

**Minutes of a meeting of the Development Control Committee
held 5th March 2014 at Pippbrook, Dorking
from 7.00pm to 11.45pm**

Present: Councillors Chris Hunt (Chairman), Margaret Cooksey (Vice-Chairman), Emile Aboud, Stella Brooks, Derrick Burt, Mary Cooper, Rosemary Dickson, Paula Hancock (substitute for John Northcott), Valerie Homewood, Tessa Hurworth, Simon Ling, Tim Loretto, John Muggeridge, David Preedy, Caroline Salmon and Philippa Shimmin (substitute for Bridget Lewis-Carr).

121. Minutes

RESOLVED: That the Minutes of the meeting held on 5th February 2014 be approved as a correct record and signed by the Chairman.

122. Apologies for Absence

Apologies for absence were received from Councillors Phil Harris, Bridget Lewis-Carr, David Mir, John Northcott and David Sharland.

123. Disclosure of Interests

Councillor Emile Aboud declared:-

- a non-pecuniary interest in the Part 2 item as he knew a near neighbour of the application site.

Councillor Stella Brooks declared:-

- a non-pecuniary interest in item 5 as a member of the Bookham Residents' Association.
- a non-pecuniary interest in the Part 2 item as she knew a near neighbour of the application site.

Councillor Derrick Burt declared:-

- a non-pecuniary interest in item 1 as he had been a customer of the application site in the past.
- a non-pecuniary interest in item 9 as he knew the applicant.
- a non-pecuniary interest in the Part 2 item as he knew a near neighbour of the application site.

Councillor Margaret Cooksey declared:-

- a non-pecuniary interest in the Part 2 item as she knew a near neighbour of the application site.

Councillor Mary Cooper declared:-

- a non-pecuniary interest in the Part 2 item as she knew a near neighbour of the application site.

Councillor Rosemary Dickson declared:-

- a non-pecuniary interest in the Part 2 item as she knew a near neighbour of the application site.

Councillor Paula Hancock declared:-

- a non-pecuniary interest in the Part 2 item as she knew a near neighbour of the application site.

Councillor Valerie Homewood declared:-

- a pecuniary interest in the Part 2 item as a member of the Tanners Meadow Action Group and the owner of a property adjoining the site and withdrew from the meeting during the consideration of this item.

Councillor Chris Hunt declared:-

- a non-pecuniary interest in item 3 as his son had played cricket at Ashted Cricket Club.
- a non-pecuniary interest in the Part 2 item as he knew a near neighbour of the application site.

Councillor Tessa Hurworth declared:-

- a non-pecuniary interest in item 3 as she played at Ashted Bowling Club.
- a non-pecuniary interest in item 5 as a member of the Bookham Residents' Association.
- a non-pecuniary interest in the Part 2 item as she knew a near neighbour of the application site.

Councillor Simon Ling declared:-

- a non-pecuniary interest in item 3 as he was acquainted with one of the objectors.
- a non-pecuniary interest in item 6 as a supporter of a charity which occupied a unit on the application site.
- A non-pecuniary interest in the Part 2 item as he knew a near neighbour of the application site.

Councillor Tim Loretto declared:-

- a non-pecuniary interest in the Part 2 item as he knew a near neighbour of the application site.

Councillor John Muggeridge declared:-

- a non-pecuniary interest in item 1 as he knew the applicant.
- a non-pecuniary interest in the Part 2 item as he knew a near neighbour of the application site.

Councillor David Preedy declared:-

- a non-pecuniary interest in items 7 and 8 as he knew the applicant.
- a non-pecuniary interest in the Part 2 item as he knew a near neighbour of the application site.

Councillor Caroline Salmon declared:-

- a non-pecuniary interest in items 7 and 8.
- a non-pecuniary interest in the Part 2 item as she knew a near neighbour of the application site.

Councillor Philippa Shimmin declared:-

- a non-pecuniary interest in the Part 2 item as she knew a near neighbour of the application site.

124. Application MO/2013/1657 – Change of use to ground floor as pet shop, dog grooming, counselling, curtain making and osteopath: Kiln Lane Nurseries, Kiln Lane, Brockham, Betchworth, Surrey (Item 1)

The Committee considered the report set out on pages 1 to 11 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

The Committee heard representations from, Roger Abbot, a local resident on behalf of the Nutwood Action Group, who spoke in objection to the application, Parish Councillor Maurice Homewood who commented on the application on behalf of Brockham Parish Council, and Ian Ford, who spoke on behalf of the applicant.

The Committee noted the potential problems caused by large vehicles loading and unloading on the highway in light of the width of the road adjacent to the application site, and agreed that an informative stating that all loading and unloading should take place on site if possible should be added.

