



Caring for Claygate Village

DRAFT MINUTES

PLANNING COMMITTEE MEETING held at 7.30pm on Thursday 7th October 2021 in Claygate Village Hall

Chairman of the Committee: Gil Bray
Councillors: Michelle Woodward, Janet Swift, Xingang Wang, Geoff Herbert.
Co-opted Committee Members: John Bamford, Michael Collon
In attendance: Sally Harman (Parish Clerk & RFO), 1 member of the public

1. **Apologies for absence**

Cllr Lesser sent her apologies in advance.

19h33 Cllr Herbert, Cllr Swift, John Bamford and 1 member of the public entered the meeting.

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

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

Cllr Bray declared that he knew the owners of 2021/3012 26 The Avenue and as such would not 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

3 **Minutes of the last meeting (9th September 2021).**

Cllr Swift noted that CPC were not consultees for 2021/2825 12 Derwent Close and 2021/3077 10 Cavendish Drive and as such the CPC submission should have been 'No Comment' and not 'No Objection, No Comment'. The Chairman noted that more time needed to be spent on the Committee formulating their comments going forth. The Clerk noted that AP21 had been duplicated in error and that the second AP21 should be amended to AP22 and then each AP following should go up incrementally to AP25.

It was **unanimously agreed** that the amends could be made and that the Chairman could sign the minutes, witnessed by the Clerk.

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

AP80 MS to request a cost from the planning consultant to provide advice on the EBC Local Plan Regulation 19 Representation originally planned for 6 weeks Jan/Feb 2021 but now delayed. AP was handed to Clerk on 17th June. EBC Draft Local Plan not expected until early next year. Cllr Bray had been in touch with the Planning Consultant who had advised him on her daily rate **DONE** See Item 5 for costing detail.

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. Local Plan delayed for foreseeable future.

REMOVE

AP5 Clerk to request EBC to formally notify CPC if a Licencing Application affects Claygate in the future. Clerk still chasing. **IN PROGRESS**

AP6 Clerk to get further clarity from EBC on a Claygate Conservation Committee for Claygate and clarify John Bamford as a possible Claygate Conservation Area Liaison. John has confirmed he is happy to act as liaison. Jon Kilner team now only him. Historically 3. They initially said we can set up CACC but we have to seek public nominations for who will sit on it. EBC checking that requirement with Legal. Clerk noted historically it was apparently set up and run by EBC with CPC representation only. Clerk asked EBC to look into the best route going forward to get a sense check of Conservation Area in a more streamlined fashion. Clerk to investigate possibility of Claygate joining an existing committee. Clerk spoken to EBC contact and waiting for reply. **IN PROGRESS**

AP17 Clerk to ask EBC what is happening with the proposed new nursery at the entrance to Torrington Lodge carpark and to request CPC are consulted. EBC Planning Department replied stating that a Lawful Development Certificate was granted under ref 2021/0616 for the 'Change of use from Office (Class E) to Nursery (Class E) including internal configuration'. This was approved as the proposal complies with Permitted Development and does not require planning permission. As it is a Lawful Development Certificate there is no consultation with CPC. **DONE**

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. **IN PROGRESS**

AP21 Clerk to drop minutes to Chairman to sign and return to Clerk. **DONE**

AP22 Clerk to send resident link to Committee/Subcommittee Meetings and Decisions page on EBC website. **DONE**

AP23 Chairman to raise question of whether CPC can feed into EBC Design Codes at their meeting on the 10th September. It was concluded that it was too early to tell. **DONE**

AP24 Clerk to check with Anne Bott from SALC whether information gathering meetings can be held with third parties such as EBC without all Cllrs having to attend. SALC confirmed no problem. **DONE**

AP25 Chairman of CPC and Chair of Planning Committee to raise at meeting on Friday 10th September with the Head of Planning at EBC what SANG sites are in Claygate and bring back to Planning Committee on the 7th October. It was confirmed that the only SANG site in Claygate was Claygate Common. **DONE**

5. **To discuss the Planning Committee budget submission for 22/23 to go to the full Council for review on the 18th November 2021.**

It was noted that the 21/22 budget figure for Planning was £4,500. Cllr Bray noted that the day rate for the Planning Consultant was £750.

