



## Caring for Claygate Village

### DRAFT MINUTES

### PLANNING COMMITTEE MEETING held at 7.30pm on Tuesday 4<sup>th</sup> January in Claygate Village Hall.

Chairman of the Committee: Gil Bray  
Councillors: Xingang Wang, Michelle Woodward, Geoff Herbert  
Tree Wardens: Margie Richardson, Vanessa Relleen.  
In attendance: Sally Harman (Parish Clerk & RFO), 1 x member of the public

1. **Apologies for absence**  
Cllr Lessor, Cllr Swift, Michael Collon and John Bamford sent their apologies in advance.
2. **Declarations of Interest in items on the agenda.**
  - 2.1 To receive Declarations of Interest from Councillors in items on the agenda.  
None
  - 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 (2<sup>nd</sup> December 2021).**

It was **unanimously agreed** that the minutes could be approved with no amends and that the Chairman could sign the minutes, witnessed by the Clerk.

#### 4 **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 **IN PROGRESS**

**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**

**AP42** Clerk to contact EBC Head of Planning and see if CPC can get an update on the publication date of the Local Plan. She responded saying that there are no further updates at this time. EBC are still working towards a Regulation 19 consultation towards the end of the winter. **DONE**

**AP43** Chairman, coping in the Clerk, to send letter to EBC Head of Planning on 5G mast provision. Response received and covered under item 15. **DONE**

**AP44** Clerk to email Tree Wardens about attending the meeting on the 4<sup>th</sup> Jan and copy John Bamford in so he can take them through his report ahead of the meeting on the 4<sup>th</sup> January. **DONE**

**AP45** Clerk to add SCC Issues and Options Public Consultation on their Mineral and Waste Local Plan to 4<sup>th</sup> Jan Planning Committee agenda. **DONE**

**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. She had secured extensions from EBC on the following Planning Applications until the 5<sup>th</sup> January: -

- 2021/3665/INVALID - 61 The Maples Stevens Lane Claygate Esher Surrey KT10 0TN
- 2021/3749 - Consultation - 10A Claremont Road Claygate Esher Surrey KT10 0PL
- 2021/3900 - Consultation - Bryher 14 Oaken Drive Claygate Esher Surrey KT10 0DL

*19h35 Vanessa Relleen entered the meeting.*

The Clerk notified the Committee that she had received a request from the Tree Wardens to ask the CPC to request that EBC Tree Officers apply TPOs to two oak trees opposite No 6 and No 8 Holroyd Rd.

It was **unanimously agreed** that a request to EBC Tree Wardens for TPO's to be applied to the two oak trees opposite No 6 and No 8 Holroyd Road be made by the Clerk

**AP46** Clerk to submit request for TPOs to EBC Tree Wardens.

*Under Standing Orders 10 a vi the Chairman motioned to move Item 16 up the agenda and then for the agenda to return to its original order. This motion was unanimously agreed.*

**16. To review and consider the process for Planning Applications that involve trees.**

John Bamford's tree report was circulated to the Committee ahead of the meeting (Appendix D). The Tree Wardens noted that they don't go through all Planning Applications in detail but would be happy to review significant applications on the weekly list if they were highlighted to them.

It was **unanimously agreed** that Cllr Bray would highlight applications for the Tree Wardens to review from the Weekly list going forth.

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

The Tree Wardens noted that it was sometimes hard to get hold of EBC Tree officers but other than that they were happy with the relationship.

**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.

The Tree Wardens confirmed that they had 2 new recruits to their team and that EBC training was about to start.