The Committee was advised that Condition 10 was a standard condition on BREEAM assessments, but was of the view that it was not appropriate in this case as the premises were already occupied. It was agreed that the condition should be amended to reflect the nature of the application.

The Committee considered the proposed trading hours as detailed in Condition 12. Members were of the view that limiting trading hours to 8.00am to 1.00pm on Saturdays was unnecessarily restrictive and agreed that the condition should be amended to allow trading until 5.00pm on Saturdays.

RESOLVED: That, subject to the receipt of a satisfactory legal obligation to secure the payment of the required Planning Infrastructure Contributions by 7th May 2014, 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 in respect of application no. MO/2013/1657 subject to the conditions and informative detailed in the report, together with the following amended conditions and additional informative.

Amended Conditions

5. (1) Within 8 weeks of the decision date, the timber buildings located to the west of the main building on site shall be removed.
- (2) Within 8 weeks of the decision date, the parking area created to the west of the site shall be removed and the site restored to its former use.

Reason: To protect the openness of the Green Belt in accordance with the National Planning Policy Framework.

10. An initial BREEAM assessment report demonstrating that the development is expected to achieve at least BREEAM 'Very Good' construction standards, or a report setting out which elements of BREEAM 'Very Good' standards can be met and the technical reasoning behind any element that cannot be met, must be submitted to and approved, in writing, by the Local Planning Authority.

Reason: To accord with the aims of policy CS19 of the Mole Valley Core Strategy.

12. The premises shall not operate on Sundays or Bank or Public Holidays, or except between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Fridays and 8.00 a.m. and 5.00 p.m. on Saturdays.

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.

13. Within one month of the date of this permission, details of boundary treatment to the site, including design and materials shall be submitted to the Local Planning Authority. Such details as may be agreed shall be implemented on site within 2 months of the date of approval, and permanently retained thereafter.

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.

Additional Informative

The applicants are requested, in the interest of good neighbourliness, to ensure that all unloading of deliveries takes place within the site.

(N.B. Counted vote on the decision of the Committee –15 for, 1 against)

125. Application MO/2013/1745 – Erection of two storey science centre with associated parking and landscaping following demolition of existing biology building: St John's School, Epsom Road, Leatherhead, Surrey (Item 2)

The Committee considered the report set out on pages 12 to 19 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

The Committee supported the addition of a condition restricting the use of the science centre to only during school opening hours.

RESOLVED: That permission be granted in respect of application no. MO/2013/1745 subject to the conditions and informatives detailed in the report, together with the following additional condition.

Additional Condition

16. The Science Centre hereby permitted shall only be used between 7.45am and 6.30 pm Monday to Friday.

Reason: In the interests of the amenities of the occupiers of the neighbouring residential properties in accordance with policy ENV22 of the Mole Valley Local Plan.

126. Application MO/2013/1743 – Erection of a detached building to provide a machinery store: Ashtead Bowling Club, Woodfield Lane, Ashtead, Surrey (Item 3)

The Committee considered the report set out on pages 20 to 24 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

RESOLVED: That permission be granted in respect of application no. MO/2013/1743 subject to the conditions and informative detailed in the report.

127. Application MO/2013/1763 – Partial demolition of existing building and erection of new second floor and roof, various internal and external alterations and change of use to provided nine flats, retention of smaller retail space at front: 8-10 Bridge Street, Leatherhead, Surrey (Item 4)

The Committee considered the report set out on pages 25 to 35 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

RESOLVED: That, subject to the receipt of a satisfactory legal obligation to secure the payment of the required Affordable Housing and Planning Infrastructure Contributions by 18th March 2014, 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 in respect of application no. MO/2013/1763 subject to the conditions and informatives detailed in the report, or if that obligation is not received by that date, the Corporate Head of Service be authorised to refuse permission for the appropriate reasons.

128. Application MO/2013/1702 – Erection of 1 No. detached dwelling: Rear of 2 Griffin Way, Bookham, Leatherhead, Surrey (Item 5)

The Committee considered the report set out on pages 36 to 43 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

Members noted the small size of the plot and suggested that permitted development rights should be removed to prevent extensions to the property. A condition to this effect was accordingly agreed.

RESOLVED: That, subject to the receipt of a satisfactory legal obligation to secure the payment of the required Affordable Housing and Planning Infrastructure Contribution by 27th March 2014 or any such later date to be agreed in writing with the Corporate Head of Service, the Corporate of Service be authorised to grant permission in respect of application no. MO/2013/1702 subject to the conditions and informatives set out in the report, together with the following amended and 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.

Amended Conditions

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (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.

