

MINUTES of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 6 February 2020 at Council Chamber, County Hall, Kingston upon Thames, Surrey KT1 2DN.

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

Members Present:

Mr Tim Hall (Chairman)
Mr Edward Hawkins (Vice-Chairman)
Mr Saj Hussain
Mrs Bernie Muir
Dr Andrew Povey
Mrs Rose Thorn
Mr Stephen Cooksey
Mrs Penny Rivers

Apologies:

Mrs Mary Angell
Mr Keith Taylor
Mr Ernest Mallett MBE

39/18 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies for absence were received from Ernest Mallett, Keith Taylor and Mary Angell. Nick Darby Substituted for Ernest Mallett. Richard Walsh substituted for Keith Taylor.

40/18 MINUTES OF THE LAST MEETING [Item 2]

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

41/18 PETITIONS [Item 3]

There were none.

42/18 PUBLIC QUESTION TIME [Item 4]

There were none.

43/18 MEMBERS' QUESTION TIME [Item 5]

There were none.

44/18 DECLARATIONS OF INTERESTS [Item 6]

There were none.

45/18 MINERALS/WASTE TA2019/1608 - LAND AT KINGS FARM, TILBURSTOW HILL ROAD, SOUTH GODSTONE, SURREY RH9 8LB [Item 7]

Officers:

Samantha Murphy, Deputy Planning Development Manager
Caroline Smith, Interim Planning Group Manager
Stephen Jenkins, Interim Planning Development Manager
Nancy El-Shatoury, Principal Lawyer

Speakers:

There were no registered speakers.

Key points raised during the discussion:

1. Officers introduced the report and provided a brief summary. An update sheet was tabled at the meeting and is attached to these minutes as Appendix 1. Members noted that the proposal was for the retention and extension with upgrading of two appraisal wellsites and access track for the production of conventional hydrocarbons, including associated infrastructure, all on some 1.78 hectares for a temporary period of 15 years with restoration to agriculture without compliance with Condition 10 of planning permission ref: TA/2015/1572 dated 24 March 2016. The applicant also sought to change the method that gas is transported from the sit which was covered within paragraphs 14 – 18 of the report. Members further noted that the application was supported by both noise and air quality assessments. Officers highlighted that no significant impacts had been identified.
2. Members of the Committee raised concerns related to the contamination membrane noted within paragraphs 153 – 163 of the report. In response to concerns, officers highlighted conditions outlined in the report which stated that, before the installation of the area of extended containment membrane, details shall be submitted to and approved in writing by the County Planning Authority of the type of existing membrane at Bletchingley Central, the type of membrane to be used for the extension, the dimensions of the overlap area, the method of cleaning the overlap area prior to joining, the method of joining the existing and extended areas of membrane, a Construction Quality Assurance (CQA) Plan, and containment system edge details demonstrating how the system will provide appropriate containment. This shall include details of the existing cellar and surrounding concrete apron and how the existing membrane interacts and seals against them. This shall also include details of the measures to be provided at the vehicle access point to the impermeable area, and how the containment is completed in this area.
3. Members of the Committee highlighted comments related to drainage outlined in the report. Officers explained that there was a lack in information and clarity on the drainage system at the sites which was later resolved following a flood risk assessment. A condition was also included in the report which stated that specific details of the drainage systems would be presented to the Local Flooding Authority and the Geological Consultant.

4. The Committee raised concerns about whether there would be a significant moderate impact on the openness of the Green Belt. Officers explained that the National Planning Policy Framework (NPPF) was clear that mineral extraction need not be inappropriate development in the Green Belt provided it preserves the openness. Officers made a judgement that the harm to openness was a short term harm and that this was overridden by the short term nature of the proposal and that the site would be restored.
5. Members noted that the Air Quality Consultant was satisfied that emissions from the site were not significant and were dispersing appropriately.
6. A Member of the Committee asked whether it would be appropriate to secure a bond from the operator for restoration of the site. Officers highlighted that this was not usual practice for the County Planning Authority to request and that it would only be required under very special circumstances. It was however highlighted that it was permit requirement of the Oil and Gas Authority to have a programme of work which included restoration.
7. A Member of the Committee stated that they found the very special circumstances to be compelling and felt there to be no reason why the application shouldn't be approved.
8. A Member of the Committee supported the officer recommendation and highlighted that most residents within the local area were not aware of the site's existence.

