



## Caring for Claygate Village

### DRAFT

### PLANNING COMMITTEE MEETING held at 7.30pm on Thursday 3<sup>rd</sup> December 2020 via Zoom.

Councillors: Geoff Herbert (Chairman of the Committee), Mark Sugden, Janet Swift, Michelle Woodward  
Co-opted: John Bamford,  
In attendance: Sally Harman (Parish Clerk & RFO), 6 members of the public.

1. **Apologies for absence**

Cllr Wang and Cllr Lessor sent apologies in advance.

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

2.1 To receive declarations of interest from Councillors on items on the agenda.

Cllr Swift noted she had a pecuniary interest in planning application 2020/2885 and as such would not take part in any debate on the subject. John Bamford stated that he lived on the same road as planning application 2020/2885 and as such would remove himself from the debate at the point it would be discussed in the meeting. Cllr Sugden, Cllr Herbert, and John Bamford all flagged that they knew members of the public in the meeting.

2.2 To received written requests for dispensation for disclosable pecuniary interests (if any):

None

2.3 To grant any requests for dispensation as appropriate:

None

3. **Minutes of the last meeting (5<sup>th</sup> November 2020).**

The Minutes of the meeting on the 5<sup>th</sup> November 2020 were agreed with no amends.

**AP83** Cllr Herbert to sign minutes and give to Clerk.

4. **To report on actioning of items from previous meetings.**

**AP52** Clerk to notify EBC on decision to reinstate bench outside Old Bank, Hare lane. Clerk notified EBC who instructed her to notify GPS. GPS confirmed they will action but then have refused. SCC now resolving the issue directly with GPS as the land owners **ONGOING**

**AP75** Cllr Herbert to sign minutes and give to Clerk from 8<sup>th</sup> October **DONE**

**AP76** Cllr Sugden to send the Clerk additional details to submit a further objection letter to Claygate House Planning application 2020/2095. **DONE**

**AP77** Cllr Herbert to attend EBC Planning Committee on the 24/11/20 if any applications concerning Claygate are to be discussed. **DONE** No applications covered Claygate.

**AP78** MS to draft letter requesting confirmation of when the EBC draft Local Plan will be published for the Clerk to submit to EBC planning department. **DONE** Covered under Item 12.

**AP79** John Bamford to circulate map of all proposed developments related to the Hook Park Development and the RBK local plan timetable. **DONE** Covered under Item 13.

**AP80** MS to request a cost from the planning consultant to provide advice on the EBC local plan Regulation 19 representation currently planned for 6 weeks Jan/Feb 2021. **OUTSTANDING**

**AP81** Committee members to consider what expenditures are expected in 2021/22 and come prepared to recommend the proposed planning committee final budget submission at its meeting on the 3<sup>rd</sup> December. **DONE**

**AP82** JB to prepare proposed remit amend and send to Clerk for sign-off at the next Planning Committee. **DONE** Covered under Item 16.

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

Cllr Swift notified SCC that land including footpaths in Rosehill Claygate were on Rightmove showing that they were up for public auction on 10th December 2020. Surrey Highways team lead contacted the Auctioneers and informed them of the section of the site that was publicly maintainable highway and as such, the surface is vested in Surrey County Council (as highway authority) irrespective of freehold ownership as per Section 263 of the Highways Act 1980. This legal status of highway will not be affected upon any transfer or sale of the freehold interest.

The Clerk noted that she had received notice of a 21 day consultation for 2020/2608 Garage block South of 33 to 45 The Roundway that morning.

