

**Minutes of a meeting of the Development Control Committee  
held on 3rd February 2016 at Pippbrook, Dorking  
from 7.00pm to 09.17pm**

Present: Councillors: Chris Hunt (Chairman), Margaret Cooksey (Vice-Chairman), Emile Aboud, Paul Elderton (Substitute for Tim Loretto), James Friend (Substitute for Rosemary Dickson), Mary Huggins, Howard Jones, Simon Ling, Claire Malcomson, David Mir, John Muggeridge, Jatin Patel, Sarah Seed, Philippa Shimmin, Peter Stanyard (Substitute for John Northcott), Clayton Wellman and Charles Yarwood (Substitute for Malcolm Ladell).

**114. Minutes**

**RESOLVED:** That the Minutes of the meeting held on 6<sup>th</sup> January 2016 be approved as a correct record and signed by the Chairman.

**115. Apologies for Absence**

Apologies for absence were received from Councillors Rosemary Dixon, Raj Haque, Malcolm Ladell, Tim Loretto, Santi Mondejar and John Northcott.

**116. Disclosure of Interests**

Councillor Margaret Cooksey declared:-

- a non-pecuniary interest in Item 2, 3 & 4 as a member of the National Trust.

Councillor Paul Elderton declared:-

- a non-pecuniary interest in Item 2, 3 & 4 as a member of the National Trust.

Councillor James Friend declared:-

- a non-pecuniary interest in Item 2, 3 & 4 as a member of the National Trust.

Councillor Mary Huggins declared:-

- a non-pecuniary interest in Item 2, 3 & 4 as a member of the National Trust.

Councillor Chris Hunt declared:-

- a non-pecuniary interest in Item 2, 3 & 4 as a member of the National Trust.
- a non-pecuniary interest in Item 7 on the grounds that he had previously provided building surveyor services at the property. Cllr Hunt would relinquish the chair and leave the chamber when the item was being discussed.

Councillor Simon Ling declared:-

- a non-pecuniary interest in Item 2, 3 & 4 as a member of the National Trust.
- a non-pecuniary interest in Item 5 & 8 as a member of the Ashstead Residents Association.

Councillor Philippa Shimmin declared:-

- a non-pecuniary interest in Item 2, 3 & 4 as a member of the National Trust.

Councillor Peter Stanyard declared:-

- a non-pecuniary interest in Item 5 on the grounds that he:
  - is a Freeman of City of London by election.
  - is a Member of the Old Freemen's Association.
  - is a Member of the Old Freemen's Rugby Club.
  - is a Member of the Old Freemen's Swimming Club.
  - is a Member of Ashted Residents Association.
  - is married to a swimming teacher employed by Mole Valley, now Fusion at Leatherhead Leisure Centre and that she acted as lifeguard at the school swimming pool as did himself and his daughter.
  - has a daughter that has used the pool for competition training with Leatherhead Swimming Club.
  - lives within 800 metres of the proposed site.
  - is a member of the Ashstead Residents Association.
  - has received representation from residents as the Ward Councillor.
  - attended a site meeting in September 2015 when representatives of the applicant and officers were present.

**117. Application No. MO/2015/1601 - Erection of 64 No. bed care home, 35 No. assisted living units, 30 No. family houses and 20 No. affordable dwellings together with access, parking and landscaping following the demolition of Farthings: Land at Farthings and between Randalls Road and Cleeve Road, Leatherhead, Surrey, KT22 0AA (Item 1)**

The Committee heard representations from the following speakers: Mr Anwar Massih, resident of Casa Mih, Randalls Road, Leatherhead and Mrs Frances Smith, Chairman of the Planning Sub-Committee for the Leatherhead Residents' Association who both spoke in objection to the application, and Giles Brockbank, Director of Hunterpage Planning as Agent for the Applicant who spoke in support of the application.

The Committee considered the report set out on pages 1 to 33 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting. The Committee debated the application in full.

Members initially considered whether there was a recognised need for assisted living properties within the area and whether existing waste water and sewage infrastructure was sufficient to service these proposed new properties. Members were concerned that the site as proposed made the collection of refuse difficult and a risk to residents with large vehicles having to reverse down roads as there were insufficient turning areas for these vehicles and the lack of on site facilities with regards to the enjoyment of open space for all residents and near neighbours of the proposed development. It was

consequently proposed and agreed that the application should be refused on the grounds of CS14, CS16, ENV22, ENV23, ENV24 & MOV2.

