

MINUTES of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 22 March 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)
Mr Keith Taylor (Vice-Chairman)
Mr Ernest Mallett MBE
Mr Richard Wilson
Mr Jonathan Essex
Miss Marisa Heath
Mrs Mary Angell

Apologies:

Mr Steve Cosser
Mrs Carol Coleman
Mrs Margaret Hicks

179/17 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies for absence received from Steve Cosser, Margaret Hicks and Carol Coleman

180/17 MINUTES OF THE LAST MEETING [Item 2]

The Minutes of the previous meeting were approved as a correct record subject to the following amendments:

That under Minute 175/17 paragraph 2 of 'key points' should read:

Measures for traffic management which could include things such as jersey barriers could affect the way in which you would be able to view the bank and therefore restore and protect the bank, therefore should be considered after traffic management and not before.

That under Minute 175/17 the following be added to paragraph 3 of 'key points' after the third sentence:

Yet Members were concerned that no preventative measures were proposed.

That under Minute 176/17, 'Speakers' paragraph 3 should read:

It was stated that data of vehicle movements had only been received after requests had been made by local residents. The local Member asked that in future these requests be answered in good time.

That under Minute 176/17, the last sentence of paragraph 2 of 'key points' raised should read:

The Committee agreed to add an informative to ask the applicant to submit vehicle movement data in advance of each six monthly liaison meeting.

181/17 PETITIONS [Item 3]

There were none.

182/17 PUBLIC QUESTION TIME [Item 4]

There were none.

183/17 MEMBERS' QUESTION TIME [Item 5]

There were none.

184/17 DECLARATIONS OF INTERESTS [Item 6]

There were none.

185/17 MO/2016/1563 - LAND AT BURY HILL WOOD, COLDHARBOUR LANE, HOLMWOOD, SURREY RH5 6HN [Item 7]

This item was deferred as the Secretary of State had requested an Environmental Impact Assessment be undertaken.

186/17 MO/2016/1752 LAND AT BURY HILL WOOD: CONDITION 14 LANDSCAPE AND RESTORATION MANAGEMENT PLAN [Item 8]

Officers:

Samantha Murphy, Principal Planning Officer
Alan Stones, Planning Development Team Manager
Caroline Smith, Transport Development Planning Manager
Nancy El-Shatoury, Principal Solicitor

Speakers:

Hazel Watson, the Local Member, made the following points:

1. The Local Member referenced the final paragraph of paragraph 13 of the report which stated that '*all planting implemented pursuant to this permission shall be maintained in good, healthy condition and be protected from damage for five years from the completion of site restoration*'. It was asked that this wording be reflected in the Conditions to ensure that the protection from damage was enforceable. It was also asked that programme be implemented to monitor the restoration of trees and shrubs on the site.

Key points raised during the discussion:

1. The Principal Planning Officer introduced the report and the update sheet tabled at the meeting and attached to these minutes. It was explained that the application was for the approval of Condition 14 of an appeal decision which was for an exploratory well site on land at Bury Hill Wood. It was stated that Condition 14 details a Landscape and Restoration Scheme for the applicant site for when drilling work and decommissioning have finished to return the land back to an after use compatible with forestry and to assist in absorbing the site back into the local landscape as soon as practicable. The Committee were informed of further details of the application in which it was noted that 27 letters of representation had been received and that the concerns of both Capel Parish Council and Leith Hill Action Group (LHAG) were outlined in the report. No technical objections had been received.
2. A Member of the Committee referred to the Local Member's comments regarding the restoration of the site and asked if these comments were addressed in Condition 2. The Planning Officer confirmed that these comments were addressed in Condition 2 of the report.
3. Members sought clarification on Japanese Knotweed in which it was confirmed that the applicant had committed to spraying the Japanese Knotweed in the first available spraying season and to continue spraying up until the end of the aftercare period.
4. A discussion was had on adding clarification to Condition 2 on who would be responsible to replace any trees that die over the next five years. Planning Officers confirmed that would be the responsibility with whoever had responsibility of the land at that time. It was asked that discussions be had with the legal team regards to the wording of Condition 2 to make it clearer.

The resolution of the Committee was unanimous

Resolved:

That application MO/2016/1752 Land at Bury Hill Wood: Condition 14 Landscape and Restoration Management Plan was approved subject to conditions and reasons set out in the report

Actions/further information to be provided:

None.

187/17 SP12/01487 - LAND AT WATERSPLASH FARM, GASTON BRIDGE ROAD AND FORDBRIDGE ROAD, SHEPPERTON, SURREY, TW16 6AU [Item 9]

This item was deferred at the request of the Applicant.

188/17 WO/2017/0102 - ELM NURSERY, SUTTON GREEN ROAD, SUTTON GREEN, GUILDFORD, SURREY GU4 7QD [Item 10]

Officers:

Alan Stones, Planning Development Team Manager
 Caroline Smith, Transport Development Planning Manager
 Nancy El-Shatoury, Principal Solicitor

Key points raised during the discussion:

1. The Planning Development Team Manager introduced the report and informed the Committee that the application was a details pursuant following from the planning permission received in August 2016. The details of the application related to noise, surface water drainage, planting and the colours of the items on the site. The concerns of local residents were highlighted as well as comments received from the local Member.
2. The Planning Development Team Manager read out comments made by the local Member who stated that a drawing received in April 2016 was not realistic and did not cover the detail that was necessary to understand what was proposed and how noise would be mitigated. The Planning Development Team Manager replied to the Local Members comments referencing the details outlined in the report regarding the concrete structure built to mitigate noise levels. The Committee noted that the Noise Consultant was satisfied with this strategy. Further points in the report were highlighted which confirmed that the site would continue to be monitored as the site progressed.
3. A Member queried the possibility of control measures to mitigate noise levels not being satisfactory. He asked for confirmation that if that was the case that further noise insulation be put in place later. The Planning Development Team Manager highlighted that the conditions stated a certain noise level and if that was exceeded then it would be the applicant's responsibility to ensure these standards were met.
4. The Planning Development Team Manager confirmed that there was not enough space to have more than a single line of planting and that a number of species were proposed to be planted.

The resolution of the Committee was unanimous

Resolved:

That application WO/2017/0102 - Elm Nursery, Sutton Green Road, Sutton Green, Guildford, Surrey GU4 7QD be approved subject to the conditions and reasons set out in the report.

Actions/further information to be provided:

None.

189/17 SP13/01153/SCA1 - CHARLTON LANE WASTE MANAGEMENT FACILITY, CHARLTON LANE, SHEPPERTON, TW17 8QA [Item 11]

Officers:

Stephen Jenkins, Deputy Planning Development Manager
 Alan Stones, Planning Development Team Manager
 Caroline Smith, Transport Development Planning Manager
 Nancy El-Shatoury, Principal Solicitor

Key points raised during the discussion:

1. The Deputy Planning Development Manager introduced the report and informed members that it the proposal was for 36 non-material amendments that arose during the construction of the project. It was

highlighted that permission had already been granted and that the current application was to approve the amendments. The Deputy Planning Development Manager listed the details of the report stated that as a whole this did not constitute a material change.