**AP84** Clerk to add 2020/2608 discussion to 10<sup>th</sup> December Extraordinary Meeting Agenda.

*The Chairman requested a Motion under Standing Order, Rules of Debate 1 a) to move to Item 7 planning applications 2020/2885 then 2020/1902 . The meeting would then revert to the original order. This was agreed by a majority decision. 1 Cllr abstained under Code of Conduct rule 6) 3.*

**2020/2885 1 Hermitage Close Two storey front extension, two-storey rear infill extension, single-storey side extension and hip-to-gable roof extension with rear dormer windows following demolition of existing side projection.**

*19h48 John Bamford noted his interest and left the meeting.*

One member of the public spoke citing that the planning application had been improved since it's 2019 submission. However, they still had 3 concerns namely loss of light source, loss of privacy and planning inconsistency. They felt the development was overbearing. They welcomed a site visit and a topological survey and would like validation that the planning policy light rules had been met. They had concerns that the size and position of the dormers would mean that they would lose privacy within their patio and lawn. They raised that their own planning application in 2016 had received a comment from CPC stating that their own dormer required obscured glass and non-opening to protect the privacy of 1 Hermitage Close.

A further member of the public spoke citing that the proposed three dormers would look directly into their garden and as such they would also incur loss of privacy. They suggested alternative solutions like Velux (similar to neighbouring properties) or obscured, non-opening set back windows in the dormers. This would be consistent with 3 Common Road planning application awarded with these requirements back in 2016. A final member of the public spoke stating that the Parish Council had not objected to the dormers in the prior planning application in 2019. Pre-application advice received stated that the picture window in neighbouring property is north facing so would not affect light entry, the development would not be affecting privacy of neighbours and that the dormers would not alter their privacy and that a neighbouring property has already got a large dormer window with balcony.

*20h08 Cllr Swift left the meeting*

Claygate Parish Council voted to submit a no objection but to add a comment regarding the consideration of obscured glass in the dormer windows to preserve neighbour privacy. The

Committee informed residents that they can make their comments directly with EBC via their website on all planning applications.

*20h13 Cllr Swift rejoined the meeting*

**2020/1902 Land North of Dove Place, Holroyd Road Retrospective application for hardstanding.**

Cllr Sugden noted that he had knew a lot of people involved in this application, but he would be judging solely on planning policy.

1 member of the public spoke to state that they would be speaking in opposition. She said that the retrospective planning application is about future development not about animal welfare. The metal road was not hardstanding. Equally out of the 11 lots on the site only 3 are affected by water coursing. They raised concerns that the 'road' will continue to Common lane and Holroyd Road connecting the area allowing for future development. She stated that the land owners had taken delivering of considerable chalk during July and August despite a visit by EBC planning in June advising that a planning application was needed.

*20h18 John Bamford rejoined the meeting*

They stated that the field was positioned next to a local nature reserve and badger sets. That the metal road and hardstanding will inevitably impact on local wildlife. The existence of the metal road will inevitably lead to water courses diverting elsewhere. Finally, she stated that many trees were removed from 40 acre and that the solution to the water issue was that the trees should be put back rather than hardcoring. She finished by saying that the metal road will not remove an eyesore it will encourage more development and destroy rural landscape.

A further member of the public spoke in support. She said that the Greenbelt is not being subverted. All plot owners use solely for agricultural and horticultural use. The hardcore road is solely for owners to access their animals & land. There were no plans to link up to existing roads. The current access track is very treacherous and has been deteriorating in recent years. Access was needed for monthly hay deliveries, twice daily visits to animals and any emergency visits required. There have been no groundworks carried out and chalk was placed directly on the ground so the plot owners thought no planning application was required. They believed it was an environmentally friendly solution. The plot owners have been very supportive of encouraging local wildlife and biodiversity in the area. They have sown new meadow grasses. They believe that badgers are happy with a chalk environment and make their sets in it. BW34 is made from Type 1 and 2 MOT which is not allowed on the Greenbelt. Finally, she said that the owners of the field haven't brought it as a property investment they just want to use for agricultural and horticultural use. They would like support from the local community. She finished by reiterating that what had been put in place was not a road and was only an access track and it was needed for safe passage.

Cllrs recognised that there is a fear about development on 40 acre but they do keep a close eye on it. DM19 allows horse related activities and development on Greenbelt. It also allows for provision of access, storage and waste associated with these activities.

