

## **Minutes of a meeting of the Development Control Committee held 2nd December 2015 at Pippbrook, Dorking from 7.00pm to 09.02pm**

Present: Councillors: Chris Hunt (Chairman), Margaret Cooksey (Vice-Chairman), Emile Aboud, Mary Cooper (Substitute for John Northcott), Rosemary Dickson, Raj Haque, Mary Huggins, Howard Jones, Malcolm Ladell, Simon Ling, Tim Loretto, Claire Malcomson, John Muggeridge, Jatin Patel, Philippa Shimmin, Peter Stanyard (Substitute for Simon Ling) and Clayton Wellman.

### **91. Minutes**

**RESOLVED:** That the Minutes of the meeting held on 4th November 2015 be approved as a correct record and signed by the Chairman.

### **92. Apologies for Absence**

Apologies for absence were received from Councillors Simon Ling, David Mir, John Northcott and Sarah Seed.

### **93. Disclosure of Interests**

Councillor Margaret Cooksey declared:-

- a non-pecuniary interest in Item 8 as she encountered one of the objectors to the application and had a conversation with them.

Councillor Rosemary Dickson declared:-

- a non-pecuniary interest in Item 3 as she attended a meeting, as the Ward Councillor, with both the officers and the applicants.

Councillor Chris Hunt declared:-

- a pecuniary interest in Item 3 as the applicant was a client of his and he would be leaving the Chamber during it's consideration.
- a non-pecuniary interest in Item 4 & 5 as his offices were also located on the High Street of Dorking.

Councillor Howard Jones declared:-

- a non-pecuniary interest in Item 3 as he attended a meeting, as the Ward Councillor, with both officers and the applicants.

Councillor Tim Loretto declared:-

- a non-pecuniary interest in Item 7 as he met with the applicant.

At this point, the Chairman indicated that he would be changing the order of business on the agenda to the following: Items 1, 2, 4, 5, 8, 3, 6 the 7.

94. **Application MO/2015/1625– Variation of conditions 5, 11, 18 and 19 of MO/2015/0062 to allow: landscaping details to be agreed prior to commencement of superstructure works; opening time to be changed to 7am Mon-Sat and shopfront and external joinery to be constructed in accordance with plans already approved under MO/2015/0062: 14, Church Street, Leatherhead, Surrey (Item 1)**

The Committee considered the report set out on pages 1 to 16 and other matters discussed at the meeting.

**RESOLVED:** That permission be granted in respect of application no. MO/2015/1625 subject to the conditions and informatives detailed in the report.

95. **Application MO/2015/1329– Change of use of part of building from retail (Class A1) to 1 No. residential unit (Class C3), and associated changes to front elevation: 37, Bridge Street, Leatherhead, Surrey (Item 2)**

The Committee considered the report set out on pages 17 to 27 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 obligation to secure the payment of the required Affordable Housing by 16 December, 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 if the legal obligation subject to the conditions and informatives detailed in the report, or if the obligation is not received by that date, or such later date as agreed by the Corporate Head of Service, the Corporate Head of Service be authorised to refuse permission for the appropriate reasons.

96. **Application MO/2015/1297– Change of use from use class A3 (Restaurant) to use class D2 (assembly and leisure). Installation of 5 no. wall mounted cycle stands, and 4 no. external air conditioning condensers: Unit 3, 285-293, High Street, Dorking, Surrey (Item 4)**

The Committee considered the report set out on pages 42 to 50 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting.

Members of the Committee debated this application in full. Some Members voiced some concerns over the light spillage and the noise pollution it would create and the effect it would have on habitable properties within or adjacent to the site. Some concerns were also raised over the proposed hours of operation which were deemed unacceptable and unprecedented in this area.

A motion to refuse this application on these grounds and in contrary to Mole Valley local Plan policy ENV22 was proposed and fell.

*(N.B. Counted vote on motion – 5 for, 9 against and 2 abstention)*

Members requested Officers to have a discussion with the applicant regarding any ways of reducing light glare especially during the night and early hours of the morning before issuing the decision notice.

**RESOLVED:** the decision be left in the Corporate Head of Service's hands to permit, after discussions with the applicant to find a way to reduce glare from windows at night, and subject to the conditions and informative detailed in the report, together with the following amended conditions.

## Amended Conditions

5. Prior to commencement of operation a secondary floating floor must be designed and installed in accordance with paragraph 5.3 of the Alpha Acoustics report No. AA617/13/07/15 dated 6th August 2015. The design shall be certified as fit for purpose by two directors of the designing company and post installation testing will be carried out to demonstrate maximum sound pressure levels in habitable rooms within or adjacent to the site, generated by free weight impacts do not exceed the low frequency octave band sound level criteria in NANR45 shown in figure 5.2, of the report, or NR15 in any other octave band and that vibration transmitted to the flats, by free weight impacts, should not be perceptible by the average person.

Reason: Protection of amenity of the adjoining residential flats from noise and vibration from the use of free weights.

