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Elmbridge Borough Council

South Area Planning Sub-Committee

Report of a meeting held on 17 June 2019

Members of the Committee:

- * Mrs. D.M. Mitchell (Chairman)
- * B.J.F. Cheyne (Vice-Chairman)

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| J.W. Browne | D.J. Lewis |
| * | * |
| Mrs. H.C. Butler | Mrs. V. Macleod |
| * | * |
| O.T. Chappell | Mrs. C. Sood |
| * | A. Tilling |
| P.M. Harman | |

* Denotes attendance

Substitutes:

A. Davis (Substituting for A. Tilling)

5/19 Declarations of Interest

In respect of application 2018/3818 - 48 Portmore Park Road, Weybridge, whilst not a disclosable pecuniary or other interest under the Code of Conduct Mrs. V. Macleod wished that it be noted that she was married to one of the objectors.

Recommendation to the Planning Committee on 23 July 2019

6/19 Planning Applications

(Link to Council Priorities: P6)

Resolved that the applications set out below be determined as indicated, in accordance with authority delegated to the Sub-Committee:

(a) 2019/0201 - Wood Cottage, 30 Green Lane, Cobham

One late letter of objection had been received.

The Sub-Committee was addressed by Mr. D. Bellchamber, an objector and Mr. P. Andrews, the agent.

Recommended: that application 2019/0201 - Wood Cottage, 30 Green Lane, Cobham, be granted permission with the conditions and informatives as outlined in the agenda.

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Matters of Report

7/19 Planning Application

(Link to Council Priorities: P2 – Deliver appropriate sustainable planning decisions)

(a) 2018/2989 - Bridge House, 41-45 High Street, Weybridge

One late letter of objection was received.

During the introduction of the application, the Special Projects Officer reported that following the Sub-Committee meeting held on 20 May 2019 and despite the best endeavours of the Council and applicant, it had not been possible to finalise the legal agreement by the agreed deadline of 4 June 2019. As such, the applicant had requested a short extension of time until 17 July 2019 to enable the submission. Accordingly, the Sub-Committee resolved to

Permit a further extension of time until 17 July 2019 to allow submission of the relevant legal agreement. Should the satisfactory legal agreement not be received by 17 July 2019, delegated authority be given to the Head of Planning Services to refuse planning permission for the following reason:

1. The proposal would, by reason of the lack of a legal agreement securing a late review mechanism associated with the affordable housing and a financial contribution towards the car club, be contrary to the requirements of Policy CS21 of the Core Strategy 2011 and the Developer Contributions Supplementary Planning Document 2012; and Policy DM7 of the Development Management Plan 2015 respectively.

(b) 2018/3185 - Christmas Cottage, Beech Croft, The Hollies, Brackenhurst St Georges Avenue and 34 Queens Road, Weybridge

During the introduction of the application, the Special Projects Officer advised that following the Sub-Committee's meeting of 4 March 2019 whereby planning permission was granted subject to the receipt of a satisfactory legal agreement within three months, despite the best endeavours of the involved parties this deadline had not been met. The Special Projects Officer confirmed that the legal agreement had since been received and as such sought a short extension of time to allow the determination of the application by 20 June 2019. Accordingly, the Sub-Committee resolved to

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Permit a further extension of time until 20 June 2019 to allow the determination of the application following receipt of the completed legal agreement.

(c) 2018/3358 - Land adjacent to 21/21A Castleview Road, Weybridge

One late letter of objection had been received.

The Sub-Committee was addressed by Miss. J. Gilroy, an objector and Mr. A. Bandosz, the agent.

Permit with the conditions and informatives as outlined in the agenda subject to the following additional condition

Add Condition

7 PD LIMITATION

Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 2015 (or any Order revoking or re-enacting that Order) no development falling within Part 1 Classes A and B of Schedule 2 to the said Order shall be carried out within the curtilage of the/any dwelling house, unless planning permission is first granted by the Borough Council.

Reason: To safeguard the character and amenities of the premises and adjoining properties and to comply with Policy DM2 of the Elmbridge Development Management Plan 2015.