CPC voted for no objection to this planning application but to note that CPC strongly object to any development on the Greenbelt and did recognise in this instance that this planning application was horse-related. Regardless the CPC would like EBC to clarify if this is classified as a special circumstance for development according to the NPPF.

The CPC request the following conditions in order to preserve access to the site as a track but prevent it from becoming a road: -

- No permanent hardstanding to be laid down on to the access track by any site owner or anyone acting on their behalf without prior consent from EBC.

- No further chalk to be added without prior approval from the council.
- Grass seed, as agreed with council, to be applied, at the first opportunity during the growing season, in order to accelerate the process of chalk being absorbed into the ground and covered by grass.

**6. Applications and Appeals decided since last meeting.**

A report from John Bamford was circulated prior to the meeting. See Appendix A.

**7. Applications from Elmbridge Borough Council weekly lists, including confirmation of comments sent to EBC: -**

<u>Application Number</u>	<u>Address</u>	<u>Proposal</u>	<u>Claygate Parish Council Response</u>
2020/2761	3 Claygate Lodge Close Claygate Esher Surrey T10 0PS	Tree Preservation Order EL: 11/37 - Fell 3 x Oaks (T1, T4 and T5), 1 x Silver Birch (T2) and coppice to ground level 1 x Hazel (T3).	No objection.
2020/2070	42A The Roundway Claygate Esher Surrey KT10 0DW	Retrospective application for a single-storey rear extension.	CPC already commented to EBC on this planning application and past comment stands.
2020/2682	1 Melbury Close Claygate Esher Surrey KT10 0EX	Alterations to fenestration.	No Objection
<i>21h00 Cllr Woodward dropped out of the meeting</i>			
2020/2756	22 Oaken Drive Claygate Esher Surrey KT10 0DL	Single-storey rear extension, two-storey front extension, front canopy, hip-to-gable roof extension, front and rear dormer windows and front roof light following removal of chimney stack.	No objection. CPC requested that window to second floor ensuite is obscure glass.
<i>21h02 Cllr Woodward rejoined meeting.</i>			
2020/2654	11 Claremont Road Claygate Esher Surrey KT10 0PL	Tree Preservation Order EL:05/07 - Crown reduce 1 x Birch (T1) height by 4.5m and spread by 1m.	Object. This is a very attractive tree with plenty of space around it. The proposed works would be detrimental to its appearance.
2020/2619	8 Hermitage Close Claygate Esher Surrey KT10 0HH	Tree Preservation Order EL: 258 - Crown reduce 10 X Hornbeam and Beech by 4-5m.	No objection. CPC would like to comment that we would appreciate if all cuts be made at suitable junctions as previous works left some trees looking unattractive.
2020/2780	Foxhill 26 Stevens Lane Claygate Esher Surrey KT10 0TE	Single-storey rear extension.	No objection

2020/2708	23 Claremont Road Claygate Esher Surrey KT10 0PL	Tree Preservation Order EL:11/37 and EL:20/12 - Various works to various trees.	T1 Purple plum – Object. The proposed height reduction would detriment the appearance of the tree. T4 Oak – Object. The proposed reduction would spoil the appearance of the tree. T5,T6, T7 group of 3 birches – Object. The proposed reduction would spoil the appearance of the tree. T8 Birch – No objection.
2020/2893	23 Claremont Road Claygate Esher Surrey KT10 0PL	Claygate Foley Estate Conservation Area - Fell 1 x Confier (T2) and crown reduce 1 x Fig (T3) by 1m and reduce one limb towards road by 2m.	No objection
2020/2370	The Willows Albany Crescent Claygate Esher Surrey KT10 0PR	Tree Preservation Order ELM:40 - Reduce lowest branches over road of 1 x Oak by 2m and reduce overhanging branches of 1 x Horse Chestnut by 3m.	No objection
2020/2896	30 Gordon Road Claygate Esher Surrey KT10 0PQ	Single-storey rear extension, front porch, rear raised terrace to a height of 0.5m, associated landscaping and groundworks and alterations to fenestration following demolition of existing detached garage and removal of chimney stack.	No objection
2020/3044	5 Melbury Close Claygate Esher Surrey KT10 0EX	First-floor infill extension, conversion of garage into living space, front porch and alterations to fenestration.	No objection
2020/3125	15 Beaconsfield Road Claygate Esher Surrey KT10 0PN	Claygate Foley Estate Conservation Area - Crown reduce 1 x Liquidamber styraciflua (T1) by 3m.	No objection

