

MINUTES of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 7 June 2023 at Council Chamber, Woodhatch Place, 11 Cockshot Hill, Reigate, Surrey, RH2 8EF.

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

Members Present:

Ernest Mallett MBE
 Jeffrey Gray
 Victor Lewanski
 Scott Lewis
 Catherine Powell
 Jeremy Webster
 Edward Hawkins (Chairman)
 Colin Cross
 Rachael Lake
 John Robini
 Richard Tear (Vice-Chairman)

30/23 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

None received.

31/23 MINUTES OF THE LAST MEETING - 29 MARCH 2023 [Item 2]

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

32/23 PETITIONS [Item 3]

There were none.

33/23 PUBLIC QUESTION TIME [Item 4]

There were none.

34/23 MEMBERS' QUESTION TIME [Item 5]

There were none.

35/23 DECLARATIONS OF INTERESTS [Item 6]

There were none.

36/23 SURREY COUNTY COUNCIL PROPOSAL RU.21/1521 - A320 ROAD GUILDFORD ROAD JUNCTION, CHERTSEY, SURREY [Item 7]

Officers:

Janine Wright, Principal Planning Officer
 Tim Dukes, Principal Transport Development Planning Officer

Speakers:

None.

Key points raised during the discussion:

1. The Principal Planning Officer introduced the item and noted that the application was for highway improvements including a new roundabout, junction, access, pedestrian/cycle connections and crossings; including landscaping and associated infrastructure and engineering works. Full details could be found from page 9 of the meeting agenda. An update sheet was published within a supplementary agenda.
2. The Chairman noted that a site visit was held for Planning and Regulatory Committee Members.
3. In regard to operating hours, a Member noted that the proposed hours were from 7am – 1pm on a Saturday. Due to the proximity of housing, the Member asked whether a later start time had been considered. Officers stated that the operating hours were suggested in conjunction with the County Noise Consultant as well as the Applicant and was considered to be acceptable. The officer added that any out-of-hours working was required to be included in the Construction Management Plan.
4. Members noted that officers believed that the applicant would be undertaking community involvement with local residents.
5. A Member asked whether the proposed new roundabout could cause traffic issues elsewhere. The Principal Transport Development Planning Officer explained that there was a theory that changing one junction could move an issue, such as a bottleneck, elsewhere however the proposal was a part of a wider scheme along the A320 and potential improvements to Junction 11 of the M25. The Officer said that officers had worked to the best of their ability to prevent traffic issues from moving into the surrounding area.
6. A Member asked that a condition be included which stated that, during discussions with residents, that local ward councillors were used as a conduit to transfer information. The Member stated that involving local councillors would aid conversations with developers throughout the development. The officer highlighted an informative which stated that the applicant was required to include details of the safe use of existing road diversions during the construction period in the Construction Transport Management Plan. Further to this, Officers agreed to include an additional informative to state that consultation with residents included the local ward councillors.
7. Members noted that the applicant was required to submit a landscaping plan and within this would be provisions that state that if any of the planted trees were to die within a five year period then they would need to be replanted. Members also noted that Condition 11 included provision for failed retained trees.
8. Members noted that paragraph 245 of the officer's report provided detail related to night working.
9. The Chairman moved the recommendation, including the additional informative discussed during the debate, which received unanimous support.

Actions / further information to be provided:

None.

Resolved:

The Committee agreed that the application be referred to the Secretary of State under paragraph 10 of the Town and Country Planning (Consultation) (England) Direction 2021, and in the absence of any direction by the Secretary of State, to PERMIT subject to the conditions and informatives set out in the report and agreed during the committee meeting. .

37/23 SURREY COUNTY COUNCIL PROPOSAL WO/2022/0923 - LAND AT THE FORMER MANOR SCHOOL, MAGDALEN CRESCENT, BYFLEET, KT14 7SR [Item 8]

Officers:

Chris Turner, Senior Planning Officer
Dawn Horton-Baker, Planning Development Team Leader

Speakers:

The Local Member, Amanda Boote, made the following comments:

1. Stated that she contacted the Property Estates Team in February 2019, as the former Manor School had been identified for development by the Asset and Strategy Board, and stated that the land did not belong to Surrey County Council as the land was bequeathed by a local benefactor to the Children of Sanway.
2. That page 81 of the report highlighted resident objections to the application on the basis that the land belonged to the children of Sanway.
3. That the issue related to the children of Sanway was a potential public relations disaster for the county.
4. That the Local Member had visited the site with the former Cabinet Member for Adults and Health in 2021 and explained the situation. A compromise was agreed which was that half the land would be used for assisted living units for adults and half would be made available for the children of Sanway and it was agreed that a small community building would be funded and built at the same time. The plan moved forward for a full public consultation and all were happy with the compromise. Following this the Cabinet Member notified that Local Member that the agreement would not go ahead.
5. Woking Borough Council had objected on several factors related to the layout of the proposal, parking, design, and Policy CS19 of the Woking Core Strategy 2012.
6. That there was a strong need to use the land for community use as the area was over developed.
7. Urged the committee to reject the application to prevent the threat of legal action and a PR disaster. It was further asked that work continue on the agreed compromise.

