

## **Minutes of a meeting of the Development Control Committee held 1st July 2015 at Pippbrook, Dorking from 7.00pm to 10.38pm**

Present: Councillors: Chris Hunt (Chairman), Emile Aboud, Rosemary Dickson, Paul Elderton (Substitute for Margaret Cooksey), James Friend (Substitute for David Mir), Paula Hancock (Substitute for John Northcott), Raj Haque, Mary Huggins, Howard Jones, Malcolm Ladell, Simon Ling, Santi Mondejar, Corinna Osborne-Patterson (substitute for John Muggeridge), Jatin Patel, Sarah Seed, Philippa Shimmin and Peter Stanyard.

### **21. Minutes**

**RESOLVED:** That the Minutes of the meeting held on 3rd June 2015 be approved as a correct record and signed by the Chairman.

### **22. Apologies for Absence**

Apologies for absence were received from Councillors Margaret Cooksey, Tim Loretto, David Mir, John Muggeridge and John Northcott.

### **23. Disclosure of Interests**

All present Members of the Committee declared a non-pecuniary interest in Item 1 as Members of Mole Valley District Council.

Members of the Conservative Party also declared a non-pecuniary interest in Item 18 as the site was at close proximity of the Mole Valley and Epsom & Ewell Conservative Association Headquarters.

Councillor Emile Aboud declared:-

- a non-pecuniary interest in Item 8 as a member of the Fetcham Residents Association and that he spoke to the applicant.

Councillor Paul Elderton declared:-

- a personal interest in Item 1 and withdrew from the meeting when considering this item.

Councillor Raj Haque declared:-

- a non-pecuniary interest in Item 8 as a member of the Fetcham Residents Association.
- a non-pecuniary interest in Item 10 as the applicant is known to him.

Councillor Chris Hunt declared:-

- a non-pecuniary interest in Item 2 as he knew one of the speakers who spoke in objection to the application.
- a non-pecuniary interest in Item 12 as he won a prize to have cream tea at the premises.

Councillor Howard Jones declared:-

- a non-pecuniary interest in Item 1 as the Executive Member who sponsored the development and withdrew from the meeting.
- A non-pecuniary interest in Item 18 as he knew the applicant.

Councillor Simon Ling declared:-

- a non-pecuniary interest in Item 1 as a former member of the Executive at which the project was approved and withdrew from the Chamber when the item was considered.
- a non-pecuniary interest in Item 2 as a member of the Ashtead Residents Association.
- a non-pecuniary interest in Item 12 as an occasional customer of the premises.

Councillor Jatin Patel declared:-

- a non-pecuniary interest in Items 3, 5 and 8 as a Member of the Bookham Residents Association.

Councillor Paula Hancock declared:-

- a non-pecuniary interest in Items 2, 12 and 18 as a Member of the Ashtead Community Vision Neighbourhood Development plan.

Councillor James Friend declared:-

- a pecuniary interest in Item 1 and withdrew from the meeting when it was considered.
- a non-pecuniary interest in Item 7, and withdrew from the Chamber when considering this item due to previous dealings with the applicant.

Councillor Sarah Seed declared:-

- a non-pecuniary interest in Item 6 as she attended a number of discussions with residents in relation to the site over the past year.

Councillor Phillipa Shimmin declared:-

- a non-pecuniary interest in Item 3 as she had conversation in relation to the application with the developer.
- a non-pecuniary interest in Item 5 as she spoke to the applicant.
- A non-pecuniary interest in Item 12 as a customer of the premises.

Councillor Peter Stanyard declared:-

- a non-pecuniary interest in Items 2, 12 and 18 as a member of the Ashtead Residents Association.
- a non-pecuniary interest in Item 2 and 6 as he attended public exhibitions in relation to the application.
- a non-pecuniary interest in Item 18 as a customer of the existing occupant of the premises.

At this point, the Chairman indicated that he would be changing the order of business on the agenda to consider Items 3 and 5 first.