AP26 Cllr Bray to check if £750 is inclusive or exclusive of VAT.

It was agreed in a majority decision that £4,500 be submitted by the Planning Committee as its proposed 22/23 budget to the Full Council on the 18 th November 2021. 1 Cllr abstained.
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6 **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 Head of EBC Planning had written to her on the 10th September to state that BT have written to EBC to tell them that the Telephone Exchange on Hare Lane remains a vital piece of infrastructure and is not available for redevelopment in the next plan period. She noted that this could change, they have no control over whether infrastructure providers prioritise releasing this site in advance of others but this is the situation now.

The Clerk had been copied in on an objection letter regarding 2021/2668 - 4 Littleworth Road KT10 9FP - Widening of vehicular access to create a 2 way access. The Clerk responded to the resident to

inform them that CPC had unfortunately already discussed and agreed a response at the prior night's planning committee on the 9th September.

The Clerk had received a Notices Under Section 31(6) Highways Act 1980 & Section 15A(1) Commons Act 2006 of a new deposit at Claygate House, Littleworth Road, Esher. The Clerk notified the Chairman of CPC who advised her to post on the CPC website and email a link to Councillors. The Chairman of CPC Cllr Herbert confirmed that this was a Planning matter rather than Highways. Cllr Bray had asked EBC Planning Department to clarify what the notice meant but the response did not clarify the situation sufficiently.

AP27 Cllr Bray to recontact EBC Planning to ask for further clarification.

The Clerk had received notice from SCC via SCC Cllr Mark Sugden and from Elmbridge of a new project aimed at capturing sites which have heritage significance but are not recognised by another designation. The Clerk had circulated the communication from EBC to the Committee ahead of the meeting which included the existing heritage list, criteria for selection and FAQs all of which are on the EBC website. Nominations from the public and local groups are through an online nominations process on the SCC website which will open in early October and close on the 16th November 2021.

It was **unanimously agreed** that Cllr Woodward would collate a CPC heritage site nomination list and bring the list to 4th November Planning Committee for review and approval.

AP28 Committee members to send Cllr Woodward nominations for the CPC Heritage list.

Finally the Clerk had received a consultation request from Cornerstone with regards to the existing telecommunications site located at Elm Garden Nurseries, Elm Farm, Woodstock Lane South, Claygate, KT10 0TB (NGR: 516975, 163726). Telefónica have identified a requirement for an upgrade to this existing installation to improve network coverage within the surrounding area. The Clerk had circulated the letter and drawings to the Committee ahead of the meeting. They had requested a response by the 18th October.

It was agreed in a **majority decision** that the Clerk request an extension of time to the consultation response to allow for a CPC response to be discussed at the 4th November Planning Committee. Michael Collon to draft a Without Prejudice letter noting CPC's support in principle if it meant masts weren't going to be located elsewhere in Claygate. 1 Cllr voted against.

AP29 Clerk to contact Cornerstone to request an extension on the Telecommunications site consultation at Elm Garden Nurseries.

AP30 Michael Collon to draft a response to bring to the 4th November Planning Committee.

Cllr Bray noted that he had written to Mulberry & Co asking for their recommendations on any independent organisations that can come and advise CPC on 5G masts.

7 Applications and Appeals decided since last meeting.

A report from John Bamford was circulated prior to the meeting (Appendix A). The report was noted and accepted.

