

These are draft minutes and are subject to approval at the next meeting.



**PLANNING COMMITTEE MEETING  
8.00pm on Thursday 14 August 2014  
Village Hall Committee Room**

***Minutes.***

**Present:** *Councillors:* Noel Isaacs (*Chairman*), Ken Huddart, Alex Coomes, Mark Sugden (*ex officio*)  
*Co-opted Members:* Susan Harding, Tom Swift  
*Parish Clerk:* Freda Collins.  
10 members of the public

Cllr Huddart was not present at the start of the meeting.

**1. Apologies for Absence**

Cllr Michael O'Brien with reason.  
These were accepted.

**2. Declarations of Interests**

**Cllr Coomes** declared that he is also a Borough Councillor.

**Cllr Isaacs** declared an interest in application 2014/2963 36, Rythe Road as this is near her place of residence and she knows the applicant.

The order of the agenda was changed to take application **2014/2370 – 109, Hare Lane** – *part three storey and part first and second floor rear extensions with rooms in roof space to provide 13 flats and ground floor retail unit.*

Cllr Huddart arrived at the meeting.

The meeting was closed to take public speaking.

David Richardson spoke against the application on grounds of excessive bulk, adverse affect to 109A Hare Lane, adverse effect to houses in the east of the Close, out of character, lack of amenity space, inadequate parking, with no disabled parking provision and difficulty that will be imposed on the area of the proposed building works, due poor site access for large vehicles and the cramped site for demolition and storage of materials.

Tim Stubbs then spoke against the application as the proposal will adversely affect the privacy of his dwelling, which is adjacent to the application. The removal of trees will lead to lack of screening, the design is poor and out of character with the area.

The meeting resumed and a discussion took place. These are the agreed comments:-

**History:**

**1997** – There was the requirement of a ground floor retail space to be retained in the former Nat West building. Although this was later changed to use as offices, the area has never been used.

**Previous Application 2004/2620 – to create a Boutique Hotel**

This application was turned down by EBC for the following reasons:

- Loss of residential accommodation
- Would affect outlook, light and reasonable amenities to neighbouring properties
- Projected significantly beyond the rear windows of flat next to the property to be in breach of the 45 degree rule

All the above were deemed to be contrary to HSG8, LER14 and Replacement Elmbridge Borough Local Plan 2000.

**The Appeal** – This was only refused on the grounds that there was loss of residential accommodation.

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**Now:**

The Old Bank Building is on the list of Local Buildings of Special Architectural or Historic Interest. Since the 2004 application, land to the rear of the property was handed over to form part of the development of the 4 new houses in Torrington Close application 2010/0780 as part of the bankruptcy and fraud charges against the original owner. The Boutique development was on 0.08ha of land, the current development land area is considerably reduced.

The current proposal is a different building as the design and measurement are not the same and there is no garden and the rear of side passage to the adjoining building has been reduced down from 2.25 to 1.2m. The rear of the building is also wider at 10.7 as compared to the previous 8.3m. The previous height was to be 7.5m and the new proposed height is 11.5m

- The character of the design and massing is not in keeping with the residential nature of the road. The new part of the design takes no elements from the existing Bank Building.
- Parking is insufficient for the number of units being provided and there is no provision for disabled parking.
- As 13 units are planned for, aside of disabled side access into the building there are no disabled flats provided or toilet accommodation that could be accessed by a visitor in any of the flats.
- There is no amenity space.
- Bin storage for recyclables and other waste mentioned in application but not shown on drawings, currently the large bins are stored to the left hand side of the property as viewed from the road and these are only for land fill rubbish.
- There is no allocated bicycle storage space, not shown on drawing but 12 spaces are mentioned in application.
- The retail space shown in the existing plans is less than that shown in the proposed plans.
- The massing of the building to the rear will affect the amenity space of neighbouring properties, both the adjacent building and the new houses.
- The massing will not be in keeping with the street scene of Torrington Close.
- The current trees existing on site are marked for removal, with no replacements for them shown. This will have the effect of increasing the new building's dominance of the street scene in Torrington Close, give full loss of privacy as overlooking from the top floor will mean loss of privacy to the first of the newish built houses to Torrington Close and create a sterile back area as no new planting is proposed within the curtilage of the building.