6. A detailed schedule of works shall be developed to deliver the mitigation scheme as detailed in Table 6.1 of the alpha acoustics report No. AA617/13/07/15 dated 6th August 2015. The quality of work shall be independently validated by a suitably qualified person in accordance with a scheme of validation that will be agreed in writing by the local planning authority at least 28 days prior to commencement of the development hereby permitted. As a minimum the scheme shall provide for:

- a) at least 3 validation visits to monitor compliance and quality of the mitigation work
- b) key stages where photographic evidence will be provided to document the work and
- c) a post completion noise test prior to commencement of operations

All validation work shall be carried out under the direct supervision of a suitably qualified person and MVDC would recognise a Full Corporate Member of the institute of acoustics to be a suitable qualified person. As a minimum the post completion noise test must demonstrate the level of noise emitted from the gym when operating under normal conditions shall not exceed noise rating NR25 and NANR45 as shown in Figure 5.2, of the report in any habitable room within or adjacent to the site from 0700-2300hrs Monday to Friday and 09:00 to 18:00 on Saturday and Sundays. In addition any gym activity at night after 2300hrs should be substantially inaudible in the conjoined residential premises as measured in the habitable rooms based on LAeq,T where T = 1 minute period (sample) during the Gym activity using NR15 and NANR45 as the standard of compliance. The post completion noise test shall be carried out twice, the first test after 3 months and the second test after 6 months and if necessary corrective works recommended and implemented within 12 months of commencement of operation.

Reason: Protection of amenity of the adjoining residential flats from noise and vibration.

*(N.B. Counted vote on the decision of the Committee – 11 for, 3 against and 2 abstention)*

**97. Application MO/2015/1298– installation of 1 No. internally illuminated fascia sign to front elevation: Unit 3, 285-293, High Street, Dorking, Leatherhead, Surrey (Item 5)**

The Committee considered the report set out on pages 51 to 54 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting.

Concerns were expressed over the proposal, and it was argued that Council policy normally advised against internally illuminated signage within conservation areas. Some Members were also concerned that if the application be approved, it would set a precedent as other businesses could then apply for the same proposal.

A motion to refuse this application for these reasons and in conflict with Mole Valley Local Plan policy ENV36 and Mole Valley Core Strategy policy CS14, was proposed and fell.

*(N.B. Counted vote on motion – 5 for, 10 against and 1 abstention)*

**RESOLVED:** That permission be granted in respect of application no. MO/2015/1298 subject to the conditions and informative detailed in the report.

*(N.B. Counted vote on the decision of the Committee – 11 for, 5 against and 0 abstention)*

**98. Application MO/2015/1588– Erection of detached garage, single and two storey extensions and loft conversion: 26, Deepdene Wood, Dorking, Surrey (Item 8)**

The Committee considered the report set out on pages 77 to 83 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting.

Some Members of the Committee voiced concerns over the impact the proposed extension would have on the area; it was felt that it was an overdevelopment that would create overlooking and would result in un-neighbourliness. The proposed development was also deemed to be inappropriate in an Area of Great Landscape Value and an Area of Outstanding Natural Beauty. A motion to refuse this application for these reasons and in conflict with Mole Valley Local Plan policies ENV22 and ENV17 and in conflict with Mole Valley Core Strategy policy CS14 was proposed and fell.

*(N.B. Counted vote on the decision of the Committee to refuse the application– 2 for, 13 against and 1 abstention)*

**RESOLVED:** That permission be granted in respect of application no. MO/2015/1588 subject to the conditions and informative detailed in the report together with the following amended condition.

Amended Condition

6. No part of the garage or store hereby permitted shall be used as a separate unit of residential accommodation or used for habitable accommodation without the prior permission, in writing, of the Planning Authority.

Reason: In the interest of the amenities of the area particularly the amenities of the neighbouring properties in accordance with Mole Valley Local Plan policies ENV22 and policies CS14 of the Mole Valley Core Strategy.

**99. Application MO/2015/0970– Erection of a part single, part two storey building with associated access road and parking to provide a reception room at ground floor and self-contained supported living flat at first floor: The Grange Centre, Rectory Lane, Bookham, Leatherhead, Surrey (Item 3)**

The Committee considered the report set out on pages 28 to 41 of the agenda and other matters discussed at the meeting.

**RESOLVED:** That permission be granted in respect of application no. MO/2015/0970 subject to the conditions and informatives detailed in the report.

**100. Application MO/2015/1692– Extensions and conversions of existing house to create 3 No. flats; conversion of existing outbuilding to create 2 No. flats; and erection of 1 No. chalet style dwelling at rear all with associated cycle/bins store, landscaping and parking: Three Acres, Reigate Road, Hookwood, Horley, Surrey (Item 6)**

The Committee considered the report set out on pages 55 to 67 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 obligation to secure the terms set out at paragraph 7.6 of the report and the payment of the required Affordable Housing contribution, the Corporate Head of Service be authorised to grant permission if the legal obligation is received by 30th January 2015 subject to the conditions and informatives set out in the report together with the following additional condition, or if the legal obligation is not received by that date, or such other later date as is agreed by the Corporate Head of Service, the Corporate Head of Service be authorised to refuse permission for the appropriate reasons.

Additional Condition

16. Within two months of commencement of the development hereby permitted the hardstanding to the rear of the site associated with the storage of caravans and airport car parking shall be removed in its entirety.

Reason: To preserve the visual amenities of the area and to protect the openness of the Green Belt in accordance with Section 9 of the National Planning Policy Framework, Mole Valley Core Strategy policy CS14 and policies ENV22 of the Mole Valley Local Plan.

**101. Application MO/2015/1658– Conversion of barn into 1 No. dwelling: The Knoll, Horsham Road, Beare Green, Dorking, Surrey (Item 7)**

The Committee considered the report set out on pages 68 to 76 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 obligation to secure the payment of the required Affordable Housing contribution, the Corporate Head of Service be authorised to grant permission if the legal obligation is received by 30th January 2015 subject to the conditions and informatives set out in the report, or if the legal obligation is not received by that date, or such other later date as is agreed by the Corporate Head of Service, the Corporate Head of Service be authorised to refuse permission for the appropriate reasons.

**96. Appeal Decisions**

The Committee noted the decisions made by the Planning Inspectorate and Court of Appeal.

Chairman.....

Date.....