**RESOLVED:** That permission be **REFUSED** in respect of application no. MO/2015/1601.

Reasons for refusal:

1. The proposed development comprises an undesirable overdevelopment of the site out of keeping with and detrimental to the character and appearance of the area. The proposal would therefore be 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.
2. The proposed development is considered to provide insufficient open recreational space to serve the occupiers of the development and, as such, is contrary to Mole Valley Core Strategy policy CS16.
3. The proposed development would result in an unacceptable servicing arrangement in relation to refuse collection and service vehicles given inadequate space for large vehicle turning and manoeuvring in conflict with Mole Valley Local Plan policy MOV2.
4. In the absence of a completed legal agreement, under Section 106 of the Town and Country Planning Act 1990, the proposal fails to secure both the on site provision of affordable housing and a contribution towards the provision of affordable housing in accordance with the Council's adopted Supplementary Planning Document 'Affordable Housing' and is therefore contrary to Mole Valley Core Strategy policy CS4.
5. In the absence of a completed legal agreement, under Section 106 of the Town and Country Planning Act 1990, the proposal fails to provide a contribution towards highway improvements and a contribution towards improvements to local equipped playspace and is therefore contrary to Mole Valley Core Strategy policies CS16 and CS18 and Local Plan policy MOV2.

*(N.B. Counted vote on the decision of the Committee to refuse the application - 14 for, 3 abstentions)*

**118. Application No. MO/2015/1306 - Erection of new swimming pool building for replacement swimming pool and extension to existing sports hall with landscaping, parking, and associated works: City Of London Freemens School, Park Lane, Ashtead, Surrey, KT21 1ET (Item 2)**

The Committee considered the report set out on pages 34 to 47 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting.

Members considered the application in full. Members discussed the siting of the proposed building within the curtilage of the site and the risk to woodland, of which there were possible indicators that ancient woodland was present on the application site. It was consequently proposed to refuse the application on the grounds, of policies CS14, ENV22 and ENV53. The proposal was lost (with 2 members in favour of the proposal, 11 against and 2 abstentions).

**RESOLVED:** That permission be **GRANTED** in respect of application no. MO/2015/1306 subject to the conditions and informatives detailed in the report and the amended condition, additional conditions and informatives below.

### Amended Condition

18. No development shall take place, including any works of demolition, until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) programme of works (including measures for traffic management)
  - (e) provision of boundary hoarding behind any visibility zones
  - (f) HGV deliveries and hours of operation
  - (g) vehicle routing
  - (h) measures to prevent the deposit of materials on the highway
  - (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
  - (j) no HGV movements to or from the site shall take place between the hours of 8.15 and 9.15 am and 3.30 and 4.30pm, nor shall the contractor permit and HGVs associated with the development at the site to be laid up, waiting, in Park Lane, Rookery Hill or Farm Lane during these times
  - (k) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with the NPPF, Surrey Transport Plan and Mole Valley Local Plan policies MOV2 and MOV5.

### Additional Conditions

- 1) The development hereby approved shall not be commenced unless and until the proposed temporary vehicular access to Park Lane has been constructed and provided with traffic management measures and visibility zones in general accordance with the approved plan, and thereafter the visibility zones shall be kept permanently clear of any obstruction measured from 0.6m above the road surface. The temporary access hereby approved shall be permanently closed within 6 months of the commencement date, and any kerbs, verge, footway, fully reinstated.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with the NPPF, Surrey Transport Plan and Mole Valley Local Plan policies MOV2 and MOV5.

- 2) Prior to the commencement of the development the applicant shall submit for the written approval of the Local Planning Authority a Travel Plan in accordance with the aims and objectives of National Planning Policy Framework and the Surrey County Council Travel Plan Guidance and in general accordance with the submitted Travel Plan dated June 2015. the applicant shall then implement the approved travel plan and thereafter maintain and development the travel plan to the satisfaction of the Local Planning Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with the NPPF, Surrey Transport Plan and Mole Valley Local Plan policies MOV2 and MOV5.

- 3) The recommendations set out within the Section 5 Mitigation and Enhancement actions of the Ecological Report submitted in support of the application shall be carried out in full before the development is occupied.

