

**MINUTES: of the special meeting of the Planning and Regulatory Committee held at 10.00am on Thursday 6 December and 10.30 am on Friday 7 December 2001 at County Hall, Kingston upon Thames**

**Members**

- \* Mr Jim Maxwell (Chairman)
- \* Mrs Elise S Whiteley (Vice-Chairman)
  
- \* Ian Beardsmore
- \* Mr Laurie Burrell
- \* Mrs Helyn Clack
- \* Mrs Elizabeth Compton
- \* Mr Terry Dicks
- \* Mrs D M Mitchell
- \* Mr David Morris
  
- \* Marian Myland
- \* Mrs Maureen Nyazai
- \* Mr N R M Petrie MBE
- \* Mr Harry Pettifor
- \* Mr John Pincham
- \* Mrs Elizabeth Sampson
- \* Mr Colin Taylor

**Ex-officio Members (Non-Voting)**

- |                     |                                    |
|---------------------|------------------------------------|
| Dr B J Coffin       | - Chairman of the Council          |
| Mrs Sheila Gruselle | - Vice-Chairman of the Council     |
| Mr N W Skellett     | - Leader of the Council            |
| * Mr David Davis    | - Executive Member for Environment |

\* = Present

**Substitute Members**

No substitute Members attended.

**Also in attendance**

The following Members were in attendance in accordance with Article 2.03(b)(i) of the Council's Constitution during discussion on the items listed below :-

Copyhold: Mr John Barton  
Chris Booton  
Ms Susie M Garnier  
Mr Daniel Kee  
Mrs Dorothy Ross-Tomlin

Capel: Mrs Hazel V A Watson  
Mr David K Timms  
Dr Andrew Povey  
Ms Susie M Garnier  
Chris Booton

Slyfield: Dr John Hobrough  
Tom Sharp CBE  
Dr Joe Bullock  
Mrs Mary Laker

**PART ONE**  
**IN PUBLIC**

[All references to Items refer to the Agenda for the meeting]

**[Absent from the morning session – Mr Terry Dicks]**

119/01 **APOLOGIES FOR ABSENCE AND SUBSTITUTIONS** [Item 1]

Apologies for absence were received from the Chairman of the Council, the Vice-Chairman of the Council, and the Leader of the Council.

120/01 **MINUTES OF THE LAST MEETING: 14 NOVEMBER 2001** [Item 2]

Confirmed and signed by the Chairman.

121/01 **MEMBERS' QUESTION TIME** [Item 3]

No questions were received.

122/01 **DECLARATIONS OF INTERESTS** [Item 4]

Mr David Davis, Ex-officio Member, declared a non-pecuniary interest in all three applications (Copyhold, Redhill; Clockhouse, Capel; and Slyfield, Guildford), having attended a number of meetings with objectors in respect of all three sites and the applicant in respect of the Redhill and Capel sites. Mr Davis stated he had not met with the applicant in respect of the Slyfield proposal.

123/01 **PRESENTATION ON THE BACKGROUND INFORMATION RELATED TO ALL THREE APPLICATIONS** [Item 5]

The report had been updated and circulated prior to the meeting. The updated papers comprised

- covering report 30 November – update information
- revised Core Document 4 – Need Assessment for Waste Handling Capacity 2000/2001
- revised overview and summary report; and
- update on Ministerial Statements on Incinerators

and are attached as Annexe 1 to these Minutes.

Before the officer's presentation, the Acting County Solicitor's representative reported that Members had been invited by officers to a briefing session on Monday 3 December 2001. The session, which most Members of the Committee had attended and which had lasted just over an hour, was held to explain the changes to the need figures which the documents at Annexe 1 to these Minutes had made, and answered Members' queries on factual matters. The session was held to assist Members in view of the very substantial amount of information previously supplied. The Acting County Solicitor's representative stated she had attended the briefing and reported that no discussion had taken place on the merits of any of the

applications. It was made clear at the session that any such discussion was to take place during this Committee meeting.

