



Caring for Claygate Village

DRAFT MINUTES

PLANNING COMMITTEE MEETING held at 7.30pm on Thursday 27th January 2022 in Treetops Cricket Pavilion.

Chairman of the Committee: Gil Bray
Councillors: Michelle Woodward, Janet Swift, Xingang Wang, Geoff Herbert
Co-opted members: John Bamford
In attendance: Sally Harman (Parish Clerk & RFO), 2 x member of the public

The Chairman noted that the current Parish Council Covid-19 rules were that face masks were mandatory however the new government Covid-19 rules which came into effect today meant that masks were no longer mandatory in public settings. As such the Chairman noted that he would leave it to Councillors to choose if they want to wear facemasks or not.

1. **Apologies for absence**

Cllr Lessor and Michael Collon sent his apologies in advance.

2. **Declarations of Interest in items on the agenda.**

The Clerk noted that her own Non-Material Amendment Planning Application was on the agenda. She had spoken to Gavin Ramtohal, who was now the Monitoring Officer for Surrey Heath as he had recently left EBC, but who was still happy to advise her that as she wasn't a decision maker and it was only a Non-Material Amendment Planning application, he didn't see why she would need to remove herself from the meeting. The Clerk asked if there were any objections to her staying and minuting the meeting during her Planning Application. No objections were made.

2.1 To receive Declarations of Interest from Councillors in items on the agenda.

Cllr Bray noted that he knew the applicants to 2021/4397 Straiathe, The Causeway application and wouldn't participate in that Planning Application discussion.

2.2 To note written requests for dispensations received 7 days prior to the meeting:

None

2.3 To note decisions made on any dispensation requests noted in agenda item 2.2:

None

19h34 Cllr Woodward and Cllr Herbert entered the meeting.

3. **Minutes of the last meeting (4th January 2022).**

It was **agreed in a majority decision** that the minutes could be approved with no amends and that the Chairman could sign the minutes, witnessed by the Clerk. 1 Cllr abstained citing that they weren't at the last meeting so couldn't validate it as a correct record.

The Chairman reiterated to the Cllr Woodward and Cllr Herbert the Covid-19 facemask point that he had made at the start of the meeting.

Under Standing Orders 10 a vi the Chairman motioned to move Item 5 Correspondence received regarding 31 Steven's Lane up the agenda and then for the agenda to return to its original order. This motion was agreed in a majority decision. 1 Cllr abstained.

Planning correspondence

Cllr Swift noted that she wasn't at the prior meeting when Planning Application 2021/4037 31 Steven's Lane had been discussed. The Chair of the Committee Cllr Bray had received emails from 2 different residents after the 4th January 2022 Planning Committee regarding the Parish Councils comments on Planning Application 2021/4037 31 Steven's Lane highlighting their concerns on the comments the Planning Committee had made. He read out the 2 replies he had sent to these residents. The key points were that Cllr Bray had clarified the role of the Chair of the Planning Committee and that Parish Council Committees were public meetings where residents could come and voice their views. Decisions by Planning Committees are made on the basis of what Committee members think are in the best interest of the village based on what information is available to them. Upon speaking to the Clerk, who had consulted with SALC, Cllr Bray responded to the residents' requests for the Committee to reconsider the matter saying that it would not be appropriate as a decision has been made in the correct forum and within the appropriate guidelines. He had advised the residents that the best course of action was to consult Claygate's local EBC Councillors. Subsequently Cllr Bray had received another letter from a different resident who said she was writing on behalf of 16 other residents. This letter had been circulated to the Committee ahead of the meeting. The Chairman then handed round hard copies of a response that he and the Clerk had drafted that day. John Bamford declared that he knew the resident.

It was **agreed in a majority decision** for the letter be sent to the resident. 1 Cllr abstained.

AP53 Cllr Bray to send resident approved letter copying in the Clerk.