We object to this proposal on numerous grounds as it breaches:-

- CS11
- CS17
- HSG5 (i), (ii), (iii)
- HSG12 (i), (iii), (iv), (v)
- HSG16 (ii), (iii), (iv), (vi), (vii), (ix), (x), (xi)
- HSG18 (i), (ii)
- HSG 19
- HSG20 (i),(ii), (iii), (iv), (v)
- ENV2
- ENV9
- ENV11
- HEN8
- the 45degree rule.

With regard to the proposed tree works.

i. We have no objection to the proposed works to:-

- T3 Purple plum,
- T4 Hawthorn,
- G6 Sycamore & Ash,
- T7 Ash,
- T8 Yew

- all off-site; prune to clear new building by 2m.

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ii. We have no objection to the prune to clear building by 2m of the T9 Horse chestnut (off-site), but note that this tree has a TPO.

iii. We query whether it is necessary to fell the G1, two Ash trees (off-site) to allow wider access. It would be a shame to lose these young trees as they would eventually provide good screening for the development.

iv. We object to the proposal to fell the T10 and T11 Sycamore to allow room for parking. These trees are highly visible from Torrington Close and the footpath there which is used by a huge number of local residents. They provide a leafy screen which is important to the street scene. The negative description of these trees is not fully warranted - the crowns look health and they could be good specimens if the ivy and some secondary stems were removed. They are also closer to the site boundary and further west than indicated in the plans, so it might be possible to retain them without losing a parking space.

*Post meeting note: this application has been withdrawn.*

### **3. Minutes of last meeting**

The minutes of 24 July 2014 were approved and signed.

### **4. Report of actioning of items from previous minutes**

None

### **5. Correspondence**

5.1 All results were read out.

5.2 An appeal has been received in respect of **2014/1136- 17, Beaconsfield Road** *front boundary wall, entrance gates and piers to 1.8m high*. This will be decided by written representations.

### **6. Current applications and Declarations of interest**

#### Applications from week ending – 25 July 2014

6.1 **2014/1400 – 40, Vale Road** –LDC: whether permission is required for a proposed rear conservatory and first floor rear infill extension

No comment

6.2 **2014/2414 – Foley Arms, 106, Hare Lane**– *4 externally illuminated fascia signs, 1externally illuminated projecting sign and 1 non-illuminated swing sign*

Cllr Coomes declared that the Foley is a customer of his business.

We have no comment to make on the hotel and swing signs, but note that the signs and lighting on the existing brickwork will be out of character with this Claygate landmark building. We note that the illumination levels will be higher and ask the Officer to check if the lux levels will cause nuisance.

6.3 **2014/2682 – Plots 1 & 2 of 8, Trystings Close**– *TPO EL:02/14- remove low branches as shown*

No comment

6.4 **2014/2370 – 109, Hare Lane**– *part three storey and part first and second floor rear extensions with rooms in roof space to provide 13 flats and ground floor retail unit.*

Already dealt with

6.5 **2014/2590- 20, Foley Road** –*single storey rear extension following demolition of existing rear conservatory.*

No comment

6.6 **2014/2630 – 88, Hare Lane** –*retrospective permission for a single storey rear extension*

No comment

#### Applications from week ending – 1 August 2014

6.7 **2014/1178 – 4, Coverts Road** – *detached two storey house with integral garage following demolition of existing house.*

This is the same application which was accepted as 2003/0758. We note that, under current regulations, this application would not be acceptable as it is overdevelopment of the site.

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**6.8 2014/2609 – 1, Cavendish Drive** – *first floor side extension, single storey side extension and part conversion of existing garage into habitable accommodation.*

No comment

**6.9 2014/2494 – 28, Oaken Drive** – *two storey side/rear extension, single storey rear extension and single storey front extension incorporating new entrance following demotion of existing single storey side extension and entrance porch.*

No comment

**6.10 2014/2745 – 29, St Leonards Road** – *relocation of vehicular crossover*

We note that the new crossover will cover an existing tree pit. In order to prevent the loss of trees in this road we ask for a new tree pit in the location of the current access.