(d) 2018/3818 - 48 Portmore Park Road, Weybridge

Permit with the conditions and informatives as outlined in the agenda subject to the following amended condition

Amend Condition

3. MATERIALS SAMPLES

No development shall take place above ground level until samples of the materials to be used on the external faces and roof of the building have been submitted to and approved in writing by the Borough Council. Development shall be carried out in accordance with the approved details.

Reason: To ensure that a satisfactory external appearance is achieved of the development in accordance with Policy DM2 of the Elmbridge Development Management Plan 2015. It is considered necessary for this to be a pre-commencement condition because the use of satisfactory external materials goes to the heart of the planning permission.

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(e) 2019/0360 - 47 High Street, Weybridge

Two late letters of objection and two late consultation responses had been received.

Permit with the conditions and informatives as outlined in the agenda.

(f) 2019/0386 - St Catherines, Thames Street, Weybridge

One late letter of objection had been received.

The Sub-Committee Members resolved to refuse the application at the meeting held on 20 May 2019 for three reasons. Whilst the legal agreement securing the affordable housing contribution had not been received, the reasons for refusal had not included the lack of the affordable housing contribution as one of them.

Accordingly, during the introduction of the application, the Special Projects Officer advised the Sub-Committee that as the legal agreement had not been received, an additional reason for refusal needed to be included. The Sub-Committee agreed to add this reason for refusal.

Furthermore, the Special Projects Officer provided an update on the verbal advice received from the Highways Authority regarding the layout of the access and parking area on the development site, which had been included in the original reasons for refusal of this application at the Sub-Committee meeting on 20 May 2019. Given that there were concerns as to whether this reason was sufficiently robust, the Special Projects Officer sought a formal view from the Sub-Committee as to whether it wished to continue with this reason for refusal. In light of the update and having considered the information provided by the Special Projects Officer, the Sub-Committee were supportive of the removal of this reason for refusal. Accordingly, the Sub-Committee resolved to

Refuse permission, contrary to the Officer's recommendation, for the following reasons

Confirm Reason from the Sub-Committee decision 20 May 2019

1. Due to its height and massing, the proposed development would be out of keeping with the character of the surrounding area. The proposal is therefore contrary to the requirements of Policy CS17 of the Elmbridge Core Strategy 2011 and Policy DM2 of the Elmbridge Development Management Plan 2015.

Confirm Reason from the Sub-Committee decision 20 May 2019

2. Due to the loss of trees and green spaces around the building, which are considered to provide high landscape contribution towards the character of the area, the proposal fails to enhance and

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integrate into its surroundings. As such, the proposal is contrary to Policy DM6 of the Elmbridge Development Management Plan 2015. [Previously listed as Reason 3. of the decision of the Sub-Committee made on 20 May 2019.]

Add Refusal Reason

3. In the absence of a completed legal agreement, the proposed development fails to secure the necessary affordable housing provision contrary to the requirements of Policy CS21 of the Elmbridge Core Strategy 2011 and the Developer Contributions Supplementary Planning Document 2012.

Remove Reason

2. The layout of the access and parking area would result in hazardous manoeuvring due to the lack of turning point within the proposed rear parking area which would result in a need to reverse from the parking spaces to the under-croft access road in order to leave the site in forward gear. As such, the proposal is contrary to the requirements of Policy DM7 of the Elmbridge Development Management Plan 2015.

[Previously listed as Reason 2. of the decision of the Sub-Committee made on 20 May 2019.]

8/19 Matters for Information

- (a) List B: For Information - Applications currently under consideration and yet to be determined

The Sub-Committee received and noted the applications currently under consideration and yet to be determined for the South area.

- (b) Forthcoming Appeals - Outstanding Written Representations

The Sub-Committee received and noted the forthcoming appeals – outstanding written representations for the East, North and South areas.

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The meeting commenced at 7.00 pm and concluded at 8.51 pm

Mrs. D.M. Mitchell
Chairman

