementation the Owners and the Developer hereby covenant that:

a) Neither the Site or any part of the Blue Land shall not at any time be worked in accordance with the Old Mineral Planning Permissions MO98/0538 and WA98/0762; and

b) In complying with this Schedule and Part 2, the Site shall be operated only in accordance with the conditions attached to the Planning Permission and without reference to any rights or conditions pursuant to the Old Mineral Planning Permissions; and

c) They forfeit any right to claim compensation in relation to the covenants contained within this Schedule, Part 2.

Part 3 - Local Liaison Group

3. The Owners shall submit for the written approval of the County Council, a scheme detailing the proposed establishment, membership and frequency of a Local Liaison Group.

3.1 The Owners shall carry out the scheme in accordance with the County Council's approval within 3 months of the execution of the S106 agreement, until a date agreed in writing with the County Council for the closure of the Local Liaison Group.

3.2 The Owners shall circulate copies of the minutes of the Local Liaison Group's meetings to the County Council.

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