2. A Member of the Committee raised concerns over the wording used in the report and how it could be portrayed to members of the public. It was said that the description of 'material' and 'non-material' used in the report could be easily misunderstood and that information on how this is decided could be clearer and better publicised. Members noted details of the report which could be seen as misrepresented and how the description of 'material' and 'non-material' changes were possibly inaccurate.
3. The Member went on to discuss the consultation process of the application and stressed that local residents could have been better communicated with and informed of the changes at the site. The Deputy Planning Development Manager responded to the Members comments regarding the consultation process by stating that the government states that it is discretionary and that publicity and consultation was not mandatory in this case. It was noted that a Local Liaison Group which included local residents were informed of these changes prior to the application being received. Officers stated that site notices were put up and that consultation was had with the local district authority as well as the local residents association and the three Local Members. Officers went on to confirm that they believed that this consultation was appropriate due to the nature of the changes.
4. Members of the Committee questioned if the Local Liaison Group had been informed once the application had been received. Officers confirmed that the group had been informed before the application was received and that once received it was published on the Surrey County Council website, district website and site notices were put up.
5. Members of the Committee made clear that the description of 'material' and non-material' amendments should be better publicised to prevent further confusion. Officers agreed to include clarification of what 'material' and non-material' amendments were, with examples of these, on the Surrey County Council website.

Resolved:

That application SP13/01153/SCA1 - Charlton Lane Waste Management Facility, Charlton Lane, Shepperton, TW17 8QA be approved subject to the conditions and reasons set out in the report.

Actions/further information to be provided:

None.

Marisa Heath left the meeting at 11:45am

**190/17 GU17/P/00129 - ST PETERS ROMAN CATHOLIC COMPREHENSIVE
SCHOOL, HORSESHOE LANE EAST, GUILDFORD, SURREY GU1 2TN
[Item 14]**

Officers:

Dawn Horton-Baker, Senior Planning Officer
Alan Stones, Planning Development Team Manager
Caroline Smith, Transport Development Planning Manager
Nancy El-Shatoury, Principal Solicitor

Key points raised during the discussion:

1. The Senior Planning Officer introduced the report and the update sheet tabled at the meeting. It was explained that the application proposed to expand St Peters school from a 6 forms of entry to a 7 forms of entry school which would mean an increase of 150 pupils. It was confirmed that a stand-alone two story building would be erected in the centre of the site and that refurbishment of other parts of the site were planned. Further details of the application were confirmed in which the Committee noted that four letters of objection had been received and that an objection had been received from Sport England due to the loss of playing field land. Therefore this application would need to be referred to the Secretary of State.
2. Members highlighted the necessity of the application due to the urgent need for school places in the area. It was stated that although there were traffic concerns that the school had a good record of mitigation by supporting transport by non-car modes.
3. Members discussed the design process for school buildings and how it was of the opinion of some, that the quality could be improved. The Planning Development Control Manager explained that the design of the schools followed rules set out in a development plan which ensured the building met requirements. It was stated that further alterations would have cost implications.
4. A Member of the Committee highlighted the objection received from Sport England and asked if the council allowed for a right of reply. The Senior Planning Officer confirmed that the school had considered the comments but decided that the playing field would not be used differently following the development.
5. Members raised concerns about the two trees which would be removed to accommodate two parking spaces at the site. Members sought clarification over the size of the trees which would replace the ones removed. Officers confirmed that the two trees had previously been given permission to be removed by Guildford Borough Council therefore the principle of the trees being removed had already been established. Officers also confirmed that appropriate replacement trees would be planted at the site.
6. Due to Members possibly being unaware of the location of the site, Members asked that phrases such as 'vicinity' and 'surrounding area' were not used and that the report was more specific when explaining details of the area. Officers highlighted that the report did include detail of what constitutes the local area. It was stated that, if helpful, a plan would be included in future reports to further clarify what was meant by the local area.

7. Members sought clarification on the hours of working for the site which the officer stated that these would usually be implemented at the local district level. It was stated that if the Committee wished, these conditions could be reflected in the report which the Committee agreed.

The resolution of the Committee was unanimous

Resolved:

That Application GU17/P/00129 - St Peters Roman Catholic Comprehensive School, Horseshoe Lane East, Guildford, Surrey GU1 2TN, subject to referral to Secretary of State, be approved subject to the reasons and conditions set out in the report.

Actions/further information to be provided:

None.

191/17 RU.17/0060 - LAND AT SALESIAN SCHOOL, GUILDFORD ROAD, CHERTSEY, SURREY KT16 9LU [Item 15]

Officers:

Alex Sanders, Principal Planning Officer
 Alan Stones, Planning Development Team Manager
 Caroline Smith, Transport Development Planning Manager
 Nancy El-Shatoury, Principal Solicitor

Key points raised during the discussion:

1. The Principal Planning Officer introduced the report and the update sheet tabled at the meeting. Members were informed that the application proposed to build a two story teaching block which would facilitate the expansion from an 8 forms of entry to a 9 forms of entry school. It was confirmed that nine letters of objection had been received that were mostly in regard to the increase of traffic movements in the area.
2. Members spoke about the urgent need for school places in the area.
3. A discussion was had around the design of the school in regards to air quality control in which officers stated that guidance was received from the Air Quality Consultation and that in this case they were satisfied with the design.
4. Members questioned the reasoning behind the cancelling of the school bus which officers confirmed that the cancellation of the bus was due to lack of pupils using it and therefore making it economically unviable.

Resolved:

That application RU.17/0060 - Land at Salesian School, Guildford Road, Chertsey, Surrey KT16 9LU be approved subject to reasons and conditions set out in the report.

Actions/further information to be provided:

None.

The Committee adjourned at 12.35pm for lunch and the Committee reconvened at 13.03pm.

Marissa Heath gave her apologies for the afternoon session of this meeting.

192/17 TA11/1075 - OXTED SANDPIT, BARROW GREEN ROAD, OXTED, SURREY, RH8 0NJ [Item 12]

Officers:

Samantha Murphy, Principal Planning Officer
 Alan Stones, Planning Development Team Manager
 Caroline Smith, Transport Development Planning Manager
 Nancy El-Shatoury, Principal Solicitor

Key points raised during the discussion:

1. The Planning Officer introduced the item and informed the Committee of the applications details outlined in the report. It was stated that 10 letters of representation had been received that were specifically in relation to the recent consultation which was covered in the officers report and the update sheet tabled at the meeting. The Committee noted two typos in the report which were in paragraph 72 which referred to a draft section 106 agreement being appended which it should state a 'draft heads of term' and in paragraph 95 it writes Sand Martin nests become 'invested' when it should state 'infested'.
2. Members drew attention to condition 10 which stated that HGV movements would include some Saturdays. The Planning Officer stated that this was an oversight and that the applicant agreed that there would be no movements on Saturdays. Therefore reference to Saturday HGV movements would be removed from Condition 10.
3. In response to a Member query it was explained that this site was originally granted permission back in the 1970s and that it was always to be restored to its original state. All mineral workings have to be reinstated to something appropriate to the area.