**24. Application MO/2015/0607 – Erection of 6 No new dwellings with associated garaging (for plot 1) and parking, and creation of a new access drive, following demolition of existing building: 73 Keswick Road, and land r/o 69-77 Keswick Road, Bookham, Surrey (Item 3)**

The Committee heard representations from the following speakers: Robert Flowerday – local resident, and Peter Witter on behalf of Bookham Residents Association, who both spoke in objection to the application; Jesse Chapman, Associate Agent for D&M Planning, who spoke in support of the application.

The Committee considered the report set out on pages 45 to 61 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting.

The Committee discussed this application in full, and Members voiced strong concerns over the proposed development. It was argued that the proposal was a cramped overdevelopment which was viewed as out of keeping with the character of the area. It was also felt that this would create a sudden contrast in density when looking at the neighbouring properties. Members also felt that as a result of the proposed layout would also create loss of privacy to adjoining properties. Members also expressed some concerns over the felling of the trees that took place on a Bank Holiday weekend in May 2014 when the Council Offices were closed and there was no way of contacting and informing the Tree Officer at Mole Valley District Council. A motion to refuse this application for these reasons and in conflict with Mole Valley Local Plan policies ENV22, ENV23 and ENV24 and in conflict with Mole Valley Core Strategy CS14 was proposed and carried.

*(N.B. Counted vote on the decision of the Committee on motion – 16 for, 0 against, 1 abstention)*

**RESOLVED:** That, the Officers' recommendation to grant permission be rejected for the following reasons:

The proposed sub-division of existing curtilages to create development in backland form would result in an undesirable intensification of the existing pattern of development in a cramped form which would not respect and enhance the character of the area. The proposal would therefore be out of keeping with the character of the area and have a harmful impact, in conflict with Mole Valley Core Strategy policy CS14, Mole Valley Local Plan policies ENV22, ENV23 and ENV24, and government advice contained within the National Planning Policy Framework.

**25. Application MO/2015/0475 – Outline application for the consideration of access, appearance, layout and scale in respect of the erection of 2 No. detached bungalows with associated access, parking and amenity space: Land r/o 63 and 65 Keswick Road, Bookham, Leatherhead, Surrey (Item 5)**

The Committee heard representations from the following speakers: Robert Flowerday – local resident, and Peter Witter on behalf of Bookham Residents Association, who both spoke in objection to the application.

The Committee considered the report set out on pages 94 to 103 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting.

Members of the Committee noted that the previously allowed scheme was smaller than what was proposed in this application- it was argued that there was a clear increase in the building footprint over the past application which created an overdevelopment in the back garden. There were also some concerns over the narrowness of the access which was regarded as a potential safety hazard especially when/if used by large emergency

vehicles, such as the Fire services. A motion to refuse this application for these reasons and in conflict with Mole Valley Local Plan policies ENV22, ENV23 and ENV24 and in conflict with Mole Valley Core Strategy CS14 was proposed and carried.

*(N.B. Counted vote on the decision of the Committee on motion – 16 for, 0 against, 0 abstention)*

**RESOLVED:** That, the Officers' recommendation to grant permission be rejected for the following reasons:

The proposed sub-division of existing curtilages to create development in backland form would result in an undesirable intensification of the existing pattern of development in a cramped form which would not respect and enhance the character of the area. The proposal would therefore be out of keeping with the character of the area and have a harmful impact, in conflict with Mole Valley Core Strategy policy CS14, Mole Valley Local Plan policies ENV22, ENV23 and ENV24, and government advice contained within the National Planning Policy Framework.

26. **Application MO/2015/0626 – Redevelopment of Dorking football Club site to include new clubhouse and offices and associated facilities; sustainable pitch; children's soft play area; toilets and café, stands, dugouts and cycle stores. Change of use of site from assembly and leisure (Use Class D2) to a mixed use encompassing restaurant and café Use Class A3), business (Use Class B2) and assembly and leisure (Use Class D2): Dorking Football Club, Meadowbank, Mill Lane, Dorking, Surrey (Item 1)**

The Committee considered the report set out on pages 1 to 22 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting.