Key points raised during the discussion:

1. The Chairman introduced the item and noted that a site visit was held for Members of the Planning and Regulatory Committee. The Senior Planning Officer introduced the report and noted that the application was for erection of an apartment block comprising 6 x 1 bed self-contained flats and two 5 bed townhouses for supported independent living, and associated bin stores, cycle stores and hard and soft landscaping. Full details could be found from page 77 of the meeting agenda. An update sheet was published within a supplementary agenda.
2. A Member of the Committee asked for clarification on the ownership issues noted by the Local Member. The Senior Planning Officer explained that the issue had been raised as an objection and so officers spoke with the applicant to request clarification. The applicant provided land registry documents and officers were satisfied that the land was owned by Surrey County Council and was purchased in 1962. There was no agreement to build a community facility on the land. The officer reiterated that from a technical planning point of view they were satisfied that the correct certificate of ownership was served with the planning application.
3. A Member stated that they were confused as the officer's report did not include reference to the purchase of the land in 1962 and raised concern that no information had been provided on an agreement between the former Cabinet Member and the Local Member as stated by the Local Member. The Senior Planning Officer stated that reference to the purchase of the land was included within the report's background documents. Further to this, the officer stated that they were not aware of any agreement between the Cabinet Member and the Local Member and that the application needed to be considered as submitted. The Chairman also stated that the issue was a civil matter and that the application had to be determined on its own merits.
4. A Member of the Committee stated that he was concerned with the issue raised regarding an agreement with the Cabinet Member and felt that, if correct, an agreement should be addressed and renegotiated. The Member also stated that the report should have included reference to this issue.
5. A Member stated that the National Planning Policy Framework (NPPF) outlined that a site should have the maximum development possible and that he was concerned the application was not making the best use of the site as more units could be included within the design. In regard to the density of the development, the Senior Planning Officer stated that, within paragraph 96 of the report, detail was provided which stated that the design of the scheme was informed by guidelines set out within the Care Quality Commission (CQC) guidance 'Registering the right support' and the NHS England plan 'Building the right support' and so the design was set to provide the best possible facilities for the residents rather than to maximise density on site. The Member went on to question whether the CQC had the authority to set the criteria for this. The Planning Development Team Leader added that the site was too small for the extra care provision because it would not be able to achieve the number of units that would be a viable use.
6. In regard to the land ownership issue, the Planning Development Team Leader stated that the issue was separate from the planning application as planning applications can be submitted on any piece of

land and if, following determination, an issue was raised then it did not need to be implemented. The officer reiterated that officers were assured that Surrey County Council owned the land and so the application needed to be determined on its merits.

7. The Chairman asked that an informative be included which outlined that provision be included on site to allow the disposal of food waste. A Member of the Committee said that they agreed with this proposal.
8. A Member stated that they were concerned that a community space would not be included on site as it was a needed facility in the area. The Chairman stated that Members could only consider what was included within the application submitted.
9. A Member asked for detail on why Woking Borough Council's parking standards had not been met within the design of the site. The Senior Planning Officer stated that the officer report acknowledged that the application did not meet Woking's parking standards and highlighted that the site was located close to bus stops and was a 10 – 15 minute walk from the Byfleet Centre. Further to this, due to the nature of the residents on site, it was not expected that there would be a need for a high number of car parking spaces. Due to the reasons outlined, and because on-street parking was available outside the site, officers were comfortable that parking would not result in an unacceptable situation. Further to this, the Transport Development Management Team had reviewed the parking situation and anticipated movements and had not raised any issues, subject to conditions. The Member stated that they were not confident that the site would accommodate any future uses of the building. In response the Chairman stated that any change of use would need to be considered by the Committee and that it was not always possible to anticipate future uses when making a decision.
10. A Member stated that the site was not in keeping with the local area, that the parking situation was not up to standard and that it should not be assumed that the residents of the site would not use a car. The Member also stated that he had concerns related to the land ownership issue. In regard to parking, the Senior Planning Officer highlighted that there was no specific standard for parking for the category of accommodation proposed.
11. A Member of the Committee stated that they supported the application and that they did not believe the issues related to land ownership to be a planning matter. Further to this the Member stated that the application should be considered on its own merits.
12. The Chairman agreed to make contact with the relevant Cabinet Member to outline the concerns raised by the committee during the item's discussion.
13. The Chairman moved the recommendation and informative agreed which received nine votes for, zero against and two abstentions.