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

Application Number	Address	Proposal	Claygate Parish Council Response
2021/2572	2 Norfolk Road Claygate Esher Surrey KT10 0RS	Single-storey rear extension and alterations to fenestration following demolition of existing rear projection.	No Objection, No Comment. Unanimously agreed
2021/2962	Arenella Mountview Road Claygate Esher Surrey KT10 0UD	Detached single-storey house with basement and attached garage.	No Objection with Comment. Comments: <ul style="list-style-type: none"> - CPC request a condition is made for trees to be maintained for as long as possible. - CPC note that the dwelling is closer to the kerb than any other buildings on the road and therefore forward of the building line. Unanimously agreed.
2021/3021	19 Dalmore Avenue Claygate Esher Surrey KT10 0HQ	Hip-to-gable roof extension, rear dormer window and front rooflights.	No Objection with Comment. Comment: CPC are concerned about the design and appearance of the proposal. Majority agreed. 1 Cllr voted against.
2021/2989	Claygate Youth Centre Elm Road Claygate Esher Surrey KT10 0EH	Installation of CCTV.	LDC. No Comment.
2021/2932	5 Fairlawn Close Claygate Esher Surrey KT10 0EN	Single-storey side extension, first-floor front extension, conversion of garage to living space and alterations to fenestration following removal of side bay window and existing front dormer.	No Objection, No Comment. Unanimously agreed.
2021/2987	11 Stevens Lane Claygate Esher Surrey KT10 0TD	Part two/part single-storey side extension and front porch following demolition of existing porch, garage and utility room.	No Objection with Comment. Comments : <ul style="list-style-type: none"> - The proposed 2 storey side extension is up to the boundary at the front of the property which isn't in accordance with the Design Character SPD Document Companion Guide – Home Extensions Documents.

			<p>- The proposed enlarged porch area would be in front of the building line.</p> <p>Unanimously agreed.</p>
2021/3012	26 The Avenue Claygate Esher Surrey KT10 0RY	First-floor side extension with rooms in the roof space incorporating rear dormer window, front and side rooflights and alterations to fenestration.	<p>No Objection, No Comment.</p> <p>Majority decision. Cllr Bray abstained as per agenda item 2.1.</p>
2021/2931	34 Holroyd Road Claygate Esher Surrey KT10 0LG	Conversion of ground and first floor flats into single dwelling house.	<p>No Objection, No Comment.</p> <p>Unanimously agreed.</p>

2021/2282	129 Hare Lane Claygate Esher Surrey KT10 0RA	Tree Preservation Order EL:12/02 - Crown lift 1 x Yew up to 3m from ground level.	<p>No comment.</p> <p>Unanimously agreed.</p>
2021/3260	6 Beaconsfield Road Claygate Esher Surrey KT10 0PW	Claygate Foley Estate Conservation Area - Various works to various trees.	<p>T2. Magnolia in the front garden: Comment: This seems to be an excessive reduction in the spread of the magnolia. However it is probably not worthy of a TPO.</p> <p>T3 Beech, overgrown hedge: Comment: One beech in this small section of hedge has been allowed to grow to form an attractive standard tree which already contributes well to the street scene. The application is to reduce this tree. However if the main stem of it were to be left it could become a valuable tree and therefore might merit a TPO.</p> <p>Unanimously agreed.</p>
2021/3088	65 Foley Road Claygate Esher Surrey KT10 0LY	Single-storey side/rear extension incorporating garage, single-storey rear extension, front porch, alterations to fenestration following demolition of existing garage.	<p>No Objection with Comment.</p> <p>Comment: The proposed arrangements to the garage appears to show a door which could be out of keeping with the street scene and character of the property.</p> <p>Unanimously agreed.</p>
2021/1148	18 Trystings Close Claygate Esher Surrey KT10 0TF	Part two/part single-storey rear extension, part two/part single-storey front extension, single-	<p>No Objection with Comment.</p> <p>Comment: In addition to CPC's comments made on the 21st May 2021 we have a further comment to make. CPC request clarification on the tree identified as T6 in</p>

		storey side extension and alterations to fenestration.	the arboricultural risk assessment and can a TPO be considered. Unanimously agreed.
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AP31 Clerk to ask Tree wardens if they would be interested in looking at Tree reports on planning applications that include them.

9. East Area Sub Committee Meeting report.

No updates

10. EBC Planning Committee Meeting Report.

No updates.

11. Licensing Applications in Claygate.

No updates.

12. Compliance issues.

No updates.

13 Elmbridge Local Plan Status and any action arising.

Still awaiting a firm deadline. Draft Local Plan publication not expected until early 2021.

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

No updates.

15. Report on the EBC Planning Users Zoom Webinar on 29/09/21.

Cllr Bray, Cllr Swift and John Bamford had attended the webinar. The Clerk had circulated the EBC Planning User Group pack discussed on the Webinar to Committee members ahead of the meeting at the request of Cllr Bray. The Tree Wardens had noted the NPPF July 2021 change that ‘New streets must be tree lined’ but also noted that there was no mention of the fact that, in their first years, trees need maintenance and protection.