Resolved:

The Planning and Regulatory Committee agreed to PERMIT application TA2019/1608 subject to the conditions and informatives listed on pages 61-75 of the report and the update sheet tabled at the meeting and attached to these minutes.

46/18 SURREY COUNTY COUNCIL PROPOSAL MO/2018/0640 - THE PRIORY SCHOOL, WEST BANK, DORKING, SURREY RH4 3DG [Item 8]

The applicant requested that the application be deferred to a later meeting.

47/18 ENFORCEMENT & MONITORING UPDATE REPORT [Item 9]

Officers:

Stephen Jenkins, Interim Planning Development Manager

Key points raised in the discussion:

1. Officers introduced the report and provided Members with a brief summary. It was noted that this was a regular report to update Members on enforcement activities and various actions taken on sites in the county.
2. The Chairman referenced paragraphs 6.1 – 6.4 in the report and thanked the Enforcement Team for their work to facilitate the site restoration.
3. Members noted that a private briefing on an enforcement matter would later place after the meeting.

Resolved:

The Planning and Regulatory Committee noted the report.

48/18 DATE OF NEXT MEETING [Item 10]

The date of the next meeting was noted to take place on 27 February 2020.

Meeting closed at 11.05 am

Chairman

UPDATE SHEET**MINERALS/WASTE TA/2019/1608****DISTRICT(S) TANDRIDGE DISTRICT COUNCIL****Land at Kings Farm, Tilburstow Hill Road, South Godstone, Surrey RH9 8LB**

Retention and extension with upgrading of two appraisal wellsites (Bletchingley Central and Bletchingley 2) and access track for the production of conventional hydrocarbons, including associated infrastructure, all on some 1.78 hectares for a temporary period of 15 years with restoration to agriculture without compliance with Condition 10 (plans and drawings) of planning permission ref: TA/2015/1572 dated 24 March 2016 to remove gas to grid processing, to allow a change and increase of gas to wire processing from 1MW to 6MW; and the reconfiguration of internal layout of both wellsites (a section 73 application).

Officer report

Paragraph 61 should refer to Section 17 of the NPPF not the NPPG.

Paragraph 64 should be amended to state "*Both national and development plan planning policy with regards to conventional hydrocarbon development have not changed since application TA/2015/1572 was assessed by Officers in 2016.*"

Paragraph 180 in the Heritage Assets section of the report did not provide the County Heritage Officer's comments in full. These are: "*The last Historic Environment Assessment of this site as produced under the most recent full planning application (SCC2015/0170) identified that the nearest listed buildings are those at Yew Tree Farm which are approximately 530m south of the application area. The assessment concluded that the setting of these buildings would not be impacted by the development. Owing to their distance from the site and tree coverage I am content that this is an accurate assessment. As noted in the above plans and Neighbour Information Note the proposal seeks to change the layout of the site rather than increase its size. In terms of height, the greatest increase will be from the three proposed generators at the Bletchingley Central site. Despite this increase in height, the site will still remain hidden behind the trees and will not result in a net increase in harm to Yew Tree Farm or any other heritage asset. On this basis there are no reasons to refuse the application on built heritage grounds*".

Conditions

Condition 1 – add plan "3827 P 14 rev G `Connection to Wire Plan` dated November 2015"

Condition 5 – delete reference to Class C within this condition. This relates to emergency operations and it is not appropriate to require prior approval.

Condition 32 – add word "that" in second sentence after ".....Authority's consent or" and before "dies, or becomes.....".

Condition 33 – delete the first sentence and replace with:

Within 6 months of the date of this decision, details of the tree planting as shown on plan 7262 PR 03 rev F "Preliminary Site Layout Bletchingley Central" dated November 2019 shall be submitted to the County Planning Authority for approval in writing.

Condition 34 – update last sentence to refer to the revised plan: "7262 PR 03 Rev F "Preliminary Site Layout Bletchingley Central" dated November 2019"

Reasons

Reason 1 – add “For the avoidance of doubt and in the interests of proper planning and” at the start of the reason. This is so it uses the current national wording for this type of condition.

Reason 3 – insert the words “*pursuant to the Surrey Minerals Plan Core Strategy 2011 Policy MC14*” after the word “duration”.

Informatives

Informative 10 – this should be amended to refer to the Environment Agency’s letter dated 26 November 2019.

Informative 12 – this should be amended to refer to paragraph 38 of the National Planning Policy Framework 2019.