**8. East Area Sub Committee Meeting report.**

There were no planning applications concerning Claygate.

**9. EBC Planning Committee Meeting report**

There were no planning applications concerning Claygate.

**10. Licensing Applications in Claygate.**

There were no licensing applications concerning Claygate.

11. **Compliance issues**

**2014/4954 1 Caerleon Close** – No further update at this time.

**AP85** – Clerk to get an update from Compliance team at EBC.

12. **Elmbridge Local Plan Status and any action arising.**

The Clerk wrote to the EBC Head of Planning requesting clarity on the revised timescale of the Local Plan. They responded stating that the meetings on 9<sup>th</sup> and 16<sup>th</sup> December are being rescheduled for early 2021.

**AP86** Clerk to request an LDS update.

The Clerk circulated the minutes from EBC Local Plan Working group from the 12<sup>th</sup> November.

13. **RBK Local Plan & Hook Park Development Status and any action arising.**

The Clerk circulated Appendix B prepared by John Bamford to Cllrs prior to the meeting. There are 3 parcels of Green Belt land adjacent to Claygate that are the responsibility of KBC (as referred to in the Planning minutes). GB15 covers the Hook Park development. Nothing further has occurred since the last meeting.

14. **Torrington Lodge Car Park - EBC Potential Residential Housing Project**

The Clerk circulated the minutes of the EBC Cabinet meeting on the 18<sup>th</sup> November prior to the meeting. They state that there are a number of potential projects, where additional residential developments could be considered on council owned land. Work has been undertaken by parking services, pre-covid, to look at the underperforming car parks in the borough. There are a number of carparks that are under-performing but not all of them are necessarily suitable for residential development. There are several car parks which are worth focussing on in the short-term to establish whether residential development is a possibility, a couple of the carparks already have high level capacity studies done, albeit they are a few years old. Torrington Car park, Claygate This car park is situated in the centre of Claygate with good access to facilities and transport options. A High-level capacity was done in March 2016 which demonstrated several options for the land. One option showed 15 houses could be developed, a second option demonstrated 16 flats could be developed. As the capacity study was undertaken over 4 years ago, the site potentially could hold additional units. CPC will continue to keep an eye on any developments made by EBC on this subject.

15. **To agree the budget submission for 2021/22 for final sign off at the full Parish Council meeting on the 14<sup>th</sup> January 2021.**

It was **unanimously agreed** that the Planning Committee budget should remain at £4,500 for 21/22 and that this figure should be submitted as to the final budget meeting on the 14<sup>th</sup> January.

**AP87** In addition to AP80 MS to ask the planning consultant for a cost of a meeting between her and the Planning Inspector if required during the year 21/22.

16. **Approve the Planning Committee Remit amend to reflect revised EBC policy on how they handle objections to planning applications**

The Clerk circulated a proposed amend to the Planning Committee remit to Cllrs prior to the meeting. Cllr Sugden suggested an additional amend which was to remove the need to detail the member of the public speaking in the meetings minutes as this was in conflict with CPC Privacy Policy.

It was **unanimously agreed** to approve the revised planning remit with the amends.

**AP88** Clerk to add review of planning process to the next Planning Committee agenda on the 5<sup>th</sup> January 2021.