The Chairman invited a member of the public to speak on the subject of Planning Application 2021/4037 31 Steven's Lane. He asked the Planning Committee to review their comments from the 4th January meeting noting that, with the prior application for 31 Steven's Lane, the Parish Council had objected citing 8 reasons and that he felt that these 8 reasons hadn't been dealt with in the new Planning Application which the Parish Council then hadn't objected to. The resident handed Cllr Bray a sealed letter, addressed to Claygate Parish Council, which Cllr Bray subsequently handed to the Clerk. The resident went on to say that he believed Steven's Lane was not somewhere affordable housing could be achieved as house prices started in excess of £800k and that he didn't feel that a small housing estate, which the planning application could create, was appropriate for the road. Cllr Bray reiterated that the Planning Application was debated in the correct forum on the 4th January and that the Parish Council had consulted SALC on the subject. He apologised to the resident that the Parish Council couldn't revisit Planning Application 2021/4037 31 Steven's Lane.

To report on actioning of items from previous meetings.

AP18 Clerk to get an update on 1 Caerleon Close from EBC Planning Department. Emailed 7/9. Compliance Officer Aaron Dawkins no longer works for EBC. Jane McCool taken over and will be reviewing case over next few weeks. She had reviewed and said no such file existed. The Clerk had sent her email copies of correspondence with Aaron Dawkins and was awaiting a response **DONE** EBC site visit has shown no action has been taken. Deciding what further action to take.

AP41 Clerk to request EBC Compliance Team review 10 Cavendish Drive. EBC responded saying that the investigating officer will aim to contact CPC on or before 21 January 2022 with either the outcome of the investigation or, an update on the progress of the matter. **IN PROGRESS** Clerk emailed chaser 25/1.

AP46 Clerk to submit request for TPOs to two oak trees opposite No 6 and No 8 Holroyd Road to EBC **DONE** EBC response. Reviewed site and will not be serving a new TPO: The 2 Oaks growing in the road verge on the south side are in the ownership and management of Surrey County Council Highways. EBC do not apply TPOs to county owned and managed trees. The two oak trees on the north side appear to be in a state of decline with very limited life expectancy.

AP47 Cllr Bray to send list of significant planning applications to Tree Wardens to review ahead of each Planning Committee going forth. **ONGOING**

AP48 Tree Wardens to copy in Clerk and Russell Gibbons going forward on EBC email correspondence if they are struggling to get a response. Clerk to keep an eye on response rate and bring back to Planning Committee for action if required. **ONGOING**

AP49 Clerk to invite Tree Wardens to Planning meetings bi-annually and Tree Wardens to attend Planning Committees if deemed necessary going forth. **ONHOLD** Next invite June 2022.

AP50 Cllr Bray to prepare revised Remit with amends and bring for final Planning Committee sign-off at the 27th January Planning Committee. **DONE** Cover under Item 14

AP51 Clerk to contact RBK South of the Borough Neighbourhood Committee and establish if there is an invitation to CPC to attend and confirm to Cllr Bray if attendance is required. **DONE** Cover under Item 17.

AP52 Planning Committee members to come prepared with ideas of articles to be included in Courier. **DONE** Cover under Item 18.

5. Planning correspondence, notification of applications and outstanding results.

In addition to correspondence shared within Action Points (APs) and further down the agenda the Clerk had been notified of the following.

The Clerk had been copied in on response from Paul Falconer, Development Manager, EBC on 5G masts to Cllr Bray’s email sent on the 6th Jan suggesting a meeting with Installers, EBC and CPC to discuss ‘The provision of 5G to a community with minimum hardware obtrusiveness’, for CPC to attend any future meetings with Telecom providers when offered to EBC and finally whether CPC should attend pre-ap meetings with EBC. Cllr Bray updated the Committee on Paul’s response and the phone call he had had with him that day. Paul had suggested that we might try to get the providers to meet with CPC and he could attend if possible. Cllr Bray proposed to take the issue to a meeting CPC are having with EBC Head of Strategy and Head of Planning on the 25th February.

AP54 Clerk to add to Bi-Annual EBC/CPC Meeting agenda.

6.

It was **agreed in a majority decision** to take the issue of 5G masts and consultation between CPC, EBC and installers to the meeting on the 25th February with EBC Head of Strategy and Head of Planning. 1 Cllr abstained.

Applications and Appeals decided since last meeting.

