

**Minutes of a meeting of the Development Control Committee
held on 2nd March 2016 at Pippbrook, Dorking
from 7.00pm to 10.29pm**

Present: Councillors: Chris Hunt (Chairman), Margaret Cooksey (Vice-Chairman), Emile Aboud, Lynne Brooks, Stephen Cooksey (Substitute for Tim Loretto), Rosemary Dickson, Raj Haque, Mary Huggins, Howard Jones, Malcolm Ladell, Claire Malcolmson, John Muggeridge, Jatin Patel, Sarah Seed, Philippa Shimmin, Chris Townsend (Substitute for Simon Ling) and Clayton Wellman

126. Minutes

RESOLVED: That the Minutes of the meeting held on 3rd February 2016 be approved as a correct record and signed by the Chairman.

127. Apologies for Absence

Apologies for absence were received from Councillors Simon Ling, Tim Loretto and David Mir.

128. Disclosure of Interests

All Members, with the exception of Councillors: Malcolm Ladell & Clayton Wellman, declared a non-pecuniary interest for Item 1 on the grounds that they had previously attended events at Fetcham Park House.

All Members, with the exception of Councillor Mary Huggins, declared a non-pecuniary interest for Item 2 & 3 on the grounds that they are acquainted with the applicant, who is a former Mole Valley Councillor.

Councillor Emile Aboud declared:-

- A non-pecuniary interest in Item 1 on the grounds that he is a member of the Fetcham Residents Association.
- A non-pecuniary interest in Item 7 on the grounds that he is a member of the Bookham Residents Association

Councillor Margaret Cooksey declared:-

- a non-pecuniary interest in Item 2 & 3 on the grounds that her son resides in a property next to The Wotton Hatch Public House which is close to the application site.

Councillor Stephen Cooksey declared:-

- a non-pecuniary interest in Item 2 & 3 on the grounds that her son resides in a property next to The Wotton Hatch Public House which is close to the application site.

Councillor Raj Haque declared:-

- a non-pecuniary interest in Item 1 on the grounds that he is a member of the Fetcham Residents Association.

Councillor Mary Huggins declared:-

- a possible pecuniary interest in Item 7 and would leave the chamber when that item was discussed.

Councillor Claire Malcolmson declared:-

- a non-pecuniary interest in Item 5 on the grounds that she has met both the applicant and objectors to the application.

Councillor Jatin Patel declared:-

- a non-pecuniary interest in Item 7 on the grounds that he is a member of the Bookham Residents Association.

Councillor Sarah Seed declared:-

- a non-pecuniary interest in Item 1 on the grounds that she is a member of the Fetcham Residents Association.

129. Application No. MO/2015/0304 - Retrospective application for use of premises for civil marriage ceremonies, weddings, wedding receptions and other private functions in conjunction with permitted use as offices: Fetcham Park House, Lower Road, Fetcham, Surrey, KT22 9HB (Item 1)

The Committee heard representations from the following speakers: Mr Paul Mitchelson, resident of 1 Dell Close, Fetcham and Mr Trevor Bolton, Chairman of the Fetcham Park Association who both spoke in objection to the application, and Mr Derek Horne of Derek Horne & Associates Ltd as Agent for the Applicant and Mrs Laura Caudery who both spoke in support of the application.

The Committee considered the report set out on pages 1 to 12 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 were widely supportive of Fetcham Park House as a local and county landmark and understood the present challenges with regards to demand for managed office space which was impacting upon the ongoing profitability and viability of the business. They were however concerned that the use of the house and grounds for private functions were now of such a quantum as to no longer be ancillary to the managed office space and was now causing concern for local residents. Members commented that it is unfortunate that a building of the size of Fetcham Park House, which would otherwise lend itself well to private events such as weddings and wedding receptions, was within grounds of just 4.5 acres and surrounded on all sides by residential properties. Off site parking by guests in neighbouring roads and noise emanating from private functions within the house and general revelry in the grounds was clearly having a negative impact on the enjoyment of neighbouring residents properties. Concern was also raised from the use of drones to photograph events at Fetcham Park House. It was proposed that the application be deferred to allow officers and the owners of Fetcham Park House to consider the application further. The proposal was lost (with 5 Members in favour of the proposal and 11 against, with no abstentions).