16. Consider our position regarding the uptake of Elmbridge Borough Council’s Planning Alert system.

Cllr Bray noted that only 6.5% of residents in Elmbridge had signed up to the EBC Planning Alert system and asked whether CPC could assist in raising awareness.

It was unanimously agreed that the Clerk should send out links to the EBC Planning Alert system via CPC Facebook page and add link to the CPC website.

AP32 Clerk to send out link to EBC Planning Alert system on Facebook and add link to website.

17. To respond to the Council’s request in its meeting on the 23rd September 2021 that the Council’s Planning Committee considers EBC Cllr McDonald’s suggestion, presented by Cllr Swift, that we join a cross-party alliance to challenge the housing numbers to be used in the Local Plan.

Cllr Woodward requested that the letter Cllr Swift had received from EBC Cllr McDonald be circulated to Committee members. Cllr Swift declined citing personal information was also included in the correspondence. Cllr Woodward queried how a decision could be made on something that hasn’t been circulated to the Committee via the Clerk.

Cllr Bray spoke as Chairman of the Committee. He noted that this request was raised during the Planning Committee Report section of the last CPC on Sept 23rd. It was not on the Agenda of that meeting and was in breach of Standing Order 9. He reminded Cllrs of that Standing Order. He then spoke as a Cllr. He read out Minute 12 from the CPC PC March 25th 2021:- *To review & agree whether a supporting statement will be made to the Alliance of Elmbridge Residents and Civic Forum.* *The Clerk circulated the feedback from SALC to the committee ahead of the meeting on the subject of supporting organisations such as the Alliance of Elmbridge Residents and Civic Forum. It advised that a Parish Council should demonstrate that at all times it is acting with integrity and without bias to anyone affected by its decisions. A Parish Council should not in any circumstances be political.* Cllr Bray stated that he believed the request from EBC Cllr McDonald via Cllr Swift fell into exactly the same category and should therefore be rejected by the Committee. He noted that it was important that CPC, a sovereign body, retains its independence to act as it thinks best for the benefit of the village. He noted that not joining the proposed alliance does not prevent CPC from keeping up-to-date with what other bodies are doing and agreeing with them when it feels that is in the interests of Claygate.

It was agreed in a **majority decision** that Cllrs applied Standing Order 7 and that CPC Planning Committee won't be joining an alliance going forth. One Cllr abstained.

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

It was agreed that an article on EBC Planning Alerts would appear in a future Courier.

19. Matters for information purposes only.

John Bamford & Michael Collon noted they would be unable to attend the next Planning Committee.

AP33 Cllr Bray to action John's Planning Application and Appeal report for the 4th November Planning Committee in his absence.

20. Date of the next meeting 4th November 2021

Meeting Closed: 21h18

Reserve may be required for the next meeting: - Cllr Rawson

Signed:

Dated:

Appendix A
Report on Planning Applications Decided since the Last Planning Meeting

Applications Refused by Elmbridge Borough Council (EBC) excluding LDCs

2021/2639 16 Oaken Lane KT10 0RE Confirmation of Compliance with Conditions:

The original application 2021/0668 stated no trees would be removed to implement development and was conditioned accordingly. Additional arboricultural information submitted to satisfy condition 8 recommends removal of a significant Lime tree (T9 on Tree Protection Plan) that the Council considers should be Category B rather than C, which would be a constraint on development plans. Therefore, the Council considers T9 LIME should be retained.

Other Noteworthy Applications Decided:-

2021/2577 17 Blakeden Drive KT10 0JR

Single-storey front porch, first-floor side extension, alterations to fenestration and finish.

With regards to Nos.1 & 2 Garden Villas, these properties back onto the side eastern elevation of the application site and benefit from relatively small rear gardens at just over 6.5m in depth; however, both properties benefit from side and front gardens. Furthermore, given that the proposal would be sited to the north and north-west of these gardens, there would be no increase in loss of light and overshadowing as a result of the proposal.

A site visit was undertaken to assess the overlooking concerns.

Appeals Decided

None

No CIL is payable in respect of Planning Applications decided since the last meeting