The Minerals, Waste and County Development Manager, Dr Andrea Pellegram, then outlined the background to the three applications and referred to the extensive training and site visits undertaken by Committee Members; the volume of representations received, of which a full analysis had been carried out by consultants; and the contents of the core documents, with particular reference to the uncertainty of need forecasts and the difficulties of interpretation and application of the proximity principle.

Following the presentation, discussion ensued on the differing recycling rates between Surrey Districts, waste minimisation and alternative methods of waste disposal. In response to a query, the officers reported that pyrolysis was not considered to be a viable option for Surrey in view of the amount of predicted shortfall in disposal capacity and the mixed nature of the waste.

*[In view of the volume of public interest in the reports on the agenda, the Committee then adjourned from 10.55 am until 11.20 am to enable seating in the public area to be re-allocated for the next item]*

124/01 **MINERALS AND WASTE APPLICATION : RE00/0910  
COPYHOLD WORKS, NUTFIELD ROAD, REDHILL [Item 6]**

Demolition of a mineral processing facility and redevelopment to provide an energy from waste plant, ash recycling facility and associated infrastructure.

The report was updated as follows:-

- (i) Update Sheet No.1 – circulated prior to the meeting; and
- (ii) Update Sheet No.2 – circulated at the meeting on 6 December 2001

Those parts of the update sheets related to the officer's report are attached as Annex 2 to these Minutes.

Update Sheet No.2 also included letters from Tandridge District Council and Reigate and Banstead Borough Council. In the officer's presentation, it was noted that, following advice from the Highway Authority, the contents of these letters in respect of traffic issues did not affect the reasons for refusal set out in the report. Issues raised by Reigate and Banstead Borough Council would be considered in the context of the Waste Local Plan.

On behalf of the East Redhill Residents' Association, the following people spoke at the meeting in connection with this application:-

- Mr Crispin Blunt MP
- Mr Jerome Lynch
- Mr Chris Wainwright

and referred to the site's Green Belt location; the external cost of incineration to the environment; atmospheric pollution, particularly in the valley to the north of the site; proximity of other proposed facilities to the source of waste (e.g. Colnbrook); proximity of schools, residential and recreational areas; existing traffic congestion;

the negative effect on recycling if incineration was provided; and the lack of consideration given to alternative means of disposal.

The following members of the public spoke at the meeting objecting to the application:-

- Mr Peter Ainsworth MP
- Mr Andrew Cohen of 16 Glendale Drive, Guildford
- Mr Peter England of 60 Carlton Green, Redhill

and raised issues of the non-suitability of this Green Belt site; effects on health; the similarity in scale of the proposal to the previously dismissed appeal; and the impact of additional HGV traffic on the single-carriageway A25 and surrounding area.

No members of the public spoke at the meeting in support of the application.

On behalf of the applicants, Mr Robert Wheatley spoke in response to the points raised by the speakers and made reference to the proposal as part of an overall scheme to reduce, recycle and recover waste. Waste was a local issue and the applicants were sensitive to the environment and local concerns. Incinerator emissions were cleaner than some other commercial workings and evidence reflected the safety of current technology. Climatic conditions in the valley were not peculiar to that area. The applicants reported that countries with the highest recycling rates (e.g. Netherlands, Germany and Denmark) also incinerated waste. The applicants had the responsibility to respond should recycling targets not be met but alternative methods of disposal had not been proven. The traffic increase was not considered substantial in relation to current flows.

Mr John Barton, Chris Booton, Susie M Garnier, Daniel Kee and Ms Dorothy Ross-Tomlin were in attendance for this item under Article 2.03(b)(i) of the Council's Constitution, and spoke. These local Members raised concerns related to the site's Green Belt location; effect on views from the surrounding area; traffic impact, specifically on the narrow A25; and the proposal's prematurity in advance of a countywide waste management policy.

Following discussion, during which similar concerns to those put forward by the local Members and public speakers were raised, it was

**RESOLVED** (by 14 votes to 0):

that Application No. RE00/0910 be refused for the reasons set out in the report as amended by Update Sheet No.2 whereby the date of the Deposit Draft of the Surrey Structure Plan referred to in reasons 1, 3 and 4 read 2001, not 1999.

