



Caring for Claygate Village

DRAFT

PLANNING COMMITTEE MEETING held at 7.30pm on Tuesday 5th January 2021 via Zoom.

Councillors: Geoff Herbert (Chairman of the Committee), Mark Sugden, Michelle Woodward, Jo Lesser, Xingang Wang
In attendance: Sally Harman (Parish Clerk & RFO), 1 member of the public.

1. **Apologies for absence**

Cllr Swift and Co-opted Member John Bamford sent their apologies in advance of 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.

Jo Lesser confirmed she is a member of Claygate Tennis Club.

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 (3rd December 2020).**

The Minutes of the meeting on the 3rd of December were agreed. One amend was the spelling of Cllr Lesser's surname.

AP90 GH to sign the minutes with amend and drop round 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** SCC have agreed with the developer a location left of Old Bank in front of new side alley fence.

It was **unanimously agreed** that the bench should be reinstated where SCC has suggested to the left of the Old bank building.

Clerk to confirm CPC's agreement to proposed bench location back to SCC.

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**

AP83 Cllr Herbert to sign Planning Committee minutes from 5th Nov and give to Clerk. **DONE**

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

AP85 – Clerk to get an update from Compliance team at EBC on 2014/4954 1 Caerleon Close

DONE Covered under item 11

AP86 Clerk to request an LDS update on EBC Local Plan – **DONE** Covered under item 12.

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. **OUTSTANDING**

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

AP89 Clerk to request clarity from SALC on whether members of the public can object to a planning application from outside the borough. **DONE** Clerk contacted EBC and EBC responded saying that they review all representations no matter where they come from and consider all planning matters, they raise. EBC wanted to remind the committee that it doesn't matter how many objections/supports are received the application is determined against the adopted planning policies and not public opinion.

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

In addition to correspondence shared within APs and further down the agenda the Chairman and the Clerk also received communication from a co-opted member ahead of this meeting regarding his views on a number of planning applications and appeals to be discussed later in this meeting. It was agreed that the Chairman would raise any points he considered necessary to share during the meeting at the appropriate time & that the Clerk should circulate the correspondence to the rest of the committee after the meeting.

AP91 Clerk to circulate Co-opted member's correspondence to the rest of the committee.

Cllr Sugden raised that a process should be agreed on how correspondence was shared to the committee if it solely sent to the Clerk and Chairman.

It was **unanimously agreed** that the Chairman and Clerk should circulate to the wider Committee any communication sent to them.

6. Applications and Appeals decided since last meeting.

A report from John Bamford was circulated prior to the meeting. See Appendix A. It was noted that the Committee had seen the appeal for 2019/1606 Plot 3 Racecourse Paddocks Barwell Lane Chessington Surrey KT9 2LZ Sub-division of Plot 3 to form a dog walking facility (Sui-Generis) incorporating new boundary fence/gate to a height of 1.2m to which CPC had originally submitted an objection.

It was **unanimously agreed** to not submit any further comment to the appeal over and above what had already been submitted in the original objection.

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

Cllr Sugden sought clarification on the comments that the Planning Committee could submit to EBC namely one of 4 comments regarding planning applications: -

- (i) Objection with comment
- (ii) No Objection no comment
- (iii) No Objection with comment
- (iv) No Comment

He reiterated that after each planning application the Chairman of the Planning Committee must clarify exactly what the submission to EBC will be so that the Clerk has absolute clarity on what Councillors had agreed.

Application Number	Address	Proposal	Claygate Parish Council Response
2020/3177	8 Foley Road Claygate Esher Surrey KT10 0ND	Single-storey side/rear extension and alterations to fenestration following demolition of existing garage.	No objection, no comment