The Committee heard representation from Karla Garcia-Marvan, Lead Architect for Atkins Design and Engineering who spoke in support of the application.

**RESOLVED:** That permission be granted in respect of application no. MO/2015/0626 subject to the conditions and informatives detailed in the report together with the following amended condition and informative.

Amended Condition

22. The football pitch hereby permitted shall not be used outside the hours of 08:30 to 22:00 Monday to Friday and 09:00 to 20:00 Saturday and Sunday. Additional restrictions shall apply during the summer period from 1st June to 1st September when pitch use on Mondays and Fridays shall be from 08:30 to 22:00 and 08:30 to 21:00 respectively.

Reason: To protect the amenities of the area, and in particular the amenities of the neighbouring residential properties in accordance with Mole Valley Local Plan policy ENV22.

Amended Informative

14. The venue management plan required in Condition 20 must contain a mechanism to allow the plan to be reviewed by the Local Planning Authority in the event of relevant objections or a significant change in the circumstances on the site.

**27. Application MO/2015/0351 – Demolition of existing dwellings and erection of 33 No. one and two bed sheltered apartments for the elderly including communal facilities, access, car parking and landscaping: 53-59, Leatherhead Road, Ashted, Surrey (Item 2)**

The Committee considered the report set out on pages 23 to 44 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting.

The Committee heard representations from the following speakers: Roy Sheehan – local resident, and Professor David Hawksworth, Committee Member of the Ashted Residents Association, who both spoke in objection to the application; and Alex King, Agent for Planning Issues Limited, who spoke in support of the application.

The Committee was appreciative of the fact that there was a need and demand to increase the availability of sheltered accommodation in the District, however, Members also noted that there were a number of similar accommodations in the same area of the proposed development, and some Members felt that a further sheltered accommodation in this part of Ashted would alter the character of the road which mainly consists of family housing. Concerns were also voiced over the inadequate parking provision that was proposed. It was argued that the parking in the vicinity of the site was already problematic due to the local Hospital, and not having enough parking spaces to accommodate for all the residents, staff and visitors would only intensified the parking challenges in this area. A motion to refuse this application for these reasons and in conflict with Mole Valley Local Plan policies ENV22, ENV23, ENV24 and MOV2 and in conflict with Mole Valley Core Strategy CS14 was proposed and fell.

*(N.B. Counted vote on the decision of the Committee on motion– 4 for, 12 against and 1 abstentions)*

A further motion to refuse the application on the grounds of inadequate parking in conflict with Mole Valley Local Plan policy MOV2 was proposed and fell.

*(N.B. Counted vote of the Committee on motion 2 – 7 for, 9 against , 1 abstention )*

**RESOLVED:** That subject to the receipt of a satisfactory legal obligation to secure the payment of the required Affordable Housing Contribution by 30th July 2015, or any such later date to be agreed in writing with the Corporate Head of Service, the Corporate Head of Service be authorised to grant permission subject to the conditions and informatives detailed in the report together with the following additional conditions, or if that obligation is not received by that date, the Corporate Head of Service be authorised to refuse permission for the appropriate reasons.

Additional Conditions

19. No site clearance, preparation, or construction work shall take place outside the hours of 7.30am to 6.00pm on Mondays to Fridays and 8.00am to 1.00pm on Saturdays, and no work shall take place on Sundays or Bank or Public Holidays.

Reason: To protect the amenities of the area and in particular the amenities of neighbouring residential properties in accordance with Mole Valley Local Plan policy ENV22 and policy CS14 of the Mole Valley Core Strategy.

20. No development shall take place until details of the existing ground levels of the site, the proposed finished levels of the ground, the ground floor slab level of each building, and the finished levels of any access road and driveway showing their relationship with the existing levels of the immediately adjoining land and buildings, have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.

Reason: To protect the amenities and privacy of adjoining properties in accordance with Mole Valley Local Plan policy ENV22.