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

*Under Standing Orders 10 a vi the Chairman motioned to move Item 7 Planning Application 2021/4037 up the agenda and then for the agenda to return to its original order. This motion was unanimously agreed.*

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

Application Number	Address	Proposal	Claygate Parish Council Response
2021/4037	31 Stevens Lane Claygate Esher Surrey KT10 0TD	2 detached two-storey houses with rooms in the roof space, one with integral garage and one with detached garage, and alterations to fenestration on existing house.	<p><b>No Objection with Comment: -</b>  <b>Comment:</b>            1/ CPC notes the proposal to conduct a viability study in transplanting T12 at a cost of £55k-£85k which is significantly more substantial than proposed in Planning Application 2021/0988 and ask that EBC Tree Officers are involved in that assessment. In the event that the assessment of transplanting T12 is not possible, CPC request that a far more substantial Hornbeam should be considered rather than the 300mm girth one proposed.            2/ CPC would expect that EBC Tree Officers would require transplantation of T12 if it is deemed viable.</p> <p><b>Majority agreed. 1 Cllr Abstained.</b></p>

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

A report from John Bamford was circulated prior to the meeting (Appendix A) along with a number of observations made by John as follows: -

1. 2020/2509 (ELM10129 – Manor Road South) is a Prior Approval Application that has been upheld at Appeal. John included this in his Report even though it involves an Application outside Claygate as it is directly relevant to a source of concern about Telecom Applications in Claygate and therefore Item 15 on the Agenda. The points he wanted to emphasize were as follows: -
  - The Planning Inspector placed considerable weight on both the Applicant’s assessment of the unsuitability of alternative sites and the requirement for Telecom Equipment (NB: A sites assessment for a Prior Application for Telecom equipment at Oaken Lane stated that all alternative sites were unsuitable, yet a subsequent Application has been approved for this Telecom equipment to be located elsewhere on green belt land off Rythe Road which was assessed to be a more suitable location!)
  - The Planning Inspector assessed that the height and bulk of the monopole is greater than any of the existing equipment and trees on this piece of land and discordant and highly conspicuous and consequently harmful to the relatively open, modest height suburban character. However, the harm was assessed as being outweighed by the factors mentioned above
  - (NB: 3 out of 5 Telecom Applications were Allowed on Appeal in 2021)
  
2. 2021/0160 (16 Stevens Lane) is an Application granted for an additional 2 dwellings This Application was approved with conditions that included a “Tree Retention” clause and “Landscaping Scheme” clause. It is not too dissimilar to the latest Planning Application for 31 Stevens Lane (2021/4037) that is due to be discussed under Item 7  
 Policy DM6 requires that development proposals are designed to include an integral scheme of landscape, tree retention and protection and should not result in loss or damage to trees that are, or are capable of, making a significant contribution to the character or amenity of the area, unless in exceptional circumstances the benefits would outweigh the loss.

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

Application Number	Address	Proposal	Claygate Parish Council Response
2021/3749	10A Claremont Road Claygate Esher Surrey KT10 0PL	Alterations to fenestration and extension of existing rear raised patio.	No Objection, No Comment Unanimously agreed
2021/3665	61 The Maples Stevens Lane Claygate Esher Surrey KT10 0TN	Single-storey rear extension.	No Objection, No Comment Unanimously agreed
2021/3900	Bryher 14 Oaken Drive Claygate Esher Surrey KT10 0DL	Single-storey rear extension and alterations to fenestration.	No Objection, No Comment Unanimously agreed
2021/3914	21 Tower Gardens Claygate Esher Surrey KT10 0HB	Rear dormer window, front rooflights and alterations to fenestration.	Not reviewed by the Committee
2021/3947	52 Red Lane Claygate Esher Surrey KT10 0ES	Tree Preservation Order EL:02/14 and ESH:24 - Various works to various trees.	No Objection. Unanimously agreed
2021/4055	59 The Maples Stevens Lane Claygate Esher Surrey KT10 0TN	Tree Preservation Order EL:92/12 - Crown reduce 1 x Yew.	No Objection. Unanimously agreed
2021/4065	Braddick House Ruxley Crescent Claygate Esher Surrey KT10 0TZ	Detached single-storey rear outbuilding.	No Objection with Comment. Comment: CPC would like to request that firstly height restrictions are applied and secondly we would assume that a non-residential condition would be attached to any permission granted. Unanimously agreed.
2021/3467	9 Fishersdene Claygate Esher Surrey KT10 0HT	Single-storey rear extension following demolition of existing conservatory.	No objection, No Comment. Unanimously agreed.
2021/3885	20 Station Road Claygate Esher Surrey KT10 9DH	Rear dormer windows, front rooflights and alterations to fenestration following removal of chimney stack.	Objection with Comment.  Comment: CPC find that the design which shows the top of the rooflights in line with the roof ridge line not in keeping with the street scene. We would ask that consideration is given to lower the rooflights down the roof.  Majority. 1 Cllr abstained.
2021/4123	16 Oaken Lane Claygate Esher Surrey KT10 0RE	Confirmation of Compliance with Conditions: 6 (Tree Pre-commencement Meeting - Additional Arboricultural Information), 8 (Additional Arboricultural Information), 9 (Site Supervision - Additional	No Comment