A report by John Bamford (Appendix A) had been circulated to the Committee ahead of the meeting. Cllrs discussed learning points from the report, particularly insofar as 2021/3507 16 Gordon Road was concerned.

7.

Applications from Elmbridge Borough Council Weekly Lists

(<https://www.elmbridge.gov.uk/planning>) including confirmation of comments sent to EBC: -

w/e 7th January 14th January and 21st January

<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Claygate Parish Council Response</u>
2021/4011	22 Torrington Road Claygate Esher Surrey KT10 0SA	Retrospective application for children's playhouse.	No Objection with Comment: - CPC rejects the height of the children’s playhouse in so far as it effects the street scene and we would not want to see it replicated across Claygate. In this particular application we note the plant screening and we request that, if

			approved, this application has a condition attached to it that the plant screening be maintained for the next 5 years. Majority agreed. 1 Cllr abstained.
2021/4321	12 Oakhill Claygate Esher Surrey KT10 0TG	Single-storey rear extension, single-storey side extension and front porch following partial demolition of existing house.	Planning application has already been decided by EBC. Comment not applicable. Unanimously agreed.
2021/4327	129 Coverts Road Claygate Esher Surrey KT10 0LE	Front porch and alterations to fenestration.	No Comment
2021/4331	59 The Maples Stevens Lane Claygate Esher Surrey KT10 0TN	Tree Preservation Order EL:92/12 - Fell 1 x Alder.	No Comment
2021/4295	25 Holroyd Road Claygate Esher Surrey KT10 0LQ	Single-storey rear extension and front porch following demolition of front porch and rear outbuilding.	No Objection, No Comment Unanimously agreed.
2021/4196	62 Coverts Road Claygate Esher Surrey KT10 0LJ	Single-storey rear/side extension following partial demolition of existing house.	No Objection, No Comment Unanimously agreed.
2021/4383	5 Common Road Claygate Esher Surrey KT10 0HG	Partial conversion of garage into living space and alterations to fenestration.	No Comment.
2021/4397	Staithe The Causeway Claygate Esher KT10 0NE	Single-storey side extension.	No Comment.
2021/4248	78 Telegraph Lane Claygate Esher Surrey KT10 0DY	Single-storey rear extension.	No Objection, No Comment Unanimously agreed.

2021/4261	Brantwood Mountview Road Claygate Esher Surrey KT10 0UD	Detached two-storey house with rooms in the roof space following demolition of the existing house.	The Tree Wardens had requested that the Planning Committee object to this application in the absence of any clear information about what will happen to the trees affected by the application. Cllr Swift noted a tree inspection by EBC had been carried out relating to a prior planning application in October 2021 and EBC had not objected on arbicultural grounds. No Objection, No Comment Unanimously agreed.
2021/4296	25 Holroyd Road Claygate Esher Surrey KT10 0LQ	Single-storey rear outbuilding.	No Objection, No Comment Unanimously agreed.
2022/0032	17 Dalmore Avenue Claygate Esher Surrey KT10 0HQ	Non-Material Amendments to planning application 2017/3142 to amend glazing on rear dormer, enlarge front rooflight, additional side elevation window and additional wall hung air conditioning unit.	No Comment
2021/4274	21 Woodbourne Drive Claygate Esher Surrey KT10 0DR	Part two/part single-storey rear extension, part two/part first-floor side extension, single-storey side infill extension, roof extension incorporating increase in ridge height, rear dormer windows and rooflights and metal flue following partial demolition of existing	No Objection with Comment: - CPC propose that the first floor extension will create the effect of terracing which is out of character with the street scene. Majority agreed. Cllr Bray abstained as he believed CPC should be objecting.

		house and garage and removal of chimney stack.	
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8. East Area Sub Committee Meeting report.

Nothing to report.

9. EBC Planning Committee Meeting Report.

January 11th 2022 meeting was cancelled. The next meeting is planning for the 8th February 2022.

10. Licensing Applications in Claygate.

Nothing for Claygate.

11. Compliance issues.

No further compliance issues raised outside of 1 Caerleon Close & 10 Cavendish Drive for which updates have been given under Item 4.