*(N.B. Counted vote on the decision of the Committee – 13 for, 1 against, 3 abstention)*

**28. Application MO/2015/0062 – Erection of ground and first floor rear extension to provide additional retail space: 14-22, Church Street, Leatherhead, Surrey (Item 4)**

The Committee considered the report set out on pages 62 to 93 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting.

The Committee voiced strong support for the proposed development and it was described as a very good catalyst effect for Leatherhead. Members also agreed to add an informative regarding deliveries.

**RESOLVED:** That subject to the receipt of a satisfactory legal obligation confirming that the applicant (1) cover all reasonable and necessary costs involved with processing a Traffic Regulation Order relating to the provision of a temporary loading bay in front of the store and (2) enter into a Section 278 Agreement to secure the highway works associated with the proposed development by 30th July 2015, or any such later date to be agreed in writing with the Corporate Head of Service, the Corporate Head of Service be authorised to grant permission subject to the conditions and informatives detailed in the report together with the following amended and deleted conditions and additional informative, or if that obligation is not received by that date, the corporate Head of Service be authorised to refuse permission for the appropriate reasons.

Amended Condition

6. No deliveries to the retail store shall be taken or dispatched from the site outside the hours of 07.00am to 10.00am and 5.00pm to 8.00pm Mondays to Saturdays and 8.00am to 1.00pm on Sundays and Bank or Public Holidays.

Reasons: To protect the amenities of the area, and in particular the amenities of neighbouring residential properties in accordance with Mole Valley Local Plan policy ENV22 and policy CS14 of the Mole Valley Core Strategy.

Delete Condition 23

Additional Informative

12. The applicant is encouraged to ensure that no more than one delivery vehicle arrives at the store at any one time. In circumstances where more than one delivery vehicle is en-route to the store, communication should take place with the drivers of those vehicles to ensure that one vehicle is held back in an appropriate parking area in the locality until the temporary loading bay in front of the store becomes available.

**29. Application MO/2015/0401 – Erection of 26 dwellings, altered access road, parking, landscaping, on-site flood mitigation improvements, together with highway improvements to River Lane: River Lane Yard, River Lane, Fetcham, Leatherhead, Surrey (Item 6)**

The Committee considered the report set out on pages 104 to 132 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting.

Members agreed to add a claw back arrangement regarding affordable housing.

**RESOLVED:** Subject to receipt and consideration of the following;

- Final comments of Environmental Health re the rewording and duplication of recommended contamination conditions;
- Referral to the National Planning Casework Unit as a departure from the Development Plan;
- A satisfactorily completed legal agreement to secure the eight on site affordable units and £20,000 for improvements to local bus infrastructure and the public rights of way network by 1<sup>st</sup> September 2015 or any such later date to be agreed in writing with the Corporate Head of Service,

the Corporate Head of Service be authorised to grant permission subject to the conditions and informatives detailed in the report together with the following additional and deleted conditions, or if that obligation is not received by that date, the Corporate Head of Service be authorised to refuse permission for the appropriate reasons.

Deleted Condition 8

Additional Condition

31. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.

Reason: The site covers a large surface area in which it is considered necessary to preserve as a record any archaeological information before it is destroyed by the development in accordance with Mole Valley Local Plan policy ENV50 and policy CS14 of the Mole Valley Core Strategy.

**30. Application MO/2015/0096 – Change of use and conversion of existing boat house (comprising office, café and shop) to bailiffs dwelling house (Use Class C3): Bury Hill fisheries, Old Bury Hill, Westcott, Surrey (Item 5)**

The Committee considered the report set out on pages 133 to 151 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting.

**RESOLVED:** That subject to the receipt of a satisfactory legal agreement to secure the terms set out in the report, the Corporate Head of Service be authorised to grant permission subject to the conditions and informatives detailed in the report.

**31. Application MO/2015/0564 – Outline application for the consideration of access, scale, layout and appearance in respect of 1 No. dwelling with attached garage: Rear of 4 and 5, Burney Close, Fetcham, Leatherhead, Surrey (Item 8)**

The Committee considered the report set out on pages 152 to 168 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting.