2020/3115	28 Torrington Road Claygate Esher Surrey KT10 0SA	Part two/part single-storey side/rear extension following demolition of the existing garage.	No objection, no comment
2020/3155	Claygate Lawn Tennis Club Torrington Close Claygate Esher Surrey KT10 0SB	Variation of Conditions 2 (Approved Plans), 4 (Materials) and 5 (Lighting Levels) of planning permission 2009/1159 (Floodlights and fencing) to revise lighting scheme by replacing metal halide lights with LED luminaires.	No objection, no comment
2020/3071	Keepers Cottage Common Lane Claygate Esher Surrey KT10 0HY	Single-storey side extensions, single-storey rear extension, single-storey front extension and single-storey outbuilding following partial demolition of existing house and garage.	MS declared he knew the owner of the property. Comment only. CPC note that this property is on Greenbelt and we assume that the LDC meets any rules and regulations relating to the expansion of a property on Greenbelt.
2020/3287	10 Cavendish Drive Claygate Esher KT10 0QE	Single-storey front extension, front porch, single-storey side extension and alterations to fenestration following partial demolition of existing dwelling.	No objection, no comment.
2020/3283	Briarwood The Causeway Claygate Esher Surrey KT10 0NE	Conversion of garage into living space incorporating alterations to fenestration.	No objection, no comment.
2020/3310	Claygate House Littleworth Road Esher Surrey KT10 9PN	Confirmation of Compliance with Conditions: 7 (Electric Vehicle Parking Points) and parts c, d and f of Condition 16 (Potential Land Contamination) of planning permission 2018/3782.	No Comment
2020/2077	47 Common Road Claygate Esher Surrey KT10 0HU	Single-storey rear extension.	No objection, no comment.
2020/3183	23 Tower Gardens Claygate Esher Surrey KT10 0HB	Rear dormer window incorporating juliet balconies and front/side roof lights.	No Comment
2020/3187	6 Hermitage Close Claygate Esher Surrey KT10 0HH	Side and rear dormer windows and front roof light.	No Comment
2020/3268	37 Hare Lane Claygate Esher Surrey KT10 9BT	Part two/part single-storey rear extension and alterations to fenestration following removal of chimney.	No objection, no comment.

2020/3399	30 Simmil Road Claygate Esher Surrey KT10 0RU	Non-Material Amendment to planning permission 2020/1518 to alter fenestration.	No Comment
2020/3261	14 Torrington Road Claygate Esher Surrey KT10 0SA	Variation of Condition 2 (Approved Plans) to alter fenestration and revise decking and Removal of Condition 5 (Combined Build Undertaking) of planning permission 2019/1804 (Variation of Condition).	No Comment
2020/3311	Claygate House Littleworth Road Esher Surrey KT10 9PN	Confirmation of Compliance with Condition 4 (Potential Land Contamination) of planning permission 2019/1047.	No Comment
2020/3286	6 Meadow Road Claygate Esher KT10 0RZ	Single-storey side/rear extension, hip-to-gable roof extension incorporating rear dormer window and front roof lights and replacement front porch following demolition of existing garage.	MS declared in knows the neighbours & would not participate in any decision. No objection, no comment.
2020/3298	75 Hare Lane Claygate Esher Surrey KT10 0QX	Hip-to-gable roof extension, rear dormer window and front roof lights.	No Comment

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

There was only one application discussed at the East Area subcommittee which was a retrospective planning application for 2020/2070 42A The Roundway. The decision was to reject the application on the basis that the extra height and width would create loss of light.

9. **EBC Planning Committee Meeting report**

The last committee meeting in December 2020 had nothing on Claygate nor on the EBC Local Plan. **AP92** GH to attend next EBC Planning committee meeting on the 6/1/21.

10. **Licensing Applications in Claygate.**

None

11. **Compliance issues**

2014/4954 1 Caerleon Close - The Clerk updated councillors on the following update received from the EBC Compliance team. A hearing took place on the 4th of Nov 2020 with the owner of the property in attendance. He entered a guilty plea for the offence of failing to comply with an Enforcement Notice. He received a fine and was required to pay the costs of the prosecution. Elmbridge Borough Council. It was agreed on the day EBC would provide him with an assurance that the Council would not bring any further prosecution proceedings against him for a period of ten months so long as he stays in regular communication with EBC. It was agreed that this ten month period would allow him the time he needs to get this work done. If he cannot, then EBC will consider criminal proceedings again.

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

EBC confirmed to the Clerk prior to Christmas that an updated LDS will be presented to Members in January for consideration and agreement. Once that has happened the Head of Planning at EBC will be able to confirm the dates of the meetings and Regulation 19 representation period. CPC will continue to monitor the situation.

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

No updates at present.

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

No updates at present.

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

£4,500 was proposed as the Planning Committee budget at the prior Planning Committee on the 3rd of December. This proposed would go to the full Parish Council meeting for approval on the 14th of January.

16. To agree the guidelines for public speaking at Planning Committee meetings

The Clerk updated the Committee on what the current Standing Orders state regarding Public speaking namely that public participation in a meeting should be a maximum of 15 minutes unless directed by the Chairman, that each member of the public had a maximum of 3mins to speak and that if more than 1 person wanted to speak then the Chairman would direct the order. It was noted that items would normally be brought up an agenda by the Chairman if a member of the public wanted to speak on it.