Resolved:

1. That subject to the prior completion of a Section 106 Agreement to secure a routing agreement for HGV vehicles accessing and egressing Oxted Sandpit, to permit application TA11/1075 - Oxted Sandpit, Barrow Green Road, Oxted, Surrey, RH8 0NJ subject to conditions.
2. That the following changes to conditions, as stated in the submitted report be amended:
 - Reference to Saturday HGV movements would be removed from Condition 10
 - That Condition 13 stipulates the hours and days of operation for maintenance.
 - That Condition 26 be amended to include damage to existing nests.

Actions/further information to be provided:

None.

193/17 TA13/1653 - LAND AT OXTED SANDPIT, BARROW GREEN ROAD, OXTED, SURREY, RH8 0NJ [Item 13]**Officers:**

Samantha Murphy, Principal Planning Officer
Alan Stones, Planning Development Team Manager
Caroline Smith, Transport Development Planning Manager
Nancy El-Shatoury, Principal Solicitor

Key points raised during the discussion:

1. The Principal Planning Officer introduced the report and the update sheet tabled at the meeting and informed Members that the application proposed the installation and retention of a bunded fuel storage, wheel wash, site reception offices, weighbridge and hardstanding and the upgrade to the site access. The Officer outlined further details of the report and confirmed that 10 letters of representation had been received.

Resolved:

That application TA13/1653 - Land at Oxted Sandpit, Barrow Green Road, Oxted, Surrey, RH8 0NJ be approved subjected to conditions set out in the report.

Actions/further information to be provided:

None.

194/17 DATE OF NEXT MEETING [Item 16]

The date of the next meeting was noted.

Meeting closed at 1.40 pm

Chairman

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Planning & Regulatory Committee 22 March 2017

Item No

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UPDATE SHEET**MINERALS/WASTE MO/2016/1752****DISTRICT(S)** MOLE VALLEY DISTRICT COUNCIL**Land at Bury Hill Wood, off Coldharbour Lane, Holmwood, Surrey RH5 6HN****Details of a Landscape and Restoration Plan pursuant to Condition 14 of appeal ref: APP/B3600/A/11/2166561 dated 15 August 2015.****CONSULTATIONS AND PUBLICITY*****Additional key issues raised by public***

A further letter of representation has been received however whilst it refers to this planning application it is actually raising concerns with regards to another planning application for this site, application ref: MO/2017/0255, for the installation of a reptile fence and makes no comments in relation to this application.

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UPDATE SHEET**SURREY COUNTY COUNCIL PROPOSAL GU17/P/00129****DISTRICT(S)** GUILDFORD BOROUGH COUNCIL**St Peters Roman Catholic Comprehensive School, Horseshoe Lane East, Guildford, Surrey GU1 2TN**

The erection of a two storey building to provide 8 x general teaching rooms, 3 x art class rooms, a chapel and other associated facilities, refurbishment of parts of the existing music and science blocks, creation of new tennis court / coach parking and hard play area, creation of 17 additional car parking spaces and 20 additional cycle parking spaces, landscaping and other associated works.

Amending Documents (Since report published)

Proposed Site Plan CD160403-TOD-XX-ZZ-DR-A-1004 Revision G dated December 2016
E mail from applicant's agent dated 7th March 2017 regarding playing pitches

DESIGN AND VISUAL AMENITY**Addendum to Paragraph 50**

Since the report was prepared the applicants have reconsidered the proposed fencing around the replacement hard play area and no longer require the removable cricket netting to a height of 6m as described in paragraph 16 of the report, nor the 2m high permanent weldmesh fence. An amended plan has been received which shows 2m high netting around three sides of the hard play area with part of the side adjacent to the access road remaining open. Officers consider that this change is acceptable and it also addresses the objection received from a member of the public as set out in point 4 in paragraph 24.

DEVELOPMENT ON PLAYING FIELDS**Addendum to paragraph 81**

Since the report was prepared the applicants have further considered the objection from Sport England and the level of playing pitch provision on the school site. They have reviewed the ability of the school's existing playing field to accommodate football playing pitches in the light of Sport England's comments. As a result of this they comment that the northern playing pitch at the school is not capable at present of accommodating anything larger than a u11/12 pitch and the proposed situation does not alter this. The exercise has been completed using the playing pitch sizes as set out in Sport England's Guidance. Consequently, it appears to them that the proposals do actually meet Sport England's Playing Field Policy exception E3, as they only utilise land which is incapable of being used for a playing pitch and does not affect its current capabilities in terms of the provision of sport.

Officers welcome this additional information and agree with the applicants comments. The conclusion on this issue remains as set out in paragraph 87, with the application still having to be forwarded to the Secretary of State.

RECOMMENDATION

Condition 2

Insert on line after CD160403-TOD-XX-ZZ-DR-A-1002 Revision F dated 17/01/2017 Existing Site Plan, **the following:**

CD160403-TOD-XX-ZZ-DR-A-1003 Revision H dated 17/01/17 Proposed Site Plan

Delete next line CD160403-TOD-XX-ZZ-DR-A-1004 Revision H dated December 2016 and **insert the following:**

CD160403-TOD-XX-ZZ-DR-A-1004 Revision G dated December 2016 Proposed Site Plan

Condition 6

d) ...add to end of current sentence *for climate change to ensure there is no significant flooding or offsite*

UPDATE SHEET**SURREY COUNTY COUNCIL PROPOSAL RU.17/0060****DISTRICT(S)** RUNNYMEDE BOROUGH COUNCIL**Land at Salesian School, Guildford Road, Chertsey, Surrey KT16 9LU**

The erection of a two storey building to provide 12 general teaching classrooms and associated works including the creation of 6 additional car parking spaces and 10 additional cycle parking spaces, extension of internal access road, creation of soakaway, hard landscaping works and works to trees.

Amending Documents (Since report published)

Email from Transport Consultant dated 21/03/17

Amend wording of paragraph 40 to the following:

40. On the basis of the current mode share, and taking no account of any mode shift or car sharing that may occur as a result of the successful implementation of travel plan measures, but reallocating the school bus pupils between public bus (6%), car (47%) and train (47%), the proposed expansion of the school could result in an increase of 115 children coming to school by car. This is considered to be a worst case scenario. It may be that once the school is at full capacity, a school bus will be reinstated but there is no certainty that this will happen so no account is taken of it at this stage. Were it to be reinstated, the additional number of children travelling by car would be around 74.