Reason: To safeguard the ecological interest of the site in accordance with policy CS15 of the Mole Valley Core Strategy.

### Additional Informatives

- 1) When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.
- 2) The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
- 3) The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs)
- 4) The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice).
- 5) The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
- 6) Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
- 7) The development is likely to offer some opportunities to restore or enhance biodiversity; such measures are in line with the NPPF, will assist the Local Authority in meeting their duty under the Natural Environment and Rural Communities (NERC) Act 2006 and also help offset any localised harm to biodiversity caused by the development process. Guidance on suitable measures is set out in Surrey Wildlife Trust's letter dated 28 January 2016 which can be viewed on the Council's website.

*(N.B. Counted vote on the decision of the Committee to grant the application - 12 for, 0 against and 1 abstention)*

**119. Application MO/2015/1843 - Erection of 1 No. replacement dwelling: Pine Lodge, Ashurst Drive, Boxhill, Tadworth, Surrey, KT20 7LR (Item 3)**

The Committee considered the report set out on pages 111 to 116 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/2015/1843 subject to the conditions and informative detailed in the report and the additional conditions below.

Additional Conditions

- 10) 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.

- 11) Prior to the commencement of the development hereby permitted, surface water drainage details shall be submitted for the approval in writing by the Local Planning Authority. Such details shall include an assessment of the potential for the disposal of surface water by means of a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework.

The assessment shall provide information of the design storm period and intensity (typically a 1 in 100 year storm of 30 minutes duration with an allowance for climate change), the method employed to delay and control the surface water discharged from the site and the means to prevent pollution of the receiving groundwater and/or surface water. Where applicable, the details shall include infiltration tests, calculations and controlled discharge rates. If the development is to discharge water into the ground in any form, then a full BRE Digest 365 infiltration test (or falling head test for deep bore soakaways) will have to be submitted to the Local Planning Authority prior to commencement of any works on site. The suitability of infiltration methods should be verified (i.e. possible contaminated ground).

The approved drainage scheme shall be implemented prior to the first occupation of the development.

Reason: The Local Planning Authority is satisfied that it is fundamental to the development permitted to address this issue before development commences and that without this safeguard planning permission should not be granted and, in the interests of sustainable development, in accordance with the advice contained in the National Planning Policy Framework and policy CS20 of the Mole Valley Core Strategy.

- 12) The dwelling(s) hereby permitted shall comply with the following optional building regulation under The Building Regulations 2010, Schedule 1, Part G, regulation 36 (2) (b) – potential consumption of wholesome water not to exceed 110 litres per person per day.

Reason: To comply with Core Strategy policy CS19 and national policy on technical standards for new dwellings as set out in the written ministerial statement dated 27 March 2015.

- 120. Application MO/2015/1648 - Variation of Condition 3 of approved planning permission MO/2011/1450 for use of Cherkley Court as a hotel, health club and spa, cookery school and golf club with associated works to allow changes to Glass House Cottages including changes to foot print and internal layout and**

**elevational treatment in accordance with Drwg No. L608\_P(C)201: Cherkley Court, Reigate Road, Leatherhead, Surrey, KT22 8QX (Item 4)**

The Committee considered the report set out on pages 34 to 47 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/2015/1648 subject to the conditions and informative detailed in the report and the amended condition below.

Amended Condition

Condition 7 'Ground Levels' as follows:

The finished levels of the ground, including the ground floor slab level of the Glass House Cottages building shall accord with the details set out on drawing number 1267.006 approved under MO/2011/1450.

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

**121. Application MO/2015/1649 - Construction of a single storey link corridor between the Main House and Orangery: Cherkley Court, Reigate Road, Leatherhead, Surrey, KT22 8QX (Item 4)**

The Committee considered the report set out on pages 48 to 57 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/2015/1649 subject to the conditions and informative detailed in the report and the amended condition below.

Amended Condition

Condition 5 'External Joinery' as follows:

Details of all external joinery shall be submitted to and approved in writing by the Local Planning Authority including materials, method of opening and large scale drawings showing sections through mullions, transoms and glazing bars. Windows and door openings should have a reveal to be agreed. The development shall thereafter be implemented in accordance with the approved details.