**[Mr N R M Petrie MBE left the meeting at 1.05 pm after the vote on this item]**

*[The Committee adjourned for lunch from 1.15 pm to 2.20 pm]*

**[Absent from the afternoon session – Mr N R M Petrie MBE  
Mr Terry Dicks attended the afternoon session]**

125/01 **MINERALS AND WASTE APPLICATION: MO00/0913  
CLOCKHOUSE LANDFILL SITE, LAND ADJOINING CLOCKHOUSE  
BRICKWORKS, HORSHAM ROAD, CAPEL [Item 7]**

Application for

- (i) Construction works to create new land forms and landscaping and infrastructure, within the area of an energy from waste plant, and ash recycling facility, along with engineering works marked A on the application plan drawing no. 9855/L201;
- (ii) Variation of post settlement contours approved under consent ref MO98/1448 dated 22/01/99 within the area marked B on the application plan drawing no. 9855/L201;
- (iii) Construction of an internal access road and associated engineering works and variation of post settlement contours approved under consent ref MO98/1448 within the area marked C on the application plan drawing no. 9855/L201;
- (iv) The retention of existing development (landfill site facilities) approved under consent ref MO98/1448 within the area marked D on the application plan drawing no.9855/L201.

The report was updated as follows:-

- (i) Update Sheet No.1 – circulated prior to the meeting; and
- (ii) Update Sheet No.2 – circulated at the meeting on 6 December 2001

Those parts of the update sheets related to the officer's report are attached as Annexe 3 to these Minutes.

Update sheet No.2 also included a letter of representation from Mole Valley District Council.

On behalf of the Capel Action Group, the following people spoke at the meeting in connection with this application:-

- Mr Dino Adriano
- Mr Paul Garber
- Mr John McCall

and referred to recent government statements on incineration; the applicant's inexhaustive search for alternative sites; the need to minimise haulage distances; the adverse impact of incineration on health and the environment; the vortex effect of aircraft; and queried the need for incineration in view of higher recycling figures achieved by other Counties.

The following members of the public spoke at the meeting objecting to the application:-

- Mr Clive Coward of Knoll Farm, Knoll Farm Road, Capel

- Mrs Margaret Garber of Dairy House, The Street, Capel
- Mr Rob Paterson of 2 Markham Road, Capel
- Sir Martin Wedgwood of Pixham Mill, Pixham Lane, Dorking
- Mrs Jessica Townshend of 2 Taylors Gate Cottages, Rusper Road, Capel
- Mr Richard Ingle of Oaklea, Smalls Hill Road, Leigh

and raised issues of the effect of emissions on nearby arable and dairy production; traffic danger at the “Clockhouse bends” and the incapacity of feeder roads to cope with the additional HGV traffic; the impact on the local nature reserve; the area already being subject to pollution from the brickworks and from aircraft flying into and out of Gatwick Airport; the amount of waste produced in this rural community compared with elsewhere in Surrey; and the need for the District Council to be given more assistance to increase recycling.

No members of the public spoke at the meeting in support of the application.

On behalf of the applicants, Mr Robert Wheatley, spoke in response to the points raised by the speakers and made reference to the company’s concern for the environment; confidence in their operational standards; and willingness to enter into a consultative group with local authorities and local residents to monitor construction and consequent operation of the site.

*[The Committee adjourned for refreshments from 3.40 pm to 3.50 pm]*

At the Chairman’s request, before the local Members spoke, the wording of a motion to be put by Mrs Helyn Clack to refuse the application was circulated both to Members of the Committee and those members of the public in attendance.

Mrs Hazel Watson, Mr David Timms, Dr Andrew Povey, Susie M Garnier and Chris Booton were in attendance for this item under Article 2.03(b)(i) of the Council’s Constitution, and spoke. The local Members raised concerns related to the scale of the development and the inappropriate nature of the countryside site; prematurity in relation to the Waste Local Plan and technological improvements; traffic and the unenforceable nature of pre-determined routes; lack of investigation into rail haulage; the effect of aircraft from Gatwick on any incinerator emissions; and the need to increase recycling, minimise waste and increase re-use.