Amend wording of paragraph 40 to the following:

41. The additional parking demand of 115 cars can be met at school drop off in the a.m. period but demand is likely to exceed supply in the p.m. pick up peak. This will result in short term parking stress on Green Lane. There is no suitable mitigation for this other than the school strongly advocating the travel plan and encouraging pupils to use non-car modes and/or car sharing to access the school. The school's existing good accessibility by non-car modes makes this a realistic option.

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Planning & Regulatory Committee 22 March 2017

UPDATE SHEET

MINERALS/WASTE TA11/1075

DISTRICT(S) TANDRIDGE DISTRICT COUNCIL

Oxted Sandpit, Barrow Green Road, Oxted, Surrey, RH8 0NJ

The infilling of the former quarry void with inert waste as defined in Regulation 7 (4) of the Landfill (England and Wales) Regulations 2002, together with any engineering materials necessary to line and cap the site and soils for restoration without compliance with Condition 3 of planning permission ref: TA94/0980/A3 dated 6 June 2007 for a further eight years.

CONSULTATIONS AND PUBLICITY

District Council

Consultees (Statutory and Non-Statutory)

RSPB have commented further saying “*The RSPB remains unconvinced that the methods of working will satisfactorily avoid damage or disturbance to the sand martin colony. The RSPB therefore recommends that if Surrey County Council is minded to grant consent for the application it should be subject to the following conditions:*

1. *A buffer zone of 4m vertically to be provided and maintained beneath the lowest sand martin nest on the southern face of Oxted Sandpit during the filling of Phase 3, the restoration of the sand pit and during the aftercare period in accordance with plan SHF.089.001.L.D.003. E*
2. *All works to stop within a 30 meter demarcation area around the sand martin colony between March – September*
3. *As an effective mitigation measure a wetland area and temporary sand martin nesting towers as shown on plan SHF.089.001.L.D.002. E and SHF.089.001.L.D.004 should be installed before Phase 3 to allow a replacement habitat to be available before the infilling of Phase 3. Allow for a minimum of one breeding season between the installation of the sand martin towers and the infilling in Phase 3.*

The conditions should be such that no damage occurs to any of the existing nests not “the majority of holes”.

Parish/Town Council and Amenity Groups

Additional key issues raised by public

Six further letters of representation have been received on this application raising the following concerns:

Documents and Environmental Impact Assessment

- a. The errors that are in the sand martin document are serious and should be addressed by a new report which is error free.
- b. The report to the 2014 Planning and Regulatory Committee was deferred on ecological grounds. As a result of further work, it would appear that the applicant has agreed to protect the colony by a combination of leaving 4m of cliff below the level of the lowest holes/ burrows and giving the restored surface a gentle incline of about 1:10 towards the base of this cliff. I believe that these conditions would satisfy most of the interested parties. Unfortunately, the reports submitted - *Environmental Statement Ecology Addendum-3* and *Environmental Statement Addendum*, together with the associated drawings – do not appear to be sufficiently accurate or detailed to enable these

requirements to be met or subsequently monitored and contains information that is ambiguous. As long as the ambiguities remain in the reports and drawing then there is room for confusion and for mistakes to occur.

- c. I'm glad you recognise the nesting season to be March to September. Unfortunately, the mitigation report (section 2.2.1) still says "April to July", another mistake continued over from the first iteration of the report. It is important this is corrected in the report to prevent disturbance of nesting birds.

Conditions

- d. Support planning conditions to ensure the concerns are not materialised but am worried about enforcing the conditions

Sand Martins

- e. The 'Cliff face and preserved habitat' plan dated 3 March 2017 shows two indicative sections through the cliff face. The face of the western section is deeper than the eastern section presumably because the sand martins' nests are in a thinner band towards the east. I assume that the face will get thinner as it continues eastwards but I suspect that it will not get deeper as it continues westwards. I would ask for clarity of the depth of the face at each end of the bank.
- f. It is quite likely that the changes to the immediate landscape will deter sand martins from breeding and the depth of the face may be critical in continuing to attract breeding birds. I would like to see a 4m buffer below the lowest nesting hole/burrow, which would continue along the entire bank so the buffer zone would be more than 4m at the eastern end where the sand martin holes are higher; such a bank would be more attractive. There would be a further small loss of void for landfill but it might well be critical in continuing to attract sand martins. It would be very disappointing for all parties if sand martins did desert the site so another small loss of void is very worthwhile.
- g. The buffer zone is supposed to be below the lowest sand martin burrow, clearly 4m from the top of the cliff will not allow for this. The expanse of the cliff face used by the sand martins is not a regular 'band' and the protection zone needs to start from the base of the lowest burrow. The precise area of the nesting holes should be measured, including the distance between the lowest holes and the cliff top.
- h. Protection should be given to all of the holes/ burrows not just those in use.
- i. There should be no works in Phase 3 during the nesting season.
- j. The nesting towers should be in place before Phase 3.
- k. Terminology is important i.e. nest burrows or occupied burrows. The advice from the RSPB is that *all* burrows should be safeguarded. There are in excess of 100 holes in the colony but not all are used every year. Different burrows are chosen between years and even between broods. Preservation of the part of the cliff containing all the holes is important for the colony's continuing survival. With this in mind it should be quite possible to accurately survey the colony's position and thus the extent of the 'buffer' at this stage and not at some time in the future. Please bear in mind that Phase 3 might not start for 5-6 years and in that time personnel change and the original intention of the mitigation might be lost. There is no need to wait till then as this information should already be decided by now. A check on any new burrows that appear below the current lowest holes and agreement on this is what is required at that point.
- l. I think the issue of the artificial towers is a bit of a diversion. Their success is unproven and their placement, by the main access route, would subject them to much disturbance. Every effort should be made not to disturb the birds while nesting and disturbance causing them to desert their nests, whether in the sand face or in the towers, would be a criminal offence. However, it has now been agreed that the towers would be placed before the start of Phase 3, which would at least ensure that some mitigation is in place prior to potential disturbance. There are further errors in drawing SHF.089.001.L.D.007 (Phasing Plan), most serious of which is the annotation to 'Stage 2: years 2-4' which states "Temporary Sand Martin Nesting Towers erected once restoration works to Phase 3 are completed". The mitigation measures needs to be available before the infilling in Phase 3.
- m. The intention is to save the colony and the whole cliff face should be left intact and undisturbed with adequate and unequivocal plans demonstrating this both by way of

adequate clearance below the nesting stratum and a sufficient and safe buffer zone in front of it

S106 Agreement

- n. Note that the any planning permission to be granted would be subject to a Section 106 Agreement regarding Barrow Green Road. Request that a binding S106 Agreement that commit the applicant to provide a suitable sum of money to be held by the Council which is ring fenced so all the mitigation proposals can be carried out.

Ecological Assessment

- o. Criticism of the ecological assessment conducted in 2016 and submitted recently. The survey was carried out in February therefore there would have been a non existence of various species. There is the presence of lapwings, common snipe, jack snipe and green sandpiper. Why are these not cited in the Environmental Statement Ecology Addendum.