		<b>Arboricultural Information) and 10 (Foundation Design) of planning permission 2021/0668.</b>	
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**8. East Area Sub Committee Meeting report.**

Nothing to report.

**9. EBC Planning Committee Meeting Report.**

Cllr Bray updated the Committee that an EBC Planning Committee had taken place on the 14/12/21 where it was agreed that officers present a draft Local Plan based on a growth strategy for Elmbridge, at the densities indicated in the Land Availability Assessment 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. Cllr Bray informed the Committee that he had contacted Nathalie Lynch at EBC Planning department requesting the Land Availability Assessment 2021 but she had responded stating that 2021 version is still being prepared so it is not a public document yet and that as such EBC Planning are still using the 2018 Land Availability Assessment. Cllr Bray had requested support with understanding 2018 Land Available Assessment from EBC Planning and was awaiting a response.

The next EBC Planning Committee to be held on the 11<sup>th</sup> January 2022 has been cancelled.

**10. Licensing Applications in Claygate.**

Nothing to report.

**11. Compliance issues.**

The Committee noted there were no further issues to discuss over and above those mentioned under AP18 and AP41 earlier in the meeting.

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

The EBC Local Plan update had been covered under AP42 and Item 9. No further updates were given.

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

No updates.

**14. To consider improving the Planning Committee Remit and agree next steps.**

A Proposal to Improve our Remit Document (Appendix B) was circulated to the Committee, written by the Cllr Bray, prior to the meeting.

It was unanimously agreed to apply the proposed amends to the Planning Committee remit document

**AP50** Cllr Bray to prepare revised Remit with amends and bring for final Planning Committee sign-off at the 27<sup>th</sup> January Planning Committee.

**15. To receive and consider next steps on 5G mast provision including a further draft response to EBC.**

Cllr Bray noted he had received a response (Appendix C, A), from Kim Tagliarini, Head of Planning at EBC, to the email the Committee had approved him sending at its 2<sup>nd</sup> December 2021 meeting. Cllr Bray had circulated a proposed response (Appendix C, B) to this email and welcomed any comments from the Committee.

It was **unanimously agreed** that Cllr Bray send the proposed email, copying in the Clerk, as laid out in Appendix C B with no amends to Kim Tagliarini at EBC.

**17. To consider a response to Surrey County Council's Issues and Options Public Consultation on their Mineral and Waste local Plan (closes 7<sup>th</sup> March 2022) and decide the next steps.**

Cllr Bray had contacted SCC asking whether there was an Executive Summary of the 430+page Issues and Options Public Consultation on their Mineral and Waste Local Plan Public Consultation document and an indication as to whether Claygate would be affected. SCC responded noting that the 430+ page document was in fact the Executive Summary and that they didn't believe Claygate would be affected. In consequence, Cllr Bray proposed that CPC Planning Committee should not respond to the Consultation, but that individual Cllrs should make personal responses as they feel appropriate.