At the start of the Committee’s debate it was proposed by Mrs Helyn Clack, seconded by Marian Myland, that the application be refused for the following reasons:-

1. The site of the proposed energy from waste plant is close to the southern boundary of Surrey and is therefore remote from the origin of the waste it is proposed to handle, contrary to the provisions of Policy WLP2 of the Surrey Waste Local Plan 1997 and Policy DN19 of the deposit draft of the Surrey Structure Plan 2001.
2. The proposed energy from waste plant, which would serve a wide area, is an unacceptable form of development in the Countryside Beyond the Green Belt, by virtue of its industrial nature and substantial scale which would cause harm to the character of the countryside which is to be protected for its own sake and is therefore contrary to the provisions of Policy PE3 of the Surrey Structure Plan 1994, Policy LO5 of the deposit draft of the Surrey Structure Plan 2001, and Policy ENV3 of the Mole Valley Local Plan 2000.

3. The provision of a substantial industrial development, including a 70 metre high emissions stack, would detract from the landscape character of the area, contrary to the provisions of Policy PE7 of the Surrey Structure Plan 1994, Policy SE6 of the deposit draft of the Surrey Structure Plan 2001 and Policy ENV4 of the Mole Valley Local Plan 2000.
4. The proposed development does not comply with the site criteria for the establishment of energy from waste plants set out in Policy WLP18 of the Surrey Waste Local Plan 1997 and is therefore contrary to that policy.

In support of her motion Mrs Helyn Clack referred to the lack of a clear case for permission on the site; the proposal's prematurity; the location of the site away from the source of waste generation; policies related to Countryside Beyond the Green Belt; the visual impact of the proposed building; and need.

Following the debate on the motion, during which issues of the proximity principle; financial penalties if Landfill Directive 2010 provisions were not met; source of waste in relation to the urban/rural areas of Surrey; need; increased traffic on the current road network; and vortex implications were raised, the motion was put to the vote.

On the vote the motion was LOST (by 8 votes to 6)

The recommendation in the officer's report was then put to the vote.

**RESOLVED** (by 8 votes to 6):

- (a) That Application No. MO00/0913 be forwarded to the Secretary of State for Transport, Local Government and the Regions pursuant to Article 3 of the Town and Country Planning (Development Plans and Consultation) Directions 1992 as a departure.
- (b) That, in the absence of any direction by the Secretary of State and subject to:
  - (i) the prior completion of a legal agreement to secure the routing of heavy goods vehicles under the applicant's control to and from the site between the site and the Slyfield Waste Transfer Station, and
  - (ii) the prior completion of a legal agreement to secure the long-term (25 year) management and maintenance of the land within the application site, edged red on application site plan drawing no. 9855/P6B, through the preparation of a nature conservation and woodland management plan, in accordance with the draft Heads of Agreement set out in annexe 3 to the report,

Application No MO.00/0913 be permitted subject to the conditions and informatives set out in the report, as subsequently amended by Update Sheet No.2 (at Annexe 3 to these minutes), with the inclusion of an additional informative No.6 as follows:-

5. A consultative group/local liaison group shall be formed and remain in place for the duration of the life of the plant. The membership of the group to include the operators of the plant, officers and the local elected Members from Surrey County Council and Mole Valley District Council, Capel Parish Council and Capel Action Group.

*[A recorded vote was requested as follows:*

*For the recommendation: Mr Laurie Burrell, Mrs Elizabeth Compton, Mr Terry Dicks, Mr Jim Maxwell, Mr David Morris, Mr John Pincham, Mrs Elizabeth Sampson and Mrs Elise S Whiteley.*

*Against the recommendation: Ian Beardsmore, Mrs Helyn Clack, Marian Myland, Mrs Maureen Nyazai, Mr Harry Pettifor and Mr Colin Taylor.*

*Abstention: Mrs D M Mitchell]*

*[The Committee adjourned at 5.10 pm on Thursday 6 December 2001 and resumed at 10.30 am on Friday 7 December 2001]*