Time period reporting to committee

- p. Object as the timing of when the consultation period expires, close of play 22 March, will not allow time to include any further points made by objectors in the Officer report notwithstanding further comments being made in the advertised consultation period. This is procedurally wrong. If the item is still taken to committee ensure all members of the committee are given right to read [new reps] before committee.

Policy

- q. Implore members to request Officers to bring to Council a report on the success of Policy MC17 [of the Surrey Minerals Plan 2011] and to consider the introduction or adoption of a more flexible approach that recognises the need to preserve exceptional biodiversity.

Officer comment

Time period reporting to committee

Officers are aware the date on the site notice is for 22 March 2017, the same day as this committee.

The Town and Country Planning (Development Management Procedure) (England) Order 2015 Part 6 'Determination' Regulation 33(1) states:

"a local planning authority must, in determining an application for planning permission, take into account any representations made where any notice of, or information about, the applications has been –

- (a) *Given by site display under article 13 or 15, within 21 days beginning with the date when the notice was first displayed by site display;*
- (b) *Served on –*
- i. An owner of the land or a tenant of an agriculture holding under article 13;*
 - ii. An adjoining owner or occupier under article 15; or*
 - iii. An infrastructure management under article 16,*
Within 21 days beginning with the date when the notice was service on that person, proved that the representations are made by any person who they are satisfied is such an owner, tenant, occupier or infrastructure manager; or
- (c) *Published in a newspaper under article 13 or 15 or on a website under article 15 within the period of 14 days beginning with the date on which the notice or information was published"*

Section 34(9a) states that you cannot determine a planning application before the site notice has been displayed for 21 days.

The site notice for this application was dated 22 February 2017. The 14 day period with regards to Regulation 33(1)(c) would be **8 March 2017**. The 21 day period with regards to Regulation (1)(a) would be **15 March 2017**.

The Town and Country Planning (Environmental Impact Assessment) Regulation 2011 Regulation 22(7) states:

“Where information is requested under paragraph (1) or any other information is provided, the relevant planning authority, the Secretary of State or the inspector, as the case may be, shall suspend determination of the application or appeal, and shall not determine it before the expiry of 14 days after the date on which the further information or any other information was sent to all persons to whom the statement to which it relates was sent or the expiry of 21 days after the date that notice of it was published in a local newspaper, whichever is the later”.

The period of 14 days after the information was sent to persons to which it relates would be **23 February 2017** (the information was sent on 9 February). The 21 day period would be **15 March 2017**.

As such the application complies with the requirements of the regulations and a period of 21 days post the posting of the site notice has passed. The time given in the site notices and newspaper advert go over and above the time period required in the Regulations.

Officers note that the date for comments on the notice does expire on 22 March 2017. Officers consider that the period of time that will have to be afforded for the completion of the S106 Agreement and the requirement to go through a review process in accordance with the Kides Protocol will afford the opportunity for reviewing any further representations that may be received on and by 22 March 2017.

Documents and Environmental Impact Assessment

Officers recognise there is some ambiguity in the documents submitted as part of the planning submission including the Environmental Statement. However Officers consider that the required mitigation can be secured by appropriately worded conditions being attached to any planning permission granted. With references to the criticisms levelled at the submitted Environmental Statement, the issues highlighted are not of such a type of scale as could reasonably be considered to render the Environmental Statement inadequate, as the question of the impact of the development on the sand martin colony has been addressed in the Environmental Statement.

Regulation 3 of the Environmental Impact Assessment Regulations 2011 (as amended) prohibits the grant of planning permission until the planning authority has “...*first taken the environmental information into consideration, ...*” with ‘environmental information’ defined in Regulation 2 as meaning “...*the environmental statement, including any further information and any other information, any representations duly made by any body required by these Regulations to be invited to make representations., and any representations duly made by any other person about the environmental effects of the development*”. Officers consider the application can proceed to determination having taken account of the relevant environmental information which in this case including the Environmental Statement and the comments provided by representations.

The Environmental Impact Assessment team have reviewed the information submitted and the comments raised by representations and raise no concerns with regards to the Environmental Statement.

Ecological Assessment

The baseline ecological survey conducted in 2016 and submitted recently was a follow up survey to previous surveys carried out for the site to check whether there had been any substantive changes on site.

Sand Martins

The RSPB advice is that if there are exposed faces that will be worked upon during the breeding season it is advisable to make these uninviting to sand martins before they arrive. This can be done by before each nesting season, including making batters on faces so they are less attractive to sand martins and/ or netting areas.

Officers are satisfied that the concerns raised with regards to the protection of the sand martins that these can be covered by condition. The RSPB have raised no objection to the proposal and have requested conditions be imposed. The conditions are set out below but in summary these cover:

- The requirement for a 4m buffer zone beneath the lowest hole/ nest/burrow
- That the sand martin nesting towers are in place and verified for use before the commencement of Phase 3 and that they are in place for at least one nesting season before commencement of Phase 3
- That no works shall be carried out within a 30m stand off from the southern phase during the sand martin bird nesting season
- That a scheme of working of Phase 3 be provided which would include how they would determine what the lowest nest/ burrow/ hole is and for this to be done before commencement of Phase 3. This would take into account how the face of the western section is deeper than the eastern section i.e. that there are more holes/ nests/ burrows in the western section of the face than the east.

These conditions would ensure that all burrows/ holes/ nests are protected. The conditions require for annual sand martin surveys to continue to monitor their activities. Officers consider there is no requirement for the applicant to set out the lowest nest/ burrow/ hole at this present time as Phase 3 may not be worked for a period of 5 years and there could be a change in circumstance which would be captured by the annual sand martin surveys and the working programme for Phase 3. Officers make the following recommended conditions to replace conditions 21-29 in the officer report.

RECOMMENDATION

The third sentence of paragraph 3 (Background) should refer to 75,000 tonnes **per annum**. This is so not to cause confusion in terms of the volume of remaining voidspace referred to in the previous report to Planning and Regulatory Committee in June 2014.

