

## CAPEL PARISH COUNCIL

### MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON MONDAY 3 JULY 2017 AT 7.30pm IN CAPEL PARISH HALL

- 1 **APOLOGIES FOR ABSENCE:** Mr Salter, Mr Margetts
- 2 **IN ATTENDANCE:** Mr Garber (Chairman), Mr Ball, Mrs Schryver, Mrs Ford, Mrs Dale, Mr McLachlan and the Clerk.
- 3 **DECLARATIONS OF INTEREST:** Mr McLachlan (Europa Oil and Gas, Coldharbour).
- 4 **PUBLIC QUESTIONS:** There were 15 members of the public present including the applicant for the Auclaye Brickworks application.
- 5 **MINUTES OF LAST MEETING:** The minutes of the last meeting held on 5 June were presented at the full Parish Council meeting held on 19 June 2017 had been approved and signed.
- 6 **CONSIDERATION OF PLANNING APPLICATIONS:**
  - (i) **Auclaye Brickworks, Horsham Road Capel. Review of Planning Permission MO/75/1165. References MO/2017/0953 and SCC 2017/0064.** Capel Parish Council had originally planned to consider this application at the planning meeting held on 5 June 2017 in Coldharbour. At that time, not all information had been received and due to the importance of the application it was necessary for the Parish Council to have reviewed all relevant information to consider the application. This meeting was attended by local residents, five of whom expressed an interest to speak against the proposal. The applicant was also given the opportunity to address the meeting. Those residents who requested to address the meeting were Mrs Jean Pearson, Mr Alan Dobson, Mr Clive Coward, Mr David Martin, Mr Craig Stuart and the applicant Mr Norman Marshall. Those who had asked to address the meeting were told that they would only have one opportunity to speak and then there would be a formal discussion by the Parish council. If a view had already been put forward, the speakers were asked to refrain from duplication. They were asked to speak for no more than 5 minutes.
    - i. **Mrs Jean Pearson** – Mrs Pearson addressed the meeting saying that she had studied the application closely and considered it inappropriate to have these works in the area. Movement of traffic on the A24 was very dangerous and could become considerably worse with the introduction of more HGV lorries. The increase in traffic could result in a hazard not only for drivers but for residents. Noise through the introduction of working machinery could be an aggravation to neighbouring properties and this is likely to go on until February 2042. Dust will cause a problem as the area is prone to be quite dry. The land slopes from north to south and if it rains heavily, there is the possibility of flooding under the railway bridge and onto adjacent land. Mrs Pearson also voiced concerns that the if permission was granted for the works to begin, she had no confidence that the landscape would be returned to its original condition at the end of the agreed period. Mr Garber explained the this was an historic planning application with the earliest consent to work the land being granted in October 1948 reference DH/R13. The consent allowed for “existing and future clay workings at Brickworks, Horsham Road, Capel”. The planning application is not concerned with development but a whole range of issues details of which are outlined in the current planning application.
    - ii. **Mr Alan Dobson** – Mr Dobson expressed concerns that new residents had not been made aware of the existing planning rights. He reiterated comments made regarding transport. He said that vehicular movement along the A24 had increased by 20% since 2015 and there were serious concerns regarding the increased use should the application be approved. Sight lines were not adequately maintained now and noise would prove to neighbouring properties would be a problem. He asked if the movement of HGVs would be confined to weekdays, Monday to Friday or if they would work on Saturdays too. Mr Dobson reiterated the concerns regarding dust and asked if consideration had been given to existing wildlife, reptiles in particular.
    - iii. **Mr Clive Coward** – Mr Coward said that he had an interest as he lived at Nower Farm Road which would be used as an access route. Traffic movement and increased numbers would create a

problem. The drawings show sweep paths for HGVs in and out of the site and this if correct could block the exists and cause traffic management problems along the A24.

- iv. **Mr David Martin** – Mr Martin asked if the conditions outlined were enforceable? He asked if there was any possibility of them being waived or ignored. Mr Martin reiterated the concerns regarding long periods of rain which would cause slurry from the lorries. The slurry would fill the ditches and therefore provision would have to be made to ensure the ditches were properly maintained.
- v. **Mr Craig Stewart** – Mr Stewart spoke from a personal perspective as he had only been living in the area for three weeks. He was concerned that nothing had appeared in searches prior to his purchasing the property. He voiced concerns regarding road safety with the extra volume in traffic causing a hazard, especially to children living in the area.
- vi. **Mr Normal Marshall** – Mr Marshall, the applicant, said that he had considered other ways to use the site. Neither Surrey County Council nor Mole Valley had been interested in using the site for housing. He said that in 1933 the first certificate of lawful use to extract clay from the site and transport it had been issued, so this was merely a continuance.

Mr Garber asked if there were any supplementary points.

Mr Stewart said that the development of an incinerator at the Clockhouse Brickworks had been stopped because of the abundance of wildlife on that site and Auclay Brickworks were not too far away.

Mr Garber thanked everyone for their input and comments.