It was unanimously agreed that the Clerk should seek further advice on the order of public speaking at the Planning Committee.

AP93 Clerk to check the Committee's public speaking policy with SALC and local Clerks.

17. To review the full planning process and make any amends as required.

The Clerk circulated the October 2019 Planning Process to the Committee ahead of the meeting (Appendix B).

AP94 All Councillors to review the planning process and Clerk to add to 28th January Planning Committee agenda for discussion.

18. To agree whether the planning committee want to response to the Government's Supporting housing Delivery and Public Service Infrastructure Consultation (end date 28th Jan 2021) and if so the process for doing so.

The Committee decided further review of this consultation was required before a decision on whether to respond was needed or not.

AP95 GH to review consultation and feedback whether a response is required at the CPC meeting on the 14th of January.

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

The current COVID-19 lockdown could delay the planned February publication of the Courier due to possible restrictions on deliveries.

20. Matters for information purposes only.

None

21. Date of the next meeting 28th January 2021

Meeting closed: - 20h55

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

Signed:

Dated:

Appendix A

Report on Planning Applications Decided since the Last Planning Meeting

2020/2433 36 Gordon Road Claygate Esher Surrey KT10 0PQ

Single-storey rear/side extension, single-storey side extension, increase size of rear dormer window and alterations to fenestration following partial demolition of existing dwelling

EBC refused permission on the grounds that

- “the single storey element of the proposal and the proposed extension to the dormer window, by reason of their scale, bulk, massing, design and materials would result in harm to the host dwelling, the character of the area and the street scene contrary to Policies CS17, DM2, the Design and Character SPD and the Companion Guide: Home Extensions”
- “the proposed single storey element of the proposal, by reason of its siting, depth, scale and bulk would result in material harm to the amenities of the residents of No 34 contrary to DM2”

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.

CPC objected on the grounds that the proposed works would be detrimental to its appearance

EBC stated

“The proposed work will bestow on the Birch the appearance of a readily decaying hat stand. The trees useful lifespan will be seriously immediately. Submitted reasons are also insufficient. Aerial maps show no significant shading. If there are fears of windthrow the tree should be surveyed by a suitably qualified/insured person”

2020/2467 2 Foxwarren Claygate Esher Surrey KT10 0LB

Single-storey side and rear extensions and front porch.

EBC stated

“The proposed single storey side and rear extension by virtue of its siting along the boundary and excessive depth and height would result in a dominant, unsympathetic and incongruous form of development that would be harmful to the overall character and appearance of the host dwelling and the streetscene. contrary to Policies CS11, CS17, DM2, the Design and Character Supplementary Planning Document 2012 and the National Planning Policy Framework 2019.

2020/2512 115 Hare Lane Claygate Esher Surrey KT10 0QY

Single-storey rear extension, front canopy, side and rear dormer windows and alterations to fenestration and finish following demolition of existing rear projection.

EBC stated

- “The proposed roof extension by reason of its design and scale, would appear incongruous and dominate the building, detrimental to the character and appearance of the host dwelling and the surrounding area contrary to policies CS11, CS17, DM2, the Design & Character SPD (Home Extensions Companion Guide) and the NPPF.”

Other Noteworthy Applications Decided include:-

2020/2275 The Lodge 33 Raleigh Drive Claygate Esher Surrey KT10 9DE

Part two/part single-storey side/rear extension and alterations to fenestration following partial demolition of existing house.

EBC stated

- “due to the siting and orientation of the plots and dwellings, as well as the presence of the detached garage at Hayes Barton, it is not considered that the proposal would result in a detrimental loss of light, over and above the existing situation. In addition, given that the proposal would not be sited directly opposite the habitable windows at Hayes Barton, there would not be a considerable change of outlook from the existing situation”
- “To protect the privacy of the occupiers of Hayes Barton, it is considered reasonable to impose a condition ensuring that no windows can be inserted in the side elevation towards this property without obtaining planning permission from the Borough Council.”

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.