The following conditions should be replace those in the Officer report:

Condition 1 (plans and drawings) should read:

The development hereby approved shall be carried out and maintained in all respects strictly in accordance with the following plans, drawings and documents:

Drawing SHF.089.001.L.D.001 E Location and Context Plan September 2016
 Drawing SHF.089.001.L.D.002.E Restoration Plan September 2016
 Drawing SHF.089.001.L.D.003.E Cliff Face and Preserved Habitat Plan September 2016
 Drawing SHF.089.001.L.D.004.D Planting Plan September 2016
 Drawing SHF.089.001.L.D.005.D Detailed Wetland Planting Plan September 2016
 Drawing SHF.089.001.L.D.006.A Viewpoint Locator Plan June 2016
 Drawing SHF.089.001.L.D.007.A Phasing Plan September 2016
 Drawing 2v2 Restoration Plan with Revised Contours September 2015
 Drawing 1001/KILLOXTED/001 Borehole Position and Level Survey 23 September 2008
 Drawing 103-21121 Road and Access improvements
 Drawing 104-21121 rev B Section 278 Agreement Highway Works General Layout 9 July 2012
 Drawing 105 Planning Application for Highway Works and Ancillary Works Site Layout 9 July 2012
 Drawing ES-08 Environment Agency Source Protection Zones May 2011
 Drawing ES-09 Environment Agency Aquifer Classifications May 2011

Drawing ESID3 Installation Design 1 November 2007
 Drawing SWMP 01 Existing Site Information 16 February 2010
 Drawing: LVIA-3 Environmental Statement LVIA Existing Profile dated June 2013
 Figure 06 Area Sensitive Receptors - Landscape Designations dated May 2011
 Figure 07 Page 1 of 2 – Site Photographs May 2011
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 Figure 1 Location Plan May 2011
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 Figure 5 The extent of the Environment Agency's flood zones 2 and 3
 Figure B.1 Area Plan Showing Site Location
 Figure B.2 Plan of Site and Receiver Locations
 Figure B.3 Noise Model Calculation Locations and Bund Location
 Figure ES-01 General Site Area dated May 2011
 Figure ES-02 Location Plan dated May 2011
 Figure ES-03 Site Plan dated May 2011
 Figure ES-05 Local Sensitive Receptors dated May 2011
 Figure ES-10 Area Route Network May 2011
 Figure ES-11 Drawing 101-21121 Site Access & Local Highway Network
 Figure LVIA 2 Environmental Statement LVIA - Photographs June 2013
 Figure LVIA-1 Environmental Statement LVIA Aerial View dated April 2013
 Figure NTS-01 General Site Area May 2011
 Figure NTS-02 Location Plan May 2011
 Figure NTS-04 Site Plan May 2011
 Figure NTS-05 Site Location Plan May 2011
 Figure PS-S-2 Site Plan dated June 2013
 Figure PS-S-3 Context Plan June 2013
 Figure R-S-1 Restoration Scheme Site Location (aerial) dated June 2013
 Figure R-S-2 Restoration scheme Photographs – site context
 Figure-01 Location of Dormouse Nest-Tubes dated January 2012
 Figure-02 Reptile Survey Location of Refugia Under Forthcoming National Guidance dated January 2012
 Figure-03 Great Crested Newt and Invertebrate Survey dated January 2012

Reason: For the avoidance of doubt and in the interests of proper planning.

New condition 2b should be inserted after Condition 2 reading:

Commencement

The development to which this permission relates shall be begun not later than the expiration of two years beginning with the date of this permission. The applicant shall notify the County Planning Authority in writing within seven working days of the commencement of the implementation of the planning permission.

Reason: To enable the County Planning Authority to exercise control over the site for the development hereby permitted and its duration.

Reason for condition 2: To enable the County Planning Authority to exercise control over the site for the development hereby permitted and its duration.

Condition 3 (Time scales) should read:

Infilling and restoration of the sandpit shall be completed in all respects within eight (8) years from the date of commencement as referred to in Condition 2b. All buildings, plant and machinery (both fixed and otherwise) and any engineering works connected therewith, on or related to the application site (including any hard surface constructed for any purpose), shall be

removed from the application site and the site shall be fully restored to a condition suitable for agriculture in accordance with the details set out in Conditions 31, 36 and 37.

Reason: To comply with Section 91 (1)(a) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004

Reason for condition 4: To maintain planning control over the development hereby permitted in an area of the Metropolitan Green Belt where mineral working development is a temporary activity and not appropriate as of right in accordance with National Planning Policy Framework and Surrey Waste Plan 2008 Policy CW6.

Reason for Conditions 5-7: To ensure the availability and purity of the underground water which is within a water borehole aquifer and to protect the free flow and purity of surface water in accordance with policies DC2 and DC3 of the Surrey Waste Plan 2008.

Condition 8 (hours of operation) should read:

No machinery shall be operated, no process shall be carried out, and no deliveries shall be taken at or dispatched from the application site outside

0700 to 1800 hours Monday to Friday

nor at any time on Saturdays, Sundays, Bank, National or Public Holidays. This condition shall not prevent the carrying out of maintenance works on Saturdays and of emergency operations but these are to be notified to the County Planning Authority in writing within 5 working days.

Reason: To enable the County Planning Authority to exercise control over the site for the development hereby permitted and its duration in accordance with Surrey Waste Plan 2008 Policy DC3.

Reason for Conditions 9, 10 and 12: To ensure that the development should not prejudice the condition of safety on the highway, nor cause inconvenience to other highway users and to safeguard the local environment, to comply with Surrey Waste Plan 2008 Policy DC3.

Condition 11 (wheel cleaning) should read:

The operator shall keep the public highway clean and prevent the creation of a dangerous surface condition on the public highway. The wheel washing facilities shall be retained and used by all HGV's egressing the site prior to passage onto the highway. The wheel wash shall be capable of effective use whenever operations are carried out.

Reason: To ensure that the development should not prejudice the condition of safety on the highway, nor cause inconvenience to other highway users and to safeguard the local environment, to comply with Surrey Waste Plan 2008 Policy DC3.

Reasons for Conditions 13 – 18: In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.

Reasons for Conditions 19-20: In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.

Condition 21 (ecological survey) should read:

Prior to the commencement of basal engineering or sidewall construction works or infilling of the site, an ecological survey shall be carried out to identify if protected species or species of conservation concern are found in these areas. If any such species are found in this survey, the potential impacts will be considered and mitigation measures drawn up and submitted to the County Planning Authority for approval in writing.

Reason: To protect species of conservation concern as identified in Section 41 of the Natural Environment and Rural Communities Act 2006, paragraph 117 (third bullet) of the NPPF and Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Council Core Strategy 2008 Policy CSP17.

Reason for Condition 22: In the interests of amenity and wildlife conservation to comply with Surrey Waste Plan 2008 Policy DC3.

Condition 23 (sand martins) should read:

A 4 metre vertical buffer zone beneath the lowest sand martin nest/hole/ burrow shall be provided and maintained, as determined by condition 26 and assisted by condition 25, on the southern face of Oxted Sandpit in accordance with plan SHF.089.001.L.D.003.E Cliff Face and Preserved Habitat Plan dated September 2016.

Reason: To comply with the terms of the application and in the interests of biodiversity and wildlife conservation to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Council Core Strategy 2008 Policy CSP17.

Condition 24 (sand martins) should read:

No works shall be carried out within a 30 metre demarcation area from the southern face of the quarry between the months of March and September.

Reason: To comply with the terms of the application and in the interests of biodiversity and wildlife conservation to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Council Core Strategy 2008 Policy CSP17.