12. Elmbridge Local Plan Status and any action arising.

Cllr Bray noted that it had been expected that the Draft Local Plan would be issued on January 19th 2022 as a paper for the Special EBC Cabinet meeting which had been scheduled for January 27th 2022. A Special EBC Cabinet meeting had also been called for the 3rd February 2022. Publication of the Draft Local Plan was cancelled on the 19th January for reasons unknown and the 2 Cabinet meetings were also cancelled. Cllr Bray further noted that the EBC website now says that the Draft Local Plan is to be considered at the 16th March 2022 EBC meeting, and so, in the normal course of events, he would expect that the Draft Local Plan papers be published around the 9th March 2022.

The Clerk had received an invitation to a Design Code Consultation (closes 11th February 2022) from EBC. A Design Code is a set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area.

It was **unanimously agreed** that Cllrs could submit their own individual responses to the EBC's Design Code Consultation and that the Parish Council would not be submitting its own response.

Natalie Lynch, Team Leader from EBC Planning Department, responded to Cllr Bray's request for clarification of the minutes from EBC Local Plan Working Group 18/11/21 which noted that officers should present a draft Local Plan based on a growth strategy for Elmbridge, at the densities indicated in the Land Availability Assessment (LAA) 2021, and that any draft plan should protect both the Green Belt and the character of the urban areas, for Members to review alongside the evidence base. Natalie responded saying that The LAA 2021 mentioned in the LPWG report is a draft document that is not in the public domain. EBC won't be able to confirm densities etc. The LAA 2021 will be published when they go out for the Regulation 19 Representation period.

13. Torrington Lodge Car Park - EBC Potential Residential Housing Project.

No updates.

14. To consider, with a view to approving, the proposal for improving the Planning Committee's Remit document.

The Clerk had circulated Cllr Bray's proposed Planning Remit ahead of the meeting. Cllr Woodward proposed that that the Conservation area section remain in part.

It was **agreed in a majority** decision to approve the amended Planning Remit with an amended Conservation area section (Appendix B). 2 Cllrs abstained.

AP55 Clerk to add Planning remit to next Full CPC meeting for sign-off.

15. **To discuss any matters to be raised at the next Bi-Annual meeting of CPC and EBC Head of Strategy and Head of Planning to be held on the 25th February 2022.**

The Clerk noted that both Committees had had the Bi-Annual meeting added to their agendas so that Cllrs could feed in any matters to be raised by the Chairman and Chairs of Committees who would attend the meeting with the EBC Head of Strategy and EBC Head of Planning on behalf of CPC. The responses from EBC from this meeting would then be circulated to Cllrs after the meeting. She had sought the advice from SALC on having such meetings and had been told it was fine for the Chairs to be attending such information gathering and fact finding meetings with EBC on behalf of all Cllrs.

Cllr Bray noted that he felt the following 3 things needed to be raised: -

- Request clarification on the rules for when Planning applications go to sub-committee as there appeared to be conflicting information given on the EBC Constitution document and EBC website. Cllr Swift noted that these issues had been going on for some time.

AP56 John Bamford to send Cllr Bray data he had prepared on this matter.

- Local Plan update.
- 5G Mast as per the decision made in Item 5 of the agenda.

It was agreed that these matters should be included on the agenda and no other Cllrs requested any further matters be added to the Bi-Annual EBC meeting agenda.

AP57 Clerk to add to Bi-Annual EBC/CPC Meeting agenda.

16. **To note the invitation to the Claygate Community Day on the 23rd April and agree any action to be taken.**

The Clerk noted that she had circulated a request for Cllrs to attend 1.5hr slots to man a Parish Council stall throughout the Claygate Community Day. She asked whether the Committee wanted any Planning information to be able to hand out on the day. Cllrs requested an A4 Planning information sheet with the Planning Remit and Public Speaking Guidance notes on.

AP58 Clerk to prepare a double sided A4 Planning Remit and Public Speaking Guidance Handout.