RESOLVED: That permission be **REFUSED** in respect of application no. **MO/2015/0304** for the reasons detailed in the report.

(N.B. Counted vote on the decision of the Committee to refuse the application - 12 for, 2 against and 2 abstentions)

130. Application No. MO/2015/1784 - Erection of extension to existing manufacturing premises: Unit 1, Surrey Hills Business Park, Sheepphouse Lane, Wotton, Dorking, Surrey, RH5 6QT (Item 2)

The Committee considered the report set out on pages 13 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 discussed the planning history of the site, the existing storage and building use arrangements on the site and the applicant's business need to expand the premises. Some Members expressed concern that the application constituted inappropriate development of the site within the Green Belt and that the applicant had not provided sufficient evidence to demonstrate the very special circumstances that would be required to permit the development.

Members also noted that Mole Valley District Council are to monitor the site for a period of 12 months from the date of permission and if no start made on approved extension, officers are to consider taking enforcement action relating to the unauthorised outside storage use and an injunction in relation to the breach of the terms of a S106 agreement relating to the agricultural barn, currently used for storage by applicant.

RESOLVED: That subject to (1) variation of the 2011 S.106 agreement so that the cessation of use obligation applies to all subsequent commercial uses including those applied for in the current application is agreed by 1st September 2016, or any such later date to be agreed in writing with the Corporate Head of Service; and (2) following receipt and consideration of any additional representations by 17 March 2016 arising from the advertisement of the proposal as a departure from the Development Plan and, provided no new issues are raised in them; the Corporate Head of Service be authorised to **GRANT** permission subject to the conditions set out in the report 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.

Additional Condition

12.No storage of equipment, goods or materials shall take place within the curtilage of the site other than within the building located therein.

Reason: To protect the visual amenities of the locality in accordance with Mole Valley Local Plan policy ENV22 and policy CS14 of the Mole Valley Core Strategy.

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

131. Application MO/2015/2008 - Retention and enlargement of secondary access road and turning area to service recently constructed grain store: Coast Hill Farm, Sheephouse Lane, Wotton, Dorking, Surrey, RH5 6QH (Item 3)

The Committee considered the report set out on pages 34 to 48 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 considered whether specific elements of the application, in regards to the need for such a large area do be laid to concrete hardstanding was necessary. Members also discussed the need for the proposed developments within the application to ensure safe use of the site by businesses, residents and users of the farm shop. It was subsequently proposed to refuse the recommendation and proceed with enforcement action as per the Officers recommendation. The proposal was lost (with 5 members in favour of the proposal, 7 against and 4 abstentions). A subsequent proposal to defer determination of the application to a later Development Control Committee meeting was agreed.

RESOLVED: That the Officers' recommendation be rejected for the reasons below and determination of the application be **DEFERRED** until the forthcoming Development Control Committee Meeting on 6th April 2016:

1. Members requested that the officer report should include documents relating to the recent planning application for the erection of a grain store on the site to inform determination.

2. Members requested that Officers provide conditions and informatives to the application so that, if agreed, the application could be granted subject to conditions.

132. Application MO/2015/1437 - Conversion of barn to form 1 No. dwelling with associated parking and amenity space: Kingsland Farm, Kingsland, Newdigate, Surrey (Item 4)

The Committee considered the report set out on pages 49 to 62 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 were concerned that it appeared a clearly expressed condition - relating to the barn only being ancillary to the main house - that was previously made with regards to when planning permission was originally sought for the barn was being dismissed as a planning consideration. Members were also concerned that the addition of windows, doors and roof lights would have a material impact on the appearance of the barn.

RESOLVED: That the recommendation to approve application no. MO/2015/1437 as per the Officers Report be overturned.

(N.B. Counted vote on the decision of the Committee to approve the application - 6 for, 10 against)

133. Tree Preservation Order - Highacres and Dalmuir, Guildford Road, Fetcham, Surrey (Item 5)

The Committee considered the report set out in the supplementary agenda.

RESOLVED: That the Tree Preservation Order be **CONFIRMED** in its current form without modifications.

134. Application MO/2015/1745 - Erection of 1 No. terraced dwelling to the side of No. 12: 12, Holmesdale Road, North Holmwood, Dorking, Surrey, RH5 4HT (Item 6)

The Committee considered the report set out on pages 63 to 72 of the agenda together with the further material set out in the addendum and other matters discussed at the meeting.