Mr Garber said that for clarification this application would be the subject of an Environment Impact Assessment subject to the Environment Act 1995. Hazards had been highlighted. There were timing issues and the protection of wildlife. These are matters that can will be addressed by Surrey County Council. It was not possible to answer any queries raised regarding legal searches before house purchases. This was not a matter for the Parish Council to take up. It would be an obligation for the everyone affected to write to their solicitors and ask questions against the background of the application. Mr Garber said he had circulated a briefing note to all Parish Councillors and the points outlined were – what is proposed. This is not an application for planning permission. A significant number of documents had been submitted and all requirements had been met. The key points were HGV waiting times, maximum daily movement, safe public access and site lines. Enhanced traffic movements had been taken into consideration. There was also the issue of familiarity of traffic movement along the A24. The A24 had already seen an increase in traffic volume because of the building increases in Horsham. There was no reference in the Highways Report regarding accident records. Full visibility cannot be achieved in either direction on the stretch of the A24 in question.

Mr Garber asked Parish Councillors for their comments. Mrs Schryver asked if the application for the recycling, recovery and renewable energy facility by Britaniacrest Recycling Ltd. at Warnham Brickworks had been approved. It was confirmed the application was still awaiting a decision. It therefore seemed reasonable to assume this application could be approved and this would attract more HGV movement. Mr McLachlan said that work had been delayed at the Bury Hill Wood, Coldharbour Lane, Holmwood site because objections had been put in place regarding traffic movement. There must be a viable traffic management scheme in place. Mr Ball read out a statement from Mr Margetts, who had been unable to attend the meeting. Mr Margetts again emphasised the need to focus on traffic and how it might bring about traffic improvements. Employment for local people could create investment in the area. There was also the question of what the clay would be used for if not for bricks. Mr Ball said that he had sympathy for all parties but thanked Mr Marshall for attending and addressing the meeting. Mrs Dale said she agreed with local employment but had concerns regarding increased levels of traffic. She hoped that the creation of employment be mostly for local people. Mrs Ford said that she agreed traffic and safety was an issue but she also had sympathy for the land owners.

Mrs Pearson highlighted one aspect of planning application searches. She said that pre-1978 the plans would have been registered with Dorking and Horley and therefore would not be found on the current Mole Valley website.

Mr Marshall said that he was abiding by all the rules and everything had been done through the proper channels. He was keen to work with, not against, residents.

Mr Garber agreed that there were sensitives on both sides surrounding the proposals. Other aspects to consider were:

- There was information available regarding demand for clay and this issue had not been addressed.

- No improvement to the A24 had been proposed. Highway consultants have not proposed any solutions and this should be for the applicant and agent to work through.
- There had been a lot of discussion around HGV movements but no accurate vehicle movement or destinations were available.
- Highway safety needs to be resolved. Currently there were long waiting times at peak hours for vehicles travelling south turning right which would only increase.

Mr McLachlan asked if County Councillor Helyn Clack had expressed a view on this application as she was a member of the Mole Valley Local committee. Mole Valley had responded with no objection.

The recommendations of the Planning Committee should have regard to the original application and agreements. The view of the Planning Committee is that it will recommend to Surrey County Council that the ROMP application should be rejected on highway safety grounds.

5 members of the public (local residents) presented their objection to the Planning Committee together with the applicant, Normal Marshall Limited.

Objection to the proposal included:

- Highway Safety A24
- Accident Record
- Dust, noise, flooding
- Rain hazards (mud from site onto A24)
- Traffic movements (significant increase)
- Stockpiling
- Nature conservation/SSI
- Demand
- Land Registry issues/searches

Mr Marshall indicated that the proposal was to see a use for the site, other proposals having been rejected.

Capel Parish Council members considered:

Employment/principle of development

Highways issues (safety)

EIA/Environmental considerations

Section 106/Section 52 Agreements

(ii) **MO/2016/1365 - South Holmwood Brickworks, Newdigate Road, Beare Green.** This is an application to SCC for the retention of existing brickwork extensions comprising a southern extension, a northern extension and hardstanding area. This application is to regularise expired permission. The Planning Committee has no objection to this application.

(iii) **WSCC/062/16/NH - Former Wealden Brickworks, Langhurstwood Road, Horsham, West Sussex, RH12 4QD** by Britaniacrest Recycling Ltd. This is responding to an EIA regarding Landscape/Visual Impact, Archaeology/Heritage, Noise, Air Quality and Odour, Flood Risk and Drainage, Design and Scale. It was discussed that due consideration has not been given to landscape sensitivity. A response will be forwarded to WSCC and Horsham that this cannot be taken further.

**7 Europa Oil & Gas, Land at Bury Hill Wood, Coldharbour.** A response has been forwarded to SCC regarding planning applications **MO/2017/0255, MO/2017/0222, MO/2017/0344, MO/2017/0740 and MO/2016/1563** referring to environmental regulations. Capel Parish Council has considered the planning application and gives general support to the recent response submitted by LHAG. Against that background and having regard to the requirements of the environmental Statement the Parish Council requires the legal obligations of these regulations to be met in all aspects. The applicants therefore need to demonstrate that has been met before the Parish Council can indicate the obligation have been met. At present, the Parish Council does not consider that objective has been met.

#### **DATES OF NEXT MEETINGS:**

**Full Council Meeting: Monday 17 July at 7.30pm in the John Venus Hall, Coldharbour**

**Planning Committee: Monday 7 August at 7.30 in the Parish Hall, Capel**

**Finance Committee: Monday 4 September at 8.0 pm in the Parish Hall, Capel**