CPC objected to work on trees T1, T4 & T5-7 on the grounds that the proposed height reduction would spoil the appearance

EBC granted permission for lesser works stating

- T1: A 1.5m reduction would be considered unacceptable, encouraging profuse re-growth. 1m reduction would be acceptable.
- T4: There already appears to be sufficient clearance between the Oak and property
- T5-7: A 2.5m reduction of the Birch will significantly reduce the leaf area by using pruning cuts up to 50mm diameter. Unacceptable on Birch trees due to lack of dormant buds (re-establishing leaf area) and poor timber qualities, readily degrading when large areas are exposed. Recommend 1m reduction by thinning.
- T8: Clearance from the property can be gained by reducing branches allowing 2m clearance

2020/0958 Ying Garden Ruxley Garden Ruxley Crescent Esher Surrey KT10 0TD

Boundary treatment comprising of walls, entrance gates and piers to a maximum height of 2.3m following demolition of the existing boundary wall.

CPC noted discrepancies in submitted plans and requested for drop kerb access to be considered to maintain pavement condition

Subsequent to CPC's submission amended plans were submitted to more accurately reflect boundaries and a new entrance plan. Also, additional supporting documents were supplied relating to the arboricultural impact on a nearby tree

EBC stated

- “The proposed works to the wall would reduce the visibility when exiting the adjacent access road, however the wall remains set back from the road by approximately 2.5m Page 4 of 5 and this is considered to provide sufficient visibility for drivers and pedestrians”
- “A correct ownership certificate is a mandatory requirement of a planning application. The Applicant has signed Certificate A of application form. The planning authority is not an investigator of title and an incorrect ownership certificate is not considered to invalidate an application or its decision given that RHRA have been informed of the application and have been invited to make representations and are not prejudiced by this.”
- Conditions are imposed regarding “Tree Protection Measures”, “Tree Retention” and a “Landscaping”
- “In regards to services and utilities, this is not a material planning consideration and is a matter for the applicant and developer to comply with Health and Safety Executive requirements and to address these matters with the relevant utility companies outside of the planning regime”

Appeals Lodged

2020/0780 23 Telegraph Lane Claygate Esher Surrey KT10 0DT

First-floor front extension, roof canopy over entrance door, increase size of existing rear dormer window, front roof lights, solar panels, increase parapet wall on existing flat roof by 0.15m and alterations to fenestration.

EBC refused on the grounds that

“The proposed first floor front extension would, by reason of its siting and design, result in an overly dominant and incongruous form of development that would be detrimental to and appear out of character with the street scene and the wider area.”

Appellant claims:

- same front extension has been carried out to No. 3 Telegraph Lane
- the extension has been designed to be subservient and sympathetic to the existing house, as described in the SPD document

2019/1606 Plot 3 Racecourse Paddocks Barwell Lane Chessington Surrey KT9 2LZ

Sub-division of Plot 3 to form a dog walking facility (Sui-Generis) incorporating new boundary fence/gate to a height of 1.2m.

EBC refused on the grounds of “Harm to Green Belt openness”, “Insufficient fence height”, “Car Parking” & “Protected species”

Appellant claims:

- The Core Strategy and Development Management Plans are out of date, subsequent to the February 2019 publication of the revised National Planning Policy Framework (NPPF). Annex 1 of the NPPF says its policies are to be taken into account immediately in determining applications such that weight will only be given to Local Plan policies (including those of emerging LPs) to the degree with which they conform to the NPPF.
- “Since the proposal entails only the installation of stock fencing and a gate with no other permanent or fixed built development, the proposed change of use does not conflict with the purposes of the Green Belt and nor will it compromise its open appearance when compared to an agricultural activity or the keeping of horses. Any material impact on openness is limited to the minor increase on activity and car parking. The change of use is not inappropriate development in the Green Belt and will have minimal to no impact on the landscape.”
- The appeal development will enhance the communities beneficial use of the Green Belt by improving its accessibility and multi-functional role, whilst having negligible impact on openness.”
- Submitted plans “show how the gate and fence enclosing the appeal site can be increased to 1.8m in height”
- Had EBC raised car parking as an issue “a Transport Statement could have been commissioned, despite the number of vehicles being limited to no more than two per 1-2 hour slot”
- EBC had “over ten months to request an appropriate wildlife survey of the site”

Appeals Decided

2019/3541 Land Adjacent to 14 Elm Road Claygate Esher Surrey KT10 0EH

Detached two-storey building with rooms in the roof space containing three flats, dormer windows and associated parking, bin and cycle store.