*[Absent from the 7 December 2001 session – Mr Terry Dicks.*

*Mr N R M Petrie MBE re-joined the meeting from the start of the 7 December 2001 session.]*

126/01 **MINERALS AND WASTE APPLICATION: GU00/1421  
LAND AT GUILDFORD SEWAGE TREATMENT WORKS AND SURREY  
WASTE TRANSFER STATION, SLYFIELD INDUSTRIAL ESTATE,  
GUILDFORD [Item 8]**

Construction and use of an Integrated Waste Management Centre (IWMC) comprising an Energy from Waste (EfW) plant, a Materials Recovery Facility (MRF), and a Civic Amenity (CA) site with associated infrastructure and landscaping on a site of some 3.97 hectares.

The report was updated as follows:

- (i) Update Sheet No.1 – circulated prior to the meeting; and
- (ii) Update Sheet No.2 – circulated at the meeting on 7 December 2001.

Those parts of the update sheets related to the officer's report are attached as Annex 4 to these Minutes.

Update Sheet No.2 also included letters from Guildford Borough Council (together with a supplementary report on transport issues dated November 2001) and the Guildford Anti-Incinerator Network (GAIN).

On behalf of the Guildford Anti Incinerator Network (GAIN), the following people spoke at the meeting in connection with this application:-

- Amanda Mullarkey
- Dominic Furness
- Patrick Robson
- Gail Mawson
- Douglas Barnes
- Chris Schweizer
- Tim Harold
- Colin Matthews

and referred to the scale of the proposed building in relation to others in Guildford; the insufficient area of the site; traffic generation; the location of the site on a flood plain; the proximity of the site to residential areas, schools and recreational areas; the need to increase recycling; pollution; and the speculative nature of the application.

The following members of the public spoke at the meeting objecting to the application:-

- Dr Niamh Johnson of 1 Blanchards Hill, Jacobs Well, Guildford
- Mrs Karen Marsden of 21 Selbourne Road, Guildford
- Mr Alan Finnis of 22 Marlyns Drive, Guildford
- Mrs Sally Thornberry of Flat 1, Castle Hill, Guildford
- Mr Paul Durrant of 17 Marlyns Close, Burpham, Guildford
- Mr David Sprott of Weycroft, Bowers Lane, Burpham, Guildford

and raised issues of human rights in respect of health and enjoyment of property; uncertainties of need coupled with the detrimental effect of incineration on incentives to recycle; the unknown effects of pollutants on children's health; proximity of schools, residential and recreational areas; the size of the proposed structure; traffic generation; the effects of the existing sewage works and abattoir on the area; and planning guidance relating to development on flood plains.

No members of the public spoke at the meeting in support of the application.

The applicant, Thames Waste Management, did not wish to comment on the issues raised by the speakers.

Dr John Hobrough, Tom Sharp, Dr Joe Bullock and Mrs Mary Laker were in attendance for this item under Article 2.03(b)(i) of the Council's Constitution, and spoke. The local Members raised concerns related to the unknown effects of incinerator emissions; unpredictability of flooding; traffic danger and congestion; future landfill capacity; volume of local objection; scale of the proposed development; and the need to increase recycling. The Members welcomed the positive effect the application had had on public awareness in respect of the need to minimise, recycle and re-use waste.

Reference was made to a letter dated 3 December 2001 that had been sent to all Members of the Committee by Nick Brougham, the County Councillor for Guildford East, expressing his views specifically on the Slyfield application but also addressing his concerns about issues relevant to all three applications.

During debate Members raised issues similar to those previously put forward by speakers during consideration of this application.

**RESOLVED** (by 15 votes to 0):

That Application No. GU00/1421 be refused for the reasons set out in the report.

#### 127/01 **VOTE OF THANKS**

Before closing the meeting the Chairman thanked members of the public for their attendance, the officers for their professional approach and hard work in producing information for Members, and the Committee Members for the volume of work they had undertaken in the consideration of these applications. In response Laurie Burrell thanked the Chairman for the efficient manner in which he had conducted the meeting.

**[Meeting ended: 12.35 pm]**

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**Chairman**