**AP89** Clerk to request clarity from SALC on whether members of the public can object to a planning application from outside the borough.

17. **Communication of key decisions to residents including input to the Courier and the website.**  
A February publication of the Courier is planned. Each Committee needs to submit a 50 word article with picture. An emergency publication may be required if the Draft local plan is published.
18. **Matters for information purposes only.**  
None
19. **Date of the next meeting 5<sup>th</sup> January 2021**

Meeting closed: - 21h38

**Reserve may be required for the next meeting: -Cllr Sugden**

**Signed:**

**Dated:**

## Appendix A

### **Report on Planning Applications Decided since the Last Planning Meeting**

#### **Applications Refused by Elmbridge Borough Council (EBC)**

2020/1727 Harecroft Raleigh Drive Claygate Esher Surrey KT10 9DE

Detached garage.

EBC assessed that “By virtue of its siting within 8m from the main river, it does not allow for essential maintenance and emergency access to the River Rythe. Also, the Flood Risk Assessment submitted fails to demonstrate that the current proposal is safe, does not increase flood risk elsewhere, or that the proposed development will not constrain the natural function of the flood plain. The proposal has also failed to either address Climate Change or provide SuDs in the design. The proposal is contrary to the National Planning Policy Framework 2019, policy CS26 and Flood Risk SPD (adopted 2016)

2020/2266 8 Foley Road Claygate Esher Surrey KT10 OND

Single-storey side/rear extension, side/rear dormer, side roof light and alterations to fenestration following partial demolition of existing house including garage.

EBC assessed that the side and rear dormer proposed, by reason of its design, scale, bulk and choice of materials would result in harm to the host dwelling, the character of the area and the street scene contrary to Policies CS17, DM2 and the Design and Character SPD and the Companion Guide: Home Extensions

#### **Other Noteworthy Applications Decided included: -**

2018/3239 27 Meadow Road Claygate Esher Surrey KT10 ORZ

A pair of semi-detached two-storey houses with integral garages and new access following demolition of existing house.

Plans were amended 9m after CPC reviewed primarily for roof height

EBC assessed

- The separation distance of at least 23m is more than sufficient to ensure that the proposal would not result in a material overbearing impact or loss of outlook to neighbouring properties closest to rear facing windows
- the submitted daylight and sunlight report demonstrates that there would not be a material loss of light or overshadowing to the neighbouring properties.
- the latest SCC guidance on electric vehicle charging advises that a fast charge point be included. As such it is considered appropriate for a condition to be included requiring an electric vehicle fast charge point be provided as part of the proposed development
- policy DM6 of the Development Management Plan 2015 states that development proposals should be designed to include a scheme that ‘adequately protects existing trees including their root systems prior to, during and after the construction process’. The applicant has provided an Arboricultural Report and accompanying existing and proposed tree survey and tree protection plans detailing the trees and hedges to retained and removed respectively and the measures utilised to protect the existing trees to be retained on and adjoining the site. The loss of the category B tree is considered to be regrettable and to the detriment of the site and the area. As such it is considered appropriate to ensure that the site has a suitable degree of planting and landscaping to include a condition requiring the submission of a planting and landscaping plan prior to occupation of the development
- Loss of a private view is not a material planning consideration.

#### **Appeals Lodged**

None

## **Appeals Decided**

2019/2277 Land Southwest of Arenella Mountview Road Claygate Esher KT10 0UD

Detached single-storey house with basement, detached garage and new entrance

The proposed development would interrupt the pattern of development by introducing two buildings close to the street in a part of the road characterised by large landscaped undeveloped gardens. It would therefore harm the character and appearance of the area contrary to Policy DM2, CS11 and CS17 and the SPD which require that proposals should preserve or enhance the character of the area.

Paragraph 122 of the National Planning Policy Framework (the Framework) whilst supporting the efficient use of land requires the desirability of maintaining an area's prevailing character and setting (including residential gardens) to be considered. In this instance, the proposed development would not be an appropriate density because of its harmful impact on the character of the area and thus would conflict with the Framework in this regard.