**RESOLVED:** That permission be granted in respect of application no. MO/2015/0564 subject to the conditions and informative detailed in the report together with the following additional condition.

### Additional Condition

13. No site clearance, preparation, or construction work shall take place outside the hours of 7.30am to 6.00pm on Mondays to Fridays and 8.00am to 1.00pm on Saturdays, and no work shall take place on Sundays or Bank or Public Holidays.

Reason: To protect the amenities of the area, and in particular the amenities of neighbouring residential properties in accordance with Mole Valley Local Plan policy ENV22 and policy CS14 of the Mole Valley Core Strategy.

**32. Application MO/2015/0534– Change of use from office (Use Class B1) to single storey one bedroom residential dwelling (Use Class C3): The Cart Shed, Old Wattlehurst Farm, Horsham Road, Capel, Horsham, Surrey (Item 9)**

The Committee considered the report set out on pages 169 to 177 of the agenda and other matters discussed at the meeting.

**RESOLVED:** That permission be granted in respect of application no. MO/2015/0534 subject to the conditions and informatives detailed in the report.

**33. Application MO/2014/0535 – Change of use from office (Use Class B1) to single storey one bedroom residential dwelling (Use Class C3): The Cart Shed, Old Wattlehurst Farm, Horsham Road, Capel, Horsham, Surrey (Item 10)**

The Committee considered the report set out on pages 178 to 181 of the agenda and other matters discussed at the meeting.

**RESOLVED:** That permission be granted in respect of application no. MO/2015/0535 subject to the conditions and informative detailed in the report.

**34. Application MO/2015/0015 – Variation of Condition No.3 of approved MO/2011/1070 (retention of 2 No. portable buildings to provide catering and changing facilities, cladding of portacabin nearest entrance and retention of low-level training flood lights), to allow for submission of a revised drawing shoeing access road and parking area. Alterations to entrance gates and formation of bin store area: Westhumble playing Fields, London Road, Westhumble, Surrey (Item 11)**

The Committee considered the report set out on pages 182 to 190 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting.

**RESOLVED:** That permission be granted in respect of application no. MO/2015/0015 subject to the conditions and informatives detailed in the report together with the following amended condition.

### Amended Condition

2. Within one month of the date of permission, details of the front boundary gates and treatment to the southern boundary of the car park, shall be submitted to and approved in writing by the Planning Authority. The gates and boundary treatment shall be constructed thereafter in accordance with the approved details.

Reason: To preserve the visual amenity of the area in accordance with policy CS13 of the Mole Valley Core strategy.

**35. Application MO/2015/0545 – Extend opening hours of Olive Tree Café until 9pm from Monday to Saturday inclusive: Ashtead Park Garden Centre, Pleasure Pit Road, Ashtead, Surrey (Item 12)**

The Committee considered the report set out on pages 191 to 199 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting.

**RESOLVED:** That permission be granted in respect of application no. MO/2015/0545 subject to the conditions and informatives detailed in the report together with the following amended condition.

Amended Condition

6. The extended evening operation of the restaurant hereby permitted, shall ensure for a maximum period of one calendar year from its commencement, such date to be notified beforehand in writing to the Local Planning Authority.

Reason: Permission is given in this case, having regard to the circumstances appertaining to the site in question, but only on a strictly limited basis so that the position may be reviewed in the light of circumstances prevailing at the expiry of the permission in accordance with policy ENV22 of the Mole Valley Local Plan.

**36. Application MO/2015/0677 – Change of use of first floor from commercial to residential to create 8 No. units, with external changes to windows: 207-213, High Street, Dorking, Surrey (Item 13)**

The Committee considered the report set out on pages 200 to 208 of the agenda and other matters discussed at the meeting.

**RESOLVED:** That permission be granted in respect of application no. MO/2015/0677 subject to the conditions and informatives detailed in the report.