17. **To consider an invitation by a local Chessington resident to meet with himself, the Chair of Chessington & District Residents Association and the Chair of Malden Rushett Residents Association to discuss the protection of local Green Belt areas of mutual interest.**

Cllr Bray had met with Rob Robb and had since had correspondence with him. Rob Robb had agreed to notify Cllr Bray when anything on the Hook Park Development (aka Poppymill) comes up in the future. The Committee did not discuss the invitation in the agenda item heading.

18. **Communication of key decisions to residents including input to the Courier and the website.**

The Committee noted that the next Courier edition was April 2022 and that Cllr Bray was writing an update for the Planning Committee.

19. **Matters for information purposes only.**

Cllr Swift noted that she had attended the latest SALC Planning course and stated that a Planning Protocol could help with matters such as 31 Stevens Lane. She noted that the course was running in March again.

AP59 Clerk to circulate the March Course details to the Committee.

Cllr Herbert noted that the Planning Application in the Garage block on the Roundway was still awaiting a decision and he was as such chasing it.

John Bamford noted that 2021/4393 - The Oaks The Causeway Planning application deadline was the 19th February so an extension was required.

20. **Date of the next meeting 24th February 2022.**

The reserve Councillor who may be required to attend the meeting on 24th Feb Cllr Collon.

Meeting Closed: 20h55

Signed:

Dated:

Appendix B

Planning Committee Remit

Version as Approved on January 27th

Planning Committee Remit

The Claygate Parish Council Planning Committee [CPC PC], comprising Councillors and co-opted members, meets regularly – on behalf of CPC - to consider planning matters affecting the village. The bulk of these are Planning Applications made to Elmbridge Borough Council [EBC]. The Applications to be reviewed at each meeting can be found in the pre-published agendas on our website and details of those Applications can be viewed at www.elmbridge.gov.uk/planning .

A. Responsibilities

1. Commenting on relevant planning guidelines and legislation
2. Obtaining professional support on planning matters when deemed necessary
3. Commenting on Planning Applications
4. Commenting on Applications under The Licensing Act 2003
5. Commenting on Applications under The Gambling Act 2005

B. Relationship with the Planning Authority [Elmbridge Borough Council]

1. CPC has no power to grant, or refuse, an application for planning permission. These powers reside with EBC.
2. CPC is a statutory consultee for all Applications made for properties in Claygate to EBC. As such, it has the right to have its views considered by EBC.

In the event that the Parish Council objects to the application, Elmbridge Borough Council will send the application to either East Area Planning Sub-Committee or Planning Committee for consideration depending on the number of objections and size of development.

C. Policies

1. **Green Belt & Open Spaces** – CPC will object to any reduction in the designated Green Belt and to any proposed development that detracts from its amenity value. It will ensure that the existing and potential open spaces and greens within the village are protected.
2. **Trees** – CPC attaches importance to the preservation of trees of significant amenity value, both on private land and the highway. It will press for the granting of Tree Preservation Orders in appropriate circumstances. It will consider the advice of its Tree Wardens on any planning application affecting trees.
3. **New Housing** – CPC recognises the pressure for housing development. However, it expects EBC to exercise effective control over the type and density of such development, and to implement design guide standards in order to avoid incongruous housing development.

In particular: -

- a. It is important that all types of housing are catered for.
- b. There will be a presumption against the demolition of character houses throughout the village, not only in Conservation Areas [CA's]
- c. New development should be in harmony with its immediate environment in terms of street scene, scale, type, number of storeys, roof heights, architecture and garden size. The size of rear gardens should adhere to the EBC Design Guide Standard. In considering applications for residential development, CPC will expect EBC to be satisfied that the proposed development, on its own or in combination with others, would not place unacceptable pressure on local infrastructure and services such as schools, medical services, and highways. Where development occurs EBC must ensure that appropriate funding is raised through Community Infrastructure Levy [CIL] or otherwise to augment existing services and are committed to release such funding as raised in the Claygate area twice yearly directly to CPC.

4. Conservation Areas [CA's] – CPC will look critically at all proposed development and change of use in the CA's. The sympathetic use of materials and design will be required.