## **CIL**

£27,957 is payable in respect of 2018/3239

## Appendix B

Parcels of Green Belt land adjacent to Claygate that are the responsibility of KBC (as referred to in their Planning minutes). GB15 covers the Hook Park development.

### **Parcel GB15 – land between the A3 and field boundaries extending northeast from Oaklands Close, bounded to the south by Clayton Road and to the north by the A309 Kingston Bypass.**

A parcel comprising large pastoral fields, sports ground and industrial / commercial development which also include over 30 mobile homes. Large fields to the east of the parcel are generally open and bounded by a mixture of mature trees and mature trees with hedgerow. There is some additional screening planting to the north of the parcel along the A309 embankment. Commercial development is located to the west and south of the parcel and comprises a livery and riding school with stabling and large indoor and outdoor facilities, commercial warehouses and hardstanding areas for cars and commercial vehicles, and a scrap metal facility. The landform falls gently to the east. Views are generally open across the parcel and are intruded by road infrastructure and built development.



### **Parcel GB14 – land between the A3 and built development along Devon Way / Beverley Close, bounded to the south by a field and woodland boundary west of Mansfield Road and to the north by Clayton Road.**

A compact, linear parcel comprising a mixture of recreational and pastoral fields, with mature woodland belt to the west of the parcel and woodland areas to the south and north of the parcel. Mature trees are also found in the recreational areas and along the housing boundary to the east. There is a field drain and watercourse along the eastern edge of the parcel. Built development is located to the south of the parcel and comprises a primary school and youth centre. The landform falls gently away to the northeast with a bund created to the west of the parcel to help screen the A3. Views are generally restricted by surrounding vegetation.



**Parcel GB13 – land between the A3 and built development along Merritt Gardens / Coppard Gardens, bounded to the south by the public footpath to the west of Woodall Close and the north by a field and woodland boundary west of Mansfield Road.**

A compact parcel comprising a mixture of recreational, pastoral and arable fields, with mature woodland belts bounding the fields and clumps of semi-mature and mature trees, as well as avenues of trees in recreational areas and areas of scrub to the south. Built development is located within the recreational area and comprises a paved path and children’s play area. A low mound spans the centre of the field with the landform falling away to the east and west. Views from settlement edge are relatively open but short range due to the rising landform.



**Parcel GB12 – land to the north of Winey Hill, between Barwell Lane and the public footpath to the west of Woodall Close, bounded to the west by the A3 and the east by a paved access road adjacent to built development along Nigel Fisher Way, Orchid Close and Woodall Close.**

A relatively compact parcel comprising irregular open pastoral fields, with a central clump of mature woodland and a woodland strip to the southwest of the parcel. Some hedgerows form field boundaries and define the edges of the parcel. Built development is located to the south of the parcel and comprises a large detached farmhouse and several scattered detached and terraced cottages with garden grounds containing mature specimen trees and hedgerows. A variety of stables, barns and livery buildings surround the dwellings. The parcel is located on the lower northern slopes of Winey Hill with the landform falling to the northeast in the northern half of the parcel and to the west in the southern half. Views from settlement edge are relatively open above tall hedgerows but short range due to the rising landform.



**Parcel GB5 – land between Fairoak Lane to the south and Barwell Lane to the north, bounded to the east by Chessington holiday resort and to the west by the A3 and a hedgerow and path indicating the Borough boundary. The southwestern corner of the parcel lies within Elmbridge Borough.**

The parcel contains a lake for angling with wooded island and peripheral riparian woodland. A pond is also located at summit of Winey Hill. Woodland is located to the southeast of the parcel and at the summit and lower northeastern slopes of Winey Hill. The pastoral fields are small and irregular shaped. Winey Hill is the main topographical feature to the northeast of the parcel.