**37. Application MO/2015/0680 – Variation of Condition 1 of approved planning permission MO/2012/1747 for a two storey 58 bed single living accommodation block adjacent to the sergeant's mess to allow use for a further 3 years: Headley court, Headley Road, Headley, Epsom, Surrey (Item 14)**

The Committee considered the report set out on pages 209 to 214 of the agenda and other matters discussed at the meeting.

**RESOLVED:** That permission be granted in respect of application no. MO/2015/0680 subject to the receipt and consideration of views of third parties up to and including 18th June 2015 together with the conditions detailed in the report.

**38. Application MO/2015/0349 – Erection of 1 No. dwelling following demolition of existing barn and outbuildings: Danesmead, Ockley Road, Forest Green, Dorking, Surrey (Item 15)**

The Committee considered the report set out on pages 215 to 223 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting.

**RESOLVED:** That permission be granted in respect of application no. MO/2015/0349 subject to the conditions and informatives detailed in the report together with the following additional condition.

Additional Condition

14. No site clearance, preparation, or construction work shall take place outside the hours of 7.30am to 6.00pm on Mondays to Fridays and 8.00am to 1.00pm on Saturdays, and no work shall take place on Sundays or Bank or Public Holidays.

Reason: To protect the amenities of the area, and in particular the amenities of neighbouring residential properties in accordance with Mole Valley Local Plan policy ENV22 and policy CS14 of the Mole Valley Core Strategy.

- 39. Application MO/2015/0474 – Reduction in size of ground floor commercial premises, reconstruction of disused basement for storage, new internal staircase leading to same. Rear ground floor to be a one bedroom flat, existing first floor structure to be demolished at rear only, first floor to be rebuilt to form two one bedroom flats, upper front area previously used for residential, office and commercial operations. No external changes in existing structure for flat facing North Street. New rear staircase to two upper flat L shaped configuration. New Stairs access to rear lower flat: 34, North Street, Leatherhead, Surrey (Item 16)**

The Committee considered the report set out on pages 224 to 235 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting.

**RESOLVED:** That permission be granted in respect of application no. MO/2015/0349 subject to the conditions and informative detailed in the report.

- 40. Application MO/2015/0497 –Change of use from Clinic (Use Class D1) to residential (Use Class C3): 8, The Crescent, Leatherhead, Surrey (Item 17)**

The Committee considered the report set out on pages 236 to 242 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting.

Members requested that Building Control seek the highest possible standard of noise insulation.

**RESOLVED:** That permission be granted in respect of application no. MO/2015/0497 subject to the conditions and informatives detailed in the report.

- 41. Application MO/2015/0827 – Change of use from retail (A1) to a hot food takeaway (A5). Erection of part first floor, part tow storey side and rear extension: 222, Barnett Wood Lane, Ashtead, Surrey (Item 18)**

The Committee considered the report set out on pages 243 to 223 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting.

**RESOLVED:** Following receipt and subject to the consideration of any representations up to 20<sup>th</sup> July 2015 the Corporate Head of Service be authorised to grant permission subject to the conditions and informatives detailed in the report together with the following additional condition.

Members noted a dismissed appeal decision for Sunday trading for a nearby car sales business. The Committee also noted that permission has already been granted on this site for the change of use from A1 to A5 in 2013. However, this planning has not been implemented and did not expire until March 2016 and therefore the principle of the change of use of this site has already been established.

Additional Condition

7. No site clearance, preparation, or construction work shall take place outside the hours of 7.30am to 6.00pm on Mondays to Fridays and 8.00am to 1.00pm on Saturdays, and no work shall take place on Sundays or Bank or Public Holidays.

Reason: To protect the amenities of the area, and in particular the amenities of neighbouring residential properties in accordance with Mole Valley Local Plan policy ENV22 and policy CS14 of the Mole Valley Core Strategy.

**42. Appeal Decisions**

The Committee was asked to note the decisions made by the Planning Inspectorate and Court of Appeal.

Chairman.....

Date.....