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Elmbridge Borough Council

East Area Planning Sub-Committee

Report of a meeting held on 15 July 2019

Members of the Committee:

N. Haig-Brown (Chairman)

* N. Houston (Vice-Chairman) (in the Chair)

* A. Coomes

* C. James

* Mrs. S.R. Kapadia

* Mrs. K. Randolph

* M. Rollings

* S.J. Waugh

* R.C.J. Williams

* Denotes attendance

Substitutes:

Mrs. J.R. Turner (Substituting for N. Haig-Brown)

Also present:

D.J. Archer, Tricia W. Bland and Mrs. M. Marshall

9/19 Declarations of Interest

In respect of application 2019/0589 – Pavilion, Claygate Recreation Ground, Dalmore Avenue, Claygate, whilst not a disclosable pecuniary or other interest under the Code of Conduct, Mrs. J.R. Turner wished that it be noted that during her Mayoral year she had visited the Pavilion and following the fire in 2016 she had taken part in discussions regarding the future of the site.

In respect of application 2019/0871 – 28 & 29 Winterdown Road, Esher, whilst not a disclosable pecuniary or other interest under the Code of Conduct, S.J. Waugh wished that it be noted that he was acquainted with a number of the objectors.

In respect of application 2019/0589 – Pavilion, Claygate Recreation Ground, Dalmore Avenue, Claygate, whilst not a disclosable pecuniary or other interest under the Code of Conduct, A. Coomes wished that it be noted that he was acquainted with a number of the Claygate Recreation Ground Trust members.

In respect of application 2019/0589 – Pavilion, Claygate Recreation Ground, Dalmore Avenue, Claygate, whilst not a disclosable pecuniary or other interest under the Code of Conduct, M. Rollings wished that it be noted that he was the Council's appointed representative on the Claygate Recreation Ground Trust. Whilst he took part in the discussion, he did not vote on the application.

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In respect of application 2019/0390 – Esher Lawn Tennis Club, 7 Milbourne Lane, Esher, whilst not a disclosable pecuniary or other interest under the Code of Conduct, R.C.J. Williams wished that it be noted that the secretary of the Lawn Tennis Club was a neighbour and friend. With regard to application 2019/0589 – Pavilion, Claygate Recreation Ground, Dalmore Avenue, Claygate, whilst not a disclosable pecuniary or other interest under the Code of Conduct, he wished that it be noted that he was acquainted with a number of people who were involved with the application.

Recommendation to the Planning Committee on 23 July 2019

10/19 Planning Application

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

(a) 2018/3782 - Claygate House, Littleworth Road, Esher

During her introduction, the East Area Team Leader reported that the Environment Agency had raised no objection to the application. In addition, the Sub-Committee was provided with various amendments / clarifications to the officer report.

The Sub-Committee was addressed by Mr. Hayes, an objector and Mr. Fennell, on behalf of the agent.

The Sub-Committee discussed the application in detail and concern was raised regarding the provision of affordable housing units, given that the applicant had encountered difficulties with securing a registered provider from the Council's recommended list. It was noted that, should a registered provider be not secured within a reasonable agreed period, the applicant had agreed to make an in-lieu affordable housing financial contribution of £1.044 million. However, the Sub-Committee were of the view that the provision of affordable housing units on this site was essential and therefore agreed that the timescale for the receipt of a satisfactory Section 106 legal agreement to secure affordable housing be extended to 6 months.

Recommended: that application 2018/3782 – Claygate House, Littleworth Road, Esher, be granted permission with the conditions as outlined in the agenda and subject to:

- **the receipt of a satisfactory Section 106 legal agreement within 6 months of the Planning Committee to secure affordable housing;**
- **no new material representations being received by 21 July 2019. If new material planning considerations are raised, the**

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item be reconsidered at the next available East Area Planning Sub-Committee; and

- **Condition 8 being amended to read:**

8. METHOD OF CONSTRUCTION STATEMENT

No development shall commence until a Construction Transport Management Plan, to include details of

- (a) parking for vehicles of site personnel, operatives and visitors**
- (b) loading and unloading of plant and materials**
- (c) storage of plant and materials**
- (d) programme of works (including measures for traffic management)**
- (e) provision of boundary hoarding behind any visibility zones**
- (f) HGV deliveries and hours of operation**
- (g) vehicle routing excluding New Road as a route**
- (h) measures to prevent the deposit of materials on the highway**
- (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused**
- (j) no HGV movements to or from the site shall take place during School drop off and pick up times nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in New Road and Littleworth Road during these times**
- (k) on-site turning for construction vehicles**

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: In order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users in accordance with Policy DM7 of the Elmbridge Development Management Plan 2015. It is considered necessary for this to be a pre-commencement condition because the demolition and construction works could have implications on highway safety and amenity and should be agreed before any works begin.