5. Small Works – Applications for small works on domestic properties, outside the CA's, will not normally be opposed. But they should ensure that there is no adverse impact on the street-scene or the issues of concern described in this remit. The impact on the amenity of neighbours will usually be left to EBC, whose attention may be drawn to the relevant rules.

6. Backland Development – CPC will look critically at any proposals for backland development. It will seek to ensure that such proposals are integrated with existing development and do not detract from the appearance and character of the surrounding area.

7. Boundaries to Properties – CPC, when considering applications, will pay due attention to proposals for hedges, walls, fencing and gates. It will seek to ensure that these are in keeping with the character of the area. CPC is in principle to gated developments.

8. Traffic & Transport – CPC, in considering applications, will assess the likely effect on the volume and nature of traffic in the vicinity, the implications for parking and the access to public transport.

9. Commercial – Applications will be viewed with regard to their benefit to the community, quality of design and visual impact on the area.

D. Procedures & Protocols

1. Notices & Representations – CPC posts the agenda of each meeting on the Parish noticeboard. This references EBC's Weekly List of Applications Validated which are to be discussed at the meeting. The Weekly List can be found using this link –

http://emaps.elmbridge.gov.uk/ebc_planning.aspx?requesttype=parseTemplate&template=WeeklyListAVTab.tmplt

- 2. Contacts with Developers & Applicants** – except in respect of applications for tree works, Parish Councillors will not normally speak to people regarding Planning Permission. Should such contact arise unavoidably, discussions shall be limited to procedural matters and avoid considering the merit of the application. In such a case, a note will be made of the contact and reported to the next meeting of the CPC PC.

If an interested party wishes to talk to a Parish Councillor prior to an application being heard at a CPC PC meeting this must be done by appointment with the Clerk. It should be immediately prior to a CPC PC meeting, with a minimum of 2 Parish Councillors and the Parish Clerk present and a record taken of the discussion included in the Minutes.

Records of such meetings with interested parties should be agreed with the Applicant if at all possible.

- 3. Councillors' Own Applications** – Councillors' own personal applications will be discussed at CPC PC meetings. The Councillor whose application it is must adhere to Standing Orders and the Code of Conduct and withdraw from the meeting when it is considering a matter in which he/she has a disclosable pecuniary interest unless he/she has been granted a dispensation. Consideration of the matter begins when the agenda item is moved and includes any public representations and discussions relating to the planning application concerned and/or a vote.
- 4. Councillors & Public Meetings** – Councillors may attend publicly advertised open meetings about applications and proposed applications but should not enter into any discussion unless arranged as above.
- 5. Member of the Public at CPC PC Meetings** – if a member of the public wishes to make representation at a CPC PC meeting, this must be done in accordance with Standing Orders and the Planning Process and Public Speaking Guidance. Members of the public who make arrangements prior to a meeting will be given priority on the meeting agenda.

E. Licensing Act 2003

CPC will consider applications that could affect Claygate relating to the retail sale of alcohol, the supply of alcohol in clubs, the provision of regulated entertainment, late night refreshment and street trading and, if appropriate, make representation to EBC.

F. Gambling Act 2005

CPC will consider all applications that could affect Claygate relating to the operation or premises for the purposes of gambling and, if appropriate, make representation to EBC. In line with EBC policy, CPC will oppose any applications for casinos.

G. Organisation

The quorum of this Committee is 3 Councillors in accordance with Standing Orders. To prevent the attendance of Councillors falling below the quorate number, it may be necessary to call upon the services of a Councillor not on the CPC PC to attend and vote at a meeting.

This may be achieved in the following ways: -

1. The attendance of the CPC Chairman or Vice-Chairman who are ex-officio members.
2. The attendance of a substitute Councillor who will be invited by the Chairman of the CPC PC to attend the meeting in question, and for that meeting and that meeting only, will have voting rights.

<i>Amended</i>	<i>January 2019</i>
<i>Amended</i>	<i>July 2019</i>
<i>Amended</i>	<i>August 2020</i>
<i>Web Accessibility Checked</i>	<i>September 2020</i>
<i>Amended</i>	<i>December 2020</i>
<i>Amended</i>	<i>July 2021</i>
<i>Amended</i>	<i>January 2022</i>