6. The dwelling shall achieve at least Code Level 3 in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme). The Final Code Certificate certifying that a minimum of Code Level 3 has been achieved shall be in place either prior to the first occupation of any dwelling within the development hereby permitted or by a date to be agreed in writing beforehand with the Local Planning Authority.

Reason: In accordance with policy CS19 of the Mole Valley Core Strategy.

Additional Condition

14. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions within Schedule 2, Part 1, Classes A, B, or C to any dwelling hereby permitted shall be erected.

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.

129. Application MO/2013/1650 – Retrospective application for the change of use from B1 to dog grooming (sui generis): Unit 6, Brook Willow Farm, Woodlands Road, Leatherhead, Surrey (Item 6)

The Committee considered the report set out on pages 44 to 84 of the agenda together with the other matters discussed at the meeting.

RESOLVED: That permission be granted in respect of application no. MO/2013/1650 subject to the conditions detailed in the report.

(N.B. Counted vote on the decision of the Committee –14 for, 1 against)

130. Application MO/2013/1698 – Change of use of part of ground floor and ancillary storage from retail (Use Class A1) to residential use (Use Class C3): 58-60 West Street, Dorking, Surrey (Item 7)

The Committee considered the report set out on pages 85 to 90 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

RESOLVED: That permission be granted in respect of application no. MO/2013/1698 subject to the conditions and informative detailed in the report, together with the following additional informative.

Additional Informative

The applicant is advised that the approval does not give permission for the proposed changes to the rear elevation. This will require a further application for Listed Building Consent.

(N.B. Counted vote on the decision of the Committee –12 for, 2 against and 1 abstention)

131. Application MO/2013/1699 – Change of use of part of ground floor and ancillary storage from retail (Use Class A1) to residential use (Use Class C3) (Listed Building Consent): 58-60 West Street, Dorking, Surrey (Item 8)

The Committee considered the report set out on pages 91 to 94 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

RESOLVED: That consent be granted in respect of application no. MO/2013/1699 subject to the conditions and informative detailed in the report, together with the following additional informative.

Additional Informative

The applicant is advised that the approval does not give permission for the proposed changes to the rear elevation. This will require a further application for Listed Building Consent.

132. Application MO/2013/1640 – Erection of detached dwelling: Eden Lodge, Westcott Road, Dorking, Surrey (Item 9)

The Committee considered the report set out on page 95 of the agenda and other matters discussed at the meeting.

RESOLVED: That subject to the receipt of a satisfactory legal obligation to secure the payment of the required affordable housing contribution by 30th April 2014, the Corporate Head of Service be authorised to grant permission in respect of application no. MO/2013/1640 subject to the conditions set out in the report to the Development Control Committee on 5th February 2014, or if the obligation is not received by that date, the Corporate Head of Service be authorised to refuse permission for the appropriate reasons.

133. Appeal Decisions

The Committee noted the decisions made by the Planning Inspectorate.

134. Exclusion of Press and Public

Resolved: That under Section 100A of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item on the grounds that it involved the likely disclosure of exempt information under paragraph 5 of Part 1 of Schedule 12A to the Act, namely information in respect of which a claim to legal professional privilege could be

maintained in legal proceedings, and the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

Councillor Valerie Homewood declared a pecuniary interest in the following item, withdrew from the meeting during its consideration and took no part in the discussion or decision thereon.

135. Land at Tanners Meadow, Strood Green, Surrey

The Committee considered a confidential report in connection with the above site and planning application MO/2013/0055, which had been considered previously at the Development Control Committee on 3rd April and 5th June 2013.

Resolved: That, in light of the advice received from the Council's external legal advisor:

- (a) the Council write to the Planning Inspectorate stating that the revised plans submitted as part of the appeal process are material changes to the application.
- (b) if the Planning Inspectorate agree that the revised plans submitted are material changes and are therefore not accepted, and the application is decided upon the original plans, both reasons for refusal be pursued at the ongoing appeal.
- (c) if however the Planning Inspectorate decides that the revised plans submitted are not material changes to the application and can be considered as part of the appeal process, the Council confirms that, following detailed consideration of the amended proposals by the Council's expert witnesses, formal objections to the revised application are now withdrawn, but that it continues to makes representations regarding conditions and obligations and in particular seeks (1) a negatively worded condition with regard to catchment modelling being undertaken before any development can take place on the site, and (2) a full examination of an existing unused 2ft diameter drainage pipe positioned to flow into Tanners Brook.
- (d) appropriate communications be prepared in conjunction with the Communications Team, and in consultation with the Chairman and Vice-Chairman of the Committee and the Ward Members, to inform all interested parties of the Council's decision.

Chairman.....

Date.....