Should a satisfactory Section 106 legal agreement for affordable housing not be completed within 6 months of the Planning Committee's resolution, delegated authority be given to the Head of Planning Services to refuse the application for the following reason:

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1. The proposal would, by reason of the lack of a Section 106 legal agreement in relation to a financial contribution for affordable housing, would be contrary to the requirements of Policy CS21 of the Core Strategy 2011 and the Developer Contributions Supplementary Planning Document 2012.

[Claygate Ward Councillors to be kept informed of progress regarding the provision of affordable housing units on the site.]

Matters of Report to the Planning Committee

11/19 Planning Applications

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

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

- (a) 2019/0390 - Esher Lawn Tennis Club, 7 Milbourne Lane, Esher

Permit with conditions and informative as outlined in the agenda subject to the following amended condition and additional informative:

Amend Condition:

2. FLOODLIGHTING

The lighting provided shall be maintained in accordance with the plans submitted and the data provided by the Luminance Pro Lighting Systems Ltd dated 17 July 2018 and received on 18 July 2018 and thereafter maintained.

Reason: To limit the impact of light pollution from artificial light with the National Planning Policy Framework and Policy DM5 of the Elmbridge Development Management Plan 2015.

Add Informative:

2. The Applicant is encouraged to prepare a management plan to ensure that the hours of use are strictly adhered to and members are encouraged to respect neighbouring properties when playing and leaving the site in the evening.

- (b) 2019/0589 - Pavilion, Claygate Recreation Ground, Dalmore Avenue, Claygate

Permit with conditions and informative as outlined in the agenda.

- (c) 2019/0738 - Site of Taggs Boatyard, 44 Summer Road, Thames Ditton

One further letter of objection received from a neighbouring property, who had already objected, had been received.

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Permit with conditions as outlined in the agenda, subject to the following amended and additional conditions:

Amend Condition:

2. TIMESCALE FOR PROPOSED ALTERATIONS

Within three months of the date of this decision, a timescale for the proposed alterations to the scheme shall have been submitted to and approved by the Local Planning Authority. The alterations shall be carried out in accordance with the approved timescale to the satisfaction of the Local Planning Authority and prior to first occupation of the residential units. Such changes consist of:

- reduction of the building towards 29 Riversdale Road including removal of balcony with a Juliet balcony and remodelling of roof (as per plans 1616.4.PA.P02 Rev P3, 1606.4.PA.E01 Rev P4, 1606.4.PA.E04 Rev P3, 1606.4.PA.P05 Rev P1);
- changes to the materials used to clad the 'lift shaft dormer' to match the colour of that used on the roof;
- obscure glazing / fixed shut windows to the shutter detailing to the first floor (as per proposed plan 1606.4.PA.E05 Rev A); and
- fixed 1.1m obscure non opening screen consisting 'breakable glass' to all windows and doors facing the 'walkway' (as per 1606.4.PA.E01 but including the door and with 'breakable in an emergency' glazing).

Additional Conditions:

18. OBSCURE GLAZING

Prior to the first occupation of the development hereby permitted the windows and screens marked on the approved plans (1606.4.PA.P05 Rev. P1, 1606.4.PA.E05 Rev. A, 1606.4.PA.P02 Rev. P3, 1606.4.PA.P03 Rev. P3, 1606.4.PA.E02 Rev. P3, 1606.4.PA.E03 Rev. P3, 1606.4.PA.E04 Rev. P3 received on 14 May 2019 and 1606.4.PA.E01 Rev. P4 received on 30 May 2019) as being obscurely glazed shall be glazed with obscure glass that accords with level three obscurity as shown on the Pilkington textured glass privacy levels (or similar). The windows and screens shall be permanently maintained in that condition thereafter.

Reason: To preserve the privacy and amenities of neighbouring residents, in accordance with Policy DM2 of the Elmbridge Development Management Plan 2015.

19. EXTERNAL LIGHTING SCHEME

Prior to the development being first occupied details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority following consultation with Ward

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Councillors. The lighting shall be carried out in accordance with the approved details and shall be maintained as such at all times.

Reason: To minimise light pollution and to protect the amenities of the neighbouring properties in accordance with Policies DM2 and DM5 of the Elmbridge Development Management Plan 2015.

(d) 2019/0871 - 28 & 29 Winterdown Road, Esher

Consultation response received from the West End Conservation Area Advisory Committee.

Two further letters of objection received, one of which was from a neighbour who had previously objected.

Permit with conditions as outlined in the agenda subject to the following amended and additional conditions:

Amend Condition:

3. MATERIALS TO MATCH

The materials (stock brick, natural roof slates, white painted timber framed double glazed sash windows and timber garage door) to be used in the construction of the external surfaces of the extension shall match as nearly as is practically possible those of the existing building to which it is attached, in colour, type, finish and profile.

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.

Additional Condition:

7. NEW BRICKWORK

The new facing brickwork shall match the existing adjacent brickwork in colour, texture, face bond and pointing.

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.

12/19 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 East area.