Actions / further information to be provided:

None.

Resolved:

The Committee agreed that, pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, application no. WO/2022/0923 be PERMITTED subject to the conditions outlined within the report and the informative agreed during the meeting.

38/23 SURREY COUNTY COUNCIL PROPOSAL EL/2022/2251 - COVEHAM HOSTEL, ANYARDS ROAD, COBHAM KT11 2LJ [Item 9]

Officers:

Chris Turner, Senior Planning Officer

Key points raised during the discussion:

1. The Chairman introduced the item and noted that a site visit was held for Members of the Planning and Regulatory Committee. The Senior Planning Officer introduced the report and noted that the application was for the Erection of 2x two storey buildings comprising 6 x 1 bed self-contained flats (12x1 bed flats total) for supported independent living, new substation and associated bin stores, cycle stores and hard and soft landscaping. Full details could be found from page 113 of the meeting agenda. An update sheet was published within a supplementary agenda.
2. A Member asked whether there was scope for greater clarity about vehicular movement on the site and whether it would be appropriate to not allow entrance from vehicles from Oakfield Road. Officers explained that access from Anyards Road was wide enough to allow entrance and exit. Officers further said that the access from Oakfield Road was considered to be narrow and that it was highly unlikely to be used to enter the site.
3. A Member asked that an informative be included which outlined that provision be included on site to allow the disposal of food waste.
4. Members noted that the applicant had agreed to amend the colour of the brick to a red brick to allow it to be more in keeping with the surrounding area. Further to this, a condition had been included which stated that building materials needed to be submitted prior to construction.
5. Members noted that the bin store was located adjacent to the neighbours to the east of the site. Officers had consulted the Environmental Health Officer and they did not raise any objections.
6. A Member stated that they supported the application.
7. The Chairman moved the recommendation and the informative agreed during the discussion which received unanimous support.

Actions / further information to be provided:

None.

Resolved:

The Committee agreed that, pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, application no. EL/2022/2251 be PERMITTED subject to the conditions outlined in the report and the informative agreed during the discussion of the item.

39/23 WASTE APPLICATION REFERENCE WO/2020/0993 - ELM NURSERY, SUTTON GREEN ROAD, SUTTON GREEN, GUILDFORD, SURREY GU4 7QD [Item 10]

Officers:

Jessica Darvill, Planning Officer

Key points raised during the discussion:

1. The Chairman introduced the item and officers noted that the item was previously deferred to allow a site visit to be held for Members of the Planning and Regulatory Committee. The application was for the installation and use of an office building and welfare building ancillary to the permitted waste operations at Elm Nursery and the erection of 6 x CCTV cameras on columns, 2 x fuel storage tanks, 2 x open storage bays, 1 x electricity generator, and 1 x fuel storage container (part retrospective). Full details could be found from page 153 of the meeting agenda. An update sheet was published within a supplementary agenda.
2. Members noted that the storage bay was for the use of storing wood chip.
3. The Chairman moved the recommendation which received unanimous support from the committee.

Actions / further information to be provided:

None.

Resolved:

The Committee that planning permission ref: WO/2020/0993 be GRANTED subject to conditions and informatives.

40/23 MINERALS AND WASTE APPLICATION MO/2017/0953/SCC - AUCLAYE BRICKWORKS, HORSHAM ROAD, CAPEL, SURREY, RH5 5JH [Item 11]

Officers:

Samantha Murphy, Principal Development Team Leader

Key points raised during the discussion:

1. The Principal Development Team Leader introduced the item and noted that the application was for review of planning permission ref MO/75/1165 dated 30 July 1976 pursuant to the Environment Act 1995

so as to determine full modern working and restoration condition. Full details could be found from page 229 of the meeting agenda.

2. A Member asked whether it was possible to mitigate the risk of the site remaining dormant for the foreseeable future due to the impact on local residents. Officers explained that a date of 21 February 2042 was set in legislation and so that was the date the applicant should be working to. Members noted that the operators had committed to establishing a community liaison committee to update local residents on any progress. The Member stated that they remained uncomfortable with the arrangement.
3. Members noted that a condition was included to prevent material from the site from entering the public highway.
4. The Chairman moved the recommendation which received unanimous support.

Actions / further information to be provided:

None.

Resolved:

The Committee agreed that following the identification of a new material consideration, the removal of the previous Condition 3 and previous Reason 3 from the list of Conditions and the APPROVAL of new modern conditions as set out in the report and be subject to a Section 106 Legal Agreement as specified in Annex 1.

41/23 DATE OF NEXT MEETING [Item 12]

The date of the next meeting was noted.

Meeting closed at 12.15 pm

Chairman