**6.11 2014/ 2717 – 63, Foley Road** – *TPO:EL:05/31-sweet chestnut –crown reduction of 2m*

No comment

#### Applications from week ending – 8 Aug 2014

**6.12 2014/2963- 36, Rythe Road** – *single storey side /rear extension following demolition of existing garage*

No comment

**6.13 2014/2831- 33, Red Lane** – *Variation of Condition 9a (Tree Protection) of permission 2012/4303-2 pairs of semi-detached houses -to allow tree pruning*

No comment

**6.14 2014/2856- 23, Telegraph Lane** – *rear conservatory*

No comment

**6.15 2014/3002- The Laurels, Lower Wood Road** – *single storey rear extension following demolition of conservatory*

No comment

**6.16 2014/2882- 6, Foley Road** – *part two/part single storey rear extension following demolition of conservatory*

No comment

**6.17 2014/2884- 25, St Leonards Road** – *single storey rear extension, single storey side infill extension, new front porch replaced with pitched roof to front elevation and detached garage*

No comment

## **7. Report of the East Area Sub Committee**

Cllr Isaacs attended the meeting on Monday 11.08.2014. She circulated a written report prior to the meeting.

### **2014/2036 – Elmbridge Tree Services Ltd, 6A Hare Lane**

*LDC whether planning permission is required for a proposed boundary fence (a maximum of 2 metre high)*

There was an opening speech by Mr Bryant for the objectors, in which he stated that it was a pity the two applications for this site were not being heard together. The items covered were:

- The 2 metre fence was out of keeping with Green Belt land
- It was against the feel of openness associated with Green Belt
- There were issues to wildlife issues concerning deer and bats
- It causes significant damage to Green Belt
- The impact would be harmful to visual amenity

There was no representative from the agent present.

Cllr Herbert – As an LDC is a certificate of lawfulness he could see no way to refuse it. Cllr Coomes agreed he could see no way to say no to it. He also stated that they did not have full access to the whole site when visiting it.

Cllr Turner could not see how the style and materials proposed for the fencing fitted in with the Green Belt and felt it should be made of timber. The chair Cllr Kapadia explained to the council that all they were there

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to do was to decide on its lawfulness and that they were constrained within the law to decide on the lawfulness for the application. Cllr Turner then suggested that as it was Green Belt, should it not have gone to the Countryside Committee.

In the end it was decided to DEFER the application until a further site was made, when the whole site could be visited.

**NOTE:** The other application is also an LDC as below:

*2014/2108 - LDC whether planning permission is required for continued use of land for tree surgeons.*

It will be interesting to see how they debate this as again it is about lawfulness.

### **2014/1844 – 70 Common Road**

*Two storey side and rear extension.*

The previous application 2014/0170 for a similar extension (the difference being the windows to the rear extension at first floor) was withdrawn after its appearance East Area, where it had been proposed to defer it until a site meeting had happened.

Both Claygate Councillors opened with the fact they were not satisfied with its reappearance with the rear bedroom window contrived so as to escape the overlooking problem and the garden woefully undersized for the property and concurred with going for refusal. Cllr Archer also spoke in agreement to the size of the garden being too small.

The Chair Cllr Kapadia went on to say that the garden lengths in that area did not appear big on the plans and said there was a reasonable width. She then mistakenly went on to quote that under LDC and PD they would be able to extend along the whole of the rear of the property as it is a detached house. No one corrected her that both these only apply to single storey developments. She then went on for an acceptance of this application. Cllr Coomes went on to ask that a no permitted development order be placed on the property. The whole Council agreed to ACCEPT.

It was AGREED that deciding applications on the basis of incorrect information is unacceptable. Cllr Isaacs will write, in a personal capacity, to Karen Fossett about this matter.

### **8. Licensing Applications**

None. It was noted that changes were made to the licence for the Foley as they have reinstalled a public bar.

### **9. Enforcement**

The following are outstanding:-

- i. 14, Red Lane- the application for a fence (2014/1156) has been refused, enforcement proceedings have begun. A letter was sent to the owners at the beginning of the month. It is believed that this may go to appeal.
- ii. Oaken Lane Sports Ground- Cllr Isaacs has spoken to the EBC Officer. A new plan has just been received (2014/3119).

### **10. Barwell Farm**

Cllr Isaacs continues to monitor this on a weekly basis and to keep a running diary.

Three more shelters have been erected. Many plots are still up for sale.

### **11. Matters for information only**

11.1 The overgrown garden at 3 Foley Road has been cleared. It is believed that the house will be shortly put on the market.

11.2 It was noted that the application for Il Corallo has not yet appeared at East Area Sub Committee. Cllr Coomes will look into this matter.

### **12. Date of next meetings**

CPC Planning Meeting

**Thursday 4 Sept 2014–Committee Room**

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Elmbridge Sub-Committee

Mon 1 Sept                   - MO  
Mon 22 Sept                 - KH

Public Hearing & Public Inquiries

Outstanding Written Representations

.....Chairman                   .....Date