Appeal was Dismissed citing:

- The proposed development’s height to width ratio gives it a more vertical emphasis than the neighbouring pairs of semi-detached houses. This difference in proportions is accentuated by its higher roof, steeper pitched roof sides and higher eaves. Consequently, it appears out of character with neighbouring properties.

- From views on all sides the proposed development would be out of character with the prevailing development in terms of its design and position within the plot and would harm both the character and appearance of the area.
- The proposed development would not be an appropriate density because of its harmful impact on the character and appearance of the area and would therefore conflict with paragraph 122 of the National Planning Policy Framework
- ... because of its position within the plot and proximity to the boundary, it would fill most of the field of vision looking to the side from No 14. Despite the angle of view, it would be a dominant and visually intrusive, rather than peripheral, feature with an unacceptable overbearing impact on the outlook from the rear of No 14.
- The Council cannot currently demonstrate a five-year supply of deliverable housing sites as required by the Framework. Consequently, paragraph 11(d) of the Framework is engaged. It requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. In my view, the identified harm to the character and appearance of the area and the living conditions of existing occupants would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

2019/2986 34 Holroyd Road Claygate Esher Surrey KT10 0LG

Two-storey rear and part two-storey/part first floor side extension.

Appeal was Dismissed on the grounds that

“due the close juxtaposition between the trees and the proposal there would be an inevitable need for more regular and more extensive pruning than has been the case in the past to maintain sufficient clearance. In addition, there is likely to be increased pressure to prune due to the degree of shading that would be experienced within the extended property and its garden. More extensive and regular pruning would diminish the contribution the trees make to the character and appearance of the area and, in combination with the reduced space for roots, decrease their life expectancy. For these reasons I conclude that the proposal would have unacceptable effects on health and life expectancy of the trees and on the character and appearance of the area”

2020/0780 23 Telegraph Lane Claygate Esher Surrey KT10 0DT

First-floor front extension, roof canopy over entrance door, increase size of existing rear dormer window, front roof lights, solar panels, increase parapet wall on existing flat roof by 0.15m and alterations to fenestration.

Appeal was dismissed in so far as it relates to the erection of a first floor front extension and roof canopy over the entrance door on the grounds that

- “Whilst many of these properties have had small porches added at the front and additions within the side roof slopes, to a large degree they retain their original unity and symmetry by virtue of the prominent street-facing gables. The gables are a key characteristic of the group of properties and the street scene and therefore a matter to which I attach significant weight. The proposal would include a first floor front extension above the porch. This would feature a half-timbered gable and extend forward of the main gable. As a consequence of its height and forward projection this addition would be an overly dominant and incongruous element that would disrupt the symmetry of the appeal property and its attached neighbour and compromise the unity of the group of properties.”
- “Whilst I note that this is similar to the appeal proposal, No.3 is set back from the road more than the group of houses of which the appeal property forms part and Nos 1 and 3 do not form a symmetrical pair. There is also no evidence before me that planning permission for the front addition at No.3 was granted under the current development plan. As each planning application and appeal

must be considered on its individual merits having regard to its particular context and current planning policy, I attribute limited weight to the front addition at No.3.”

Appeal was allowed in respect of the increase in the size of the existing rear dormer window, the installation of front roof lights and solar panels, an increase to the parapet wall on existing flat roof by 0.15m and alterations to the fenestration

No CIL is due on Planning Applications decided since the last Planning Meeting

Appendix B

The Planning Process

- The Parish Council Planning Committee meets every 4 weeks to consider applications in the previous 4 week period.
- These meetings are open to all members of the public and residents are welcome to attend whether or not there is a Planning Application which affects you.
- If a resident wishes to make representation to the Committee regarding an application they should contact the Clerk in advance of the meeting to book a 3 minute speaking slot.
- All representations on Applications, whether written or in person, must relate to planning guidelines. For example height, density, massing of the propose building etc.
- When making a written representation (either by letter or email) to EBC a copy to the Parish Council is useful. Your comments may draw attention to an aspect of an application not obvious from the information available to the Parish Council.
- Most Applications are decided by EBC planning Officers but if residents wish to have it heard in front of EBC East Area Planning Committee they will need at least 15 letters of representation from different addresses. Alternatively, they can speak to their Borough Councillor who may be able to raise it to the East Area committee.
- If you wish to address the Borough Councillors at East Area you will need to inform the Planning Department.
- If you wish to look up a submitted plan (or check whether one has been submitted) go to www.elmbridge.gov.uk and search ‘planning applications’.

October 2019.