Condition 25 (sand martins) should read:

A survey of the sand martin nests/holes/ burrows on the southern face of Oxted Sandpit shall be carried out yearly by a suitably qualified person until the completion of infilling. The survey should include an estimate of the total number of nesting holes/burrows, an estimate of the number of occupied nesting holes/burrows, an estimate of the numbers of pairs of birds, date of nesting holes/burrows first used, date the young birds left the nest/holes/ burrows and dates and names of the surveyors. The annual surveys shall be submitted to the County Planning Authority for approval in writing.

Reason: To comply with the terms of the application and in the interests of biodiversity and wildlife conservation to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Council Core Strategy 2008 Policy CSP17.

Condition 26 (sand martins) should read:

Within 18 months prior to the commencement of basal engineering or sidewall construction works in Phase 3, a scheme of working of Phase 3 shall be submitted to the County Planning Authority for approval. The scheme of working shall provide the following information:

- Details of how the lowest sand martin nest/ hole/ burrow has been demarcated with verification of this by a qualified ecologist. The demarcation will be shown on a plan and photographs
- Details of the Above Ordnance Datum (AOD) height of all the lowest nests/hole/ burrow and AOD height of where the height of infilling would be placed, with photographic evidence and a location plan. The AOD levels shall be marked on the full length of the southern face every 2 metres horizontally.
- Details of what information and training that would be provided to operatives working in Phase 3

- Any measures or procedures that may be adopted prior to the sand martin nesting season to prepare for the sand martin arrival
- Ongoing daily on-site monitoring measures of the sand martins that would take place during Phase 3 with inspections recorded.

The basal engineering, sidewall construction, infilling and soil placement shall be carried out in accordance with the approved scheme. The on-site monitoring inspections log shall be made available to the County Planning Authority when requested.

Reason: To comply with the terms of the application and in the interests of biodiversity and wildlife conservation to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Council Core Strategy 2008 Policy CSP17

Condition 27 (sand martins) should read:

Prior to the commencement of basal engineering or sidewall construction works in Phase 3, a method statement for the provision of the sand martin nesting towers as shown on SHF.089.001.L.D.002.E Restoration Plan September 2016 and plan SHF.089.001.L.D.004.D Planting Plan September 2016 shall be submitted to the County Planning Authority for approval. The method statement shall include details of:

- How the sand martin towers are to be constructed
- How the sand martin towers would be inspected and verified for use
- Confirmation of when the sand martin towers will be constructed by

Details of when the sand martin towers may no longer be required and how this would be established.

Reason: To comply with the terms of the application and in the interests of biodiversity and wildlife conservation to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Council Core Strategy 2008 Policy CSP17

Condition 28 (sand martins) should read:

The sand martin towers as referred to in Condition 5 shall be in place having been constructed and verified for a minimum of one breeding season before the commencement of infilling of Phase 3.

Reason: To comply with the terms of the application and in the interests of biodiversity and wildlife conservation to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Council Core Strategy 2008 Policy CSP17.

Condition 29 should be removed.

Reason for Conditions 30 and 31: To ensure the permission is implemented in accordance with the terms of the application and to enable the County Planning Authority to exercise planning control over the development pursuant to Surrey Waste Plan 2008 Policy DC3.

Reason for Conditions 32 – 35: To secure restoration to the required standard and assist in absorbing the site back into the local landscape to comply with Policy MC17 of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document; Surrey Waste Plan 2008 Policy DC3.

Reason for Condition 36: To secure restoration to the required standard and assist in absorbing the site back into the local landscape to comply with Policy MC17 of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document; Surrey Waste Plan 2008 Policy DC3.

Condition 37 (aftercare) should read:

The land shall be brought to the required standard for the intended agricultural and ecological use. The applicant shall notify the County Planning Authority following the cessation of each seasons planting or seeding being completed and not more than one year after that date there shall be a meeting at the site which shall be attended by representatives of the applicant, the owners or their successors in title and the County Planning Authority, to monitor the success of the aftercare. There shall follow an annual site meeting between May - September of each year (or at a frequency to be agreed) for a period of twenty five years from the commencement of aftercare.

Reason for Conditions 38 and 39: To prevent pollution of the water environment in accordance with Policy DC3 of the Surrey Waste Plan 2008 and Policy MC14 of the Surrey Minerals Plan 2011 Core Strategy.

A new condition is proposed:

All planting shall be carried out in accordance with the Planting Specification and Schedule document SHF.089.001.L.R.003.C dated December 2016 and the Planting Schedule document SHF.089.001.L.D.004.D received 7 March 2017.

A new informative should be added:

The applicant is requested to provide access to individuals of bird society's on request so that they may access the application site for the purpose of recording and monitoring of sand martins nesting at the site.

Planning & Regulatory Committee 22 March 2017

UPDATE SHEET

MINERALS/WASTE TA13/1653

DISTRICT(S) TANDRIDGE DISTRICT COUNCIL

Land at Oxted Sandpit, Barrow Green Road, Oxted, Surrey RH8 9HE

Installation and retention of a bunded fuel storage, wheel wash, site reception offices, weighbridge and hardstanding and the upgrade to the site access; and temporary use of them in connection with the backfilling with inert waste material and restoration to agriculture on land at Oxted Sandpit.

CONSULTATIONS AND PUBLICITY

District Council

Consultees (Statutory and Non-Statutory)

RSPB have commented further saying “The RSPB remains unconvinced that the methods of working will satisfactorily avoid damage or disturbance to the sand martin colony. The RSPB therefore recommends that if Surrey County Council is minded to grant consent for the application it should be subject to the following conditions:

1. A buffer zone of 4m vertically to be provided and maintained beneath the lowest sand martin nest on the southern face of Oxted Sandpit during the filling of Phase 3, the restoration of the sand pit and during the aftercare period in accordance with plan SHF.089.001.L.D.003. E
2. All works to stop within a 30 meter demarcation area around the sand martin colony between March – September
3. As an effective mitigation measure a wetland area and temporary sand martin nesting towers as shown on plan SHF.089.001.L.D.002. E and SHF.089.001.L.D.004 should be installed before Phase 3 to allow a replacement habitat to be available before the infilling of Phase 3. Allow for a minimum of one breeding season between the installation of the sand martin towers and the infilling in Phase 3.

The conditions should be such that no damage occurs to any of the existing nests not “the majority of holes”.

These matters are addressed by planning conditions set out in update sheet for TA11/1075.

Parish/Town Council and Amenity Groups

Tandridge District Council have commented that the road leading up to the site access is seriously eroded and if this application is approved then the roadside edges require reinforcement.

Officer comment: The widening of parts of Barrow Green Road to allow two HGVs to pass as part of the proposed Section 278 Agreement, should go a long way to addressing this. The need to over-run the road haunches and verges will be removed in those locations.

Additional key issues raised by public

Please refer to the update sheet for application TA11/1075 with regards to comments made by the public as these predominantly relate to sand martin issues but do discuss matters of the

overarching Environmental Statement. All comments on these matters are covered in that update sheet.