Reason: To ensure that the development is in keeping with the character of the locality in accordance with Mole Valley Local Plan policy ENV22 and policy CS14 of the Mole Valley Core Strategy.

**122. Application MO/2015/1650 - Alterations to the forecourt, alterations to existing courtyard wall and construction of a single storey link corridor between the Main House and Orangery. Provision of new balustrades to allow use of existing balconies, alterations at roof level to allow access and escape. Internal alterations including the insertion of new stair cases to allow access to cellar and to the second floor guest suites, installation of DDA compliant lift, formation of internal openings and partitions, together with installation of a new free standing bar, insertion of acoustic screening, replacement of sanitary ware and works to fixtures (application for Listed Building Consent): Cherkley Court, Reigate Road, Leatherhead, Surrey, KT22 8QX (Item 4)**

The Committee considered the report set out on pages 58 to 67 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/2015/1650 subject to the conditions and informative detailed in the report and the amended condition below.

Amended Conditions

Delete the wording '*Prior to the commencement of above ground works*' from the following conditions:

Condition 4 'External and Internal Joinery'  
Condition 6 'Extract Flues'  
Condition 7 'Mortar Mixes'  
Condition 8 'Trial Panels'  
Condition 12 'Signage'  
Condition 13 'Plumbing and Electrical'  
Condition 14 'Historic Environment Officer Meetings'  
Condition 15 'Photographic Recording Scheme'  
Condition 16 'Details of lift/new staircases'  
Condition 17 'Fire Alarm System'  
Condition 18 'New Openings'  
Condition 19 'Balcony railings'  
Condition 20 'Fireplaces'

**123. Application MO/2015/1442 - Three new build flats following demolition of existing first floor flat and ground floor shop: 10, Hampstead Road, Dorking, Surrey, RH4 3AF (Item 7)**

The Committee considered the report set out on pages 98 to 110 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting.

**RESOLVED:** Subject to the amended condition below and receipt of a satisfactory legal obligation to secure the payment of the required Affordable Housing contribution, and the receipt and consideration of further views of Surrey Wildlife Trust, the Corporate Head of Service be authorised to **GRANT** permission OR if the legal obligation and other details are not received, the Corporate Head of Service be authorised to refuse permission for the appropriate reasons.

Amended Condition

Condition 14

The development hereby permitted shall be carried out and completed in all respects strictly in accordance with the submitted documents and plan numbers 211(PL)04 revD, 211(PL)05 revC, 211(PL)06 revE, 211(PL)07 revE and 211(PL)08 RevB contained within the application and no variations shall take place.

Reason: To accord with the terms of the submitted application and to ensure minimal impact on local amenity and the environment in accordance with Mole Valley Core Strategy policy CS14 and Mole Valley Local Plan policy ENV22.

**124. Application MO/20151929 - Erection of replacement dwelling with accommodation in roof space and 2 No. dormer windows to front and rear roof elevations,**



**following demolition of existing dwelling. Site Description 11, Ralliwood Road, Ashtead, Surrey, KT21 1DD (Item 8)**

Members considered the proposal for the installation of dormer windows on the front elevation of the property, within a road which it is believed does not currently have dormer windows to the front elevation of properties. It was consequently proposed to refuse the application on the grounds of policies ENV22 and ENV23. The proposal was lost (with 5 members in favour of the proposal, 11 against and 1 abstention).

**RESOLVED:** That permission be **GRANTED** in respect of application no. MO/2015/1929 subject to the conditions and informative detailed in the report and the additional condition and additional informative below:

Additional Condition

- 10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows, glazed openings, or roof lights other than those expressly authorised by this permission shall be constructed.

Reason: To control any subsequent enlargements in the interests of the visual and residential amenities of the locality in accordance with Mole Valley Local Plan policy ENV22 and policy CS14 of the Mole Valley Core Strategy.

Additional Informative

- 5) The applicant is reminded that the demolition and construction stage of the proposed development may give rise to problems of smoke pollution and/or noise, which will depend on the measures taken to control such potential problems. It is, therefore, strongly recommended that you contact the Council's Environmental Health Department at an early opportunity in order to discuss appropriate measures to be adopted for control of burning, noise and other potential problems for neighbouring residents.

**125. Appeal Decisions**

The Committee noted the decisions made by the Planning Inspectorate.

Chairman.....

Date.....