Members considered the representations received including the loss of privacy to neighbouring properties and the provision of parking for the property.

RESOLVED: That subject to (1) replacement of the juliet balcony to the rear first floor elevation to a window and (2) receipt of a satisfactory legal obligation to secure the payment of the required Affordable Housing Contribution by 18th April 2016, or any other date agreed by the Corporate Head of Service, the Corporate Head of Service be authorised to **GRANT** permission subject to the conditions set out in the report and the amended conditions below OR if these obligations are not received by that date, the Corporate Head of Service be authorised to **REFUSE** permission for the appropriate reasons.

Amended Condition

Amend conditions 8 and 9 to read as follows:

8. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (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, and to ensure that adequate facilities are provided for parking of vehicles clear of the highway, in the interests of the free flow of traffic and condition of safety on the highway in accordance with Mole Valley Local Plan policy ENV22, MOV5 and policy CS14 of the Mole Valley Core Strategy.

9. 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, and to ensure that adequate facilities are provided for parking of vehicles clear of the highway, in the interests of the free flow of traffic and condition of safety on the highway in accordance with Mole Valley Local Plan policy ENV22, MOV5 and policy CS14 of the Mole Valley Core Strategy.

135. **Application MO/2015/1890 - Vary Condition No. 1 of approved MO-2014/1746 for removal of part of hotel building and conversion of remainder to 6 No. flats, in order to allow landscape changes to remove one ash tree in accordance with amended drawing number 2340/100/A, and removal of Condition No. 8 which states that the dwellings should achieve at least Code Level 3 of the Code for Sustainable Homes: Bookham Grange Hotel, Maddox Lane (Track), Bookham, Surrey (Item 7)**

The Committee considered the report set out on pages 73 to 78 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/2015/1890 subject to the conditions and informative detailed in the report and the amended and additional conditions below.

Amended Conditions

Delete Condition 1

4. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (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 and to restrict the enlargement of dwellings in this rural area in accordance with Mole Valley Local Plan policy RUD7.

5. 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 and to restrict the enlargement of dwellings in this rural area in accordance with Mole Valley Local Plan policy RUD7.

9. 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 fences, gates, or walls shall be erected in the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.

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

Additional Conditions

10. 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.

11. Prior to commencement of development, details to reduce the carbon emissions of the predicted energy use of the development hereby permitted by at least 10% through the on-site installation and implementation of decentralised and renewable or low-carbon energy sources shall be submitted and approved by the Local Planning Authority and be implemented prior to the first occupation of the dwelling(s).

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 to optimise renewable energy and its conservation, in accordance with policy CS19 of the Mole Valley Core Strategy.

136. Application MO/2016/0088 - Application for the removal of Condition 13 of approved planning permission MO/2013/0747/PLA to allow the development to be completed without compliance with Code Level 4 for sustainable homes: Site at, Kuoni Gardens, Mill Road, South Holmwood, Surrey (Item 8)

The Committee considered the report set out on pages 79 to 87 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/2016/0088 subject to the conditions and informative detailed in the report and the amended and additional conditions below.

Amended Conditions

Delete Condition 1

17. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (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 and to restrict the enlargement of dwellings in this rural area in accordance with Mole Valley Local Plan policy RUD7.

18. 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 and to restrict the enlargement of dwellings in this rural area in accordance with Mole Valley Local Plan policy RUD7.

Additional Conditions

19. 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.

20. Prior to commencement of development, details to reduce the carbon emissions of the predicted energy use of the development hereby permitted by at least 10% through the on-site installation and implementation of decentralised and renewable or low-carbon energy sources shall be submitted and approved by the Local Planning Authority and be implemented prior to the first occupation of the dwelling(s).

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 to optimise renewable energy and its conservation, in accordance with policy CS19 of the Mole Valley Core Strategy.

137. Application MO/2015/0123 - Erection of a single storey rear extension: 30, Shere Close, North Holmwood, Dorking, Surrey, RH5 4TT (Item 9)

The Committee considered the report set out on pages 88 to 92 of the agenda and other matters discussed at the meeting.

RESOLVED: That permission be **GRANTED** in respect of application no. MO/2015/0123 subject to the conditions and informative detailed in the report.

138. Appeal Decisions

The Committee noted the decisions made by the Planning Inspectorate.

Chairman.....

Date.....