RECOMMENDATION

Condition 1 (plans and drawings) should be amended to:

Drawing SHF.089.001.L.D.001 E Location and Context Plan September 2016
 Drawing SHF.089.001.L.D.002.E Restoration Plan September 2016
 Drawing SHF.089.001.L.D.003.E Cliff Face and Preserved Habitat Plan September 2016
 Drawing SHF.089.001.L.D.004.D Planting Plan September 2016
 Drawing SHF.089.001.L.D.005.D Detailed Wetland Planting Plan September 2016
 Drawing SHF.089.001.L.D.006.A Viewpoint Locator Plan June 2016
 Drawing SHF.089.001.L.D.007.A Phasing Plan September 2016
 Drawing 2v2 Restoration Plan with Revised Contours September 2015
 Drawing 1001/KILLOXTED/001 Borehole Position and Level Survey 23 September 2008
 Drawing 103-21121 Road and Access improvements
 Drawing 104-21121 rev B Section 278 Agreement Highway Works General Layout 9 July 2012
 Drawing 105 Planning Application for Highway Works and Ancillary Works Site Layout 9 July 2012
 Drawing ES-08 Environment Agency Source Protection Zones May 2011
 Drawing ES-09 Environment Agency Aquifer Classifications May 2011
 Drawing ESID3 Installation Design 1 November 2007
 Drawing SWMP 01 Existing Site Information 16 February 2010
 Drawing: LVIA-3 Environmental Statement LVIA Existing Profile dated June 2013
 Figure 06 Area Sensitive Receptors - Landscape Designations dated May 2011
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 Figure ES-03 Site Plan dated May 2011
 Figure ES-05 Local Sensitive Receptors dated May 2011
 Figure ES-10 Area Route Network May 2011
 Figure ES-11 Drawing 101-21121 Site Access & Local Highway Network
 Figure LVIA 2 Environmental Statement LVIA - Photographs June 2013
 Figure LVIA-1 Environmental Statement LVIA Aerial View dated April 2013
 Figure NTS-01 General Site Area May 2011
 Figure NTS-02 Location Plan May 2011
 Figure NTS-04 Site Plan May 2011
 Figure NTS-05 Site Location Plan May 2011
 Figure: PS-A-1 Location Plan dated June 2013
 Figure PS-A-2 Site Plan June 2013
 Figure PS-S-2 Site Plan dated June 2013
 Figure PS-A-3 Context Plan June 2013
 Figure PS-A-4 Section 278 agreement – Layout June 2013
 Figure PS-A-5 Highways land ownership information June 2013
 Figure PS-A-6 Barrow Green Road – view south west Section 278 Highway improvement June 2013
 Figure R-A-3 Restoration scheme photographs June 2013
 Figure-01 Location of Dormouse Nest-Tubes dated January 2012

Figure-02 Reptile Survey Location of Refugia Under Forthcoming National Guidance dated January 2012

Figure-03 Great Crested Newt and Invertebrate Survey dated January 2012

Reason: For the avoidance of doubt and in the interests of proper planning.

Reason for condition 2: To enable the County Planning Authority to exercise control over the site for the development hereby permitted and its duration.

Condition 3 (time limits) should be read:

The plant, machinery, buildings, structures and their respective foundations hereby permitted shall be removed from the site within three months of the completion of restoration of Oxted Sandpit and the land reinstated within 12 months in accord with Drawing SHF.089.001.L.D.002.E Restoration Plan September 2016 and any such further details that are subsequently approved by the County Planning Authority.

Reason: To comply with Section 91 (1)(a) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

Reason for condition 4: To maintain planning control over the development hereby permitted in an area of the Metropolitan Green Belt where mineral working development is a temporary activity and not appropriate as of right in accordance with National Planning Policy Framework and Surrey Waste Plan 2008 Policy CW6.

Conditions 5-7 should be removed

Condition 8 should read:

No machinery shall be operated, no process shall be carried out, and no deliveries shall be taken at or dispatched from the application site outside

0700 to 1800 hours Monday to Friday

nor at any time on Saturdays, Sundays, Bank, National or Public Holidays. This condition shall not prevent the carrying out of maintenance works on Saturdays and of emergency operations but these are to be notified to the County Planning Authority in writing within 5 working days.

Reason: To enable the County Planning Authority to exercise control over the site for the development hereby permitted and its duration in accordance with Surrey Waste Plan 2008 Policy DC3.

Condition 10 should read:

Before any of the operations which involve the movement of materials in bulk to or from the site are commenced, facilities shall be provided as must be agreed with the County Planning Authority, in order that the operator can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface on the public highway. The agreed measures shall thereafter be retained and used whenever the said operations are carried out.

Reasons for Conditions 9 -11: To ensure that the development should not prejudice the condition of safety on the highway, nor cause inconvenience to other highway users and to safeguard the local environment, to comply with Surrey Waste Plan 2008 Policy DC3.

Reasons for Conditions 12 – 15: In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.

Reasons for Conditions 16-17: In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.

Reason for Condition 18: To ensure the permission is implemented in accordance with the terms of the application and to enable the County Planning Authority to exercise planning control over the development pursuant to Surrey Waste Plan 2008 Policy DC3.

Reason for Condition 19: To ensure the permission is implemented in accordance with the terms of the application and to enable the County Planning Authority to exercise planning control over the development pursuant to Surrey Waste Plan 2008 Policy DC3.

Reason for Conditions 20- 23: To secure restoration to the required standard and assist in absorbing the site back into the local landscape to comply with Policy MC17 of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document; Surrey Waste Plan 2008 Policy DC3.

Reason for Condition 24: To secure restoration to the required standard and assist in absorbing the site back into the local landscape to comply with Policy MC17 of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document; Surrey Waste Plan 2008 Policy DC3.

Condition 25 (aftercare) should read:

The land shall be brought to the required standard for the intended agricultural and ecological use. The applicant shall notify the County Planning Authority following the cessation of each seasons planting or seeding being completed and not more than one year after that date there shall be a meeting at the site which shall be attended by representatives of the applicant, the owners or their successors in title and the County Planning Authority, to monitor the success of the aftercare. There shall follow an annual site meeting between May - September of each year (or at a frequency to be agreed) for a period of twenty five years from the commencement of aftercare.

Reason: To secure restoration to the required standard and assist in absorbing the site back into the local landscape to comply with Policy MC17 of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document; Surrey Waste Plan 2008 Policy DC3.

Reason for Conditions 26-27: To prevent pollution of the water environment in accordance with Policy DC3 of the Surrey Waste Plan 2008 and Policy MC14 of the Surrey Minerals Plan 2011 Core Strategy.

An additional condition should be added:

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the County Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled water. The development shall be carried out in accordance with the approved details.

Reason: to protect groundwater quality in accordance with Policy DC3 of the Surrey Waste Plan 2008 and Policy MC14 of the Surrey Minerals Plan 2011 Core Strategy.