**18. To establish an invitation and consider attendance at the next Royal Borough of Kingston South of the Borough Neighbourhood Meeting on the 19<sup>th</sup> January 2022.**

Cllr Bray informed the Planning Committee that he had received what appeared to be an invitation to a meeting to discuss the Poppymill proposed development on the Green Belt Land Areas designated GB15 –GB 16 by RBK South of the Borough Neighbourhood Committee.

It was **unanimously agreed** that the Clerk establish if it is an invitation to CPC and if yes then Cllr Bray would attend on behalf of CPC.

**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.

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

The Clerk noted that the new Co-ordinator of the Courier was set to attend the next full CPC meeting on the 13<sup>th</sup> January and that the next planned publication of the Courier for April was to be discussed.

**AP52** Planning Committee members to come prepared with ideas of articles to be included.

**20. Matters for information purposes only.**

None

**21. Date of the next meeting 27th January 2022.**

The Clerk noted that if had put the incorrect date on the meeting agenda and that the 27<sup>th</sup> January was the correct date.

Meeting Closed: 20h47

**Reserve for the next meeting: - Cllr Rawson**

**Signed:**

**Dated:**

## **Appendix B**

### **Item 14 - Proposal to Improve Our Remit Document**

#### **Discussion Points**

##### **1. Introduction**

The proposal does not seek to change the sense of the content of the current Remit. It is concerned, primarily, to improve the nomenclature of the current document, and, thereby, its credibility. Some improvements to the text could also be made.

##### **2. Observations on the Nomenclature**

- i. Section “a. Relationship with the Planning Authority” is not a subset of “A.5 Commenting on applications under the Gambling Act”. Neither is it a subset of “A. Responsibilities”.
- ii. Section “b. Policies” – as Section “a”
- iii. Items [i] – [ix] are, indeed, policies, as the heading “b. Policies” suggest. However, Items [x] – [xii] are not policies, as such. They are more matters of procedure, and/or protocol.

##### **3. Observations on English**

- i. The current remit says “The Planning Committee.....meets .....to consider planning applications within the village”. We do more than that.
- ii. The current remit says “In the event the Parish Council.....and size of development”. We might explain more about how some will go to the East Area Committee and some to the full Committee.

##### **4. The Proposal**

Assuming that Councillors accept the above Observations as defects in the current Remit, it is proposed that a draft of a new, improved Remit, be tabled for, hopefully, approval, at our next meeting.

## Appendix C

### **Item 15 – 5G Proposed EBC Draft Response**

**[a] KT’s Response of 15/12/21 to Chairman’s Email**

**[b] Responding to KT’s Email of 15/12/21 – A Strawman to Assist Discussion**

#### **A. Kim Tagliarini’s Response to Chairman’s Email of 06/12/21**

CLASSIFICATION: **OFFICIAL**

Dear Gil,

Thank you for your email. I share your desire for a national policy that would enable us to insist on a more co-ordinated approach to connectivity in the borough. Operators used to have to provide a rollout plan for the year for Council’s but this is no longer a requirement. It is very frustrating for us to have to react to each application without a wider view of the network, opportunities for sharing masts or future need. To that end we are looking to include wording in the new Local Plan policies that supports masts where they are accompanied by evidence that there are no alternative suitable infrastructure sites that can be shared or replaced, and the visual and amenity impact is minimised by the considered siting and design of the development. In addition, we will be encouraging applicants of telecommunications proposals to undertake community engagement prior to submitting a planning application.

In the interim there is nothing to stop the Parish Council identifying with residents areas they would prefer to see masts or potential rooftops for sharing. We would be happy to review this and share the information with applicant when they come in for pre app meetings. But there is no mechanism for us to amend the existing adopted Development Management policies.

I hope that is helpful.

Kind regards

**Kim**

#### **B. Responding to KT’s Email of 15/12/21 – A Strawman to Assist Discussion**

Dear Kim

Many thanks for your email of Dec 15<sup>th</sup>, which the Planning Committee considered at its last meeting, on January 4<sup>th</sup> 2022.

We agreed the following points: -

1. We were pleased to learn – per your first paragraph – that we have similar thoughts on a number of aspects of bringing 5G to Claygate with minimum hardware obtrusiveness, especially as regards the frustration of having to react to individual applications without a view of the wider network, equipment sharing and future need.
2. We were also pleased to learn that you will encourage community engagement prior to the submission of applications and wonder if we could be of use in shaping such engagement – see [4] below.
3. We note your comment about the Parish Council identifying “with residents ...rooftops for sharing”. Even if we were minded to undertake such an exercise – which currently

we are not – we could not do so given our current level of knowledge of matters such as: how masts, roof top devices and small cells can be used in combination; what effective range each device has; what might constitute suitable sites for each; etc.

4. In this context, we wonder whether you might wish to convene a meeting of a number[?] of installers, yourselves, and us, and to discuss “The provision of 5G to a community with minimum hardware obtrusiveness”.
5. In this further context, also, we recall that, when Waldon Telecom Ltd/Cornerstone wrote to EBC on 4<sup>th</sup> October last [Their ref: CTIL\_142477 21: <http://edocs.elmbridge.gov.uk/IAM/IAMCache/3978953/3978953.pdf>; Planning Application 2021/3464] in connection with their proposal to extend their mast at Elm Farm, Claygate, they offered you a meeting “to discuss the proposal and... a tour of the options considered”. We would like to say that, in the event that they, or any other 5G installer, should offer you the same, or similar, opportunities to engage on the provision of 5G to Claygate, and you are minded to accept them, we would appreciate being invited to attend also. Can you accommodate us in this regard?
6. Finally, we wonder whether there would be merit in us attending pre-app meetings also.

We look forward to hearing from you again.

Yours sincerely,

## Appendix D

### Item 16: To review and consider the process for Planning Applications that involve trees. Report by John Bamford.

Background behind this item is

1. An informal commitment made in 2018 by Elmbridge Tree Offices – see below
2. Recognition that decisions on Tree Applications can be made within the 4-week cycle for Planning Committee Meetings
3. Recognition that occasionally Planning Applications other than Tree Work Applications involve tree works where tree wardens input would be invaluable

On 11 Jul 2018, Ben Wainhouse, EBC Tree Officer wrote:

Dear All,

Thank you all for coming today, I feel like we made some good ground and hope that our discussions were informative. Below is a link to the forestry commission website with all details and leaflets for OPM. Also, I have included all the tree officers emails and numbers so that you can contact us if needed.

Ben Wainhouse (redacted)

Russell Gibbons (redacted)

Jamie Marenghi (redacted)

Matters that were discussed are as follows.

- We have invited CPC and its tree wardens to call or email officers about joint site visits on notifications and applications.
- We will wait 4 weeks before finalising reports on conservation notifications as a matter of courtesy.
- Although EBC have no obligation to consult CPC, the tree officers at EBC would like to maintain an open and clear line of communication and welcome any comments CPC have.
- EBC will manage EBC owned trees with OPM in high risk areas. Specific management is yet to be confirmed.

I hope you all found the meeting useful and I can speak on behalf of EBC when I say, that we look forward to an improved line of communication and relationship.

Kind regards,

I have not approached or spoken to our Tree Wardens so I do not know their current opinions, but I think it would be healthy to discuss

1. Whether Cllrs support the reestablishment of a closer relationship between our Tree Wardens and Elmbridge's Tree Officers for Conservation Applications
2. Whether Cllrs wish to explore the possibility of decisions on Claygate Tree Applications being deferred for 4 weeks in order to give CPC an opportunity to comment
3. Whether Cllrs wish to more formally involve our Tree Wardens with Planning Applications that crucially involve Trees but not necessarily Tree Works; if so, how and when any by whom this gets communicated

