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Elmbridge Borough Council

South Area Planning Sub-Committee

Report of a virtual meeting held on 23 July 2020

Members of the Committee:

Mrs. D.M. Mitchell (Chairman)

\* B.J.F. Cheyne (Vice-Chairman) (in the Chair)

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

\* Denotes attendance

Substitutes:

A.P. Burley (Substituting for Mrs. C. Sood)

G.P. Dearlove (Substituting for Mrs. D.M. Mitchell)

Also present as a virtual attendee:

T. Catton

5/20 Declarations of Interest

In respect of Agenda Item 3. 'Tree Preservation Order EL:20/08 - Land at 43 Oatlands Chase, Weybridge' (Minute No 7/20 refers), whilst not a disclosable pecuniary or other interest under the Code of Conduct, G.P. Dearlove wished that it be noted that he was acquainted with the objector and in this regard did not take part during the consideration of the item and abstained from voting.

6/20 Minutes of the Meeting held on 24 June 2020

The Minutes of the Meeting held on 24 June 2020 were approved as a correct record.

Matters of Report to the Planning Committee

7/20 Tree Preservation Order EL:20/08 - Land at 43 Oatlands Chase, Weybridge

(Link to Council Priorities: P6)

The Sub-Committee was asked to give consideration to an objection that had been received in connection with Tree Preservation Order EL:20/08, made in respect of trees on Land at 43 Oatlands Chase, Weybridge.

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The Sub-Committee had been provided with details of the objection received and the report of the Council's Tree Officer.

Tree Preservation Order EL:20/08 had been made on 12 February 2020. The order in respect of the trees shown on Appendix 3 of the Officers report was made after a Tree Evaluation Method for Preservation Orders (TEMPO) assessment had been undertaken. A TEMPO was the Council's method for determining the suitability and defensibility of all new Orders.

Following consideration of the Tree Preservation Order, for openness and transparency purposes, a recorded vote was undertaken on the recommendation as set out within the officer's report, whereupon there voted:

For the recommendation to confirm Tree Preservation Order EL:20/08 without modification: J.W. Browne, A.P. Burley, Mrs. H.C. Butler, O.T. Chappell, B.J.F. Cheyne, P.M. Harman, D.J. Lewis, Mrs. V. Macleod, and A. Tilling (9)

Against the recommendation to confirm Tree Preservation Order EL:20/08 without modification: (0)

Abstentions: G.P. Dearlove (1)

The Chairman declared the recommendation as having been carried and accordingly the Sub-Committee

Resolved that Tree Preservation Order EL:20/08, be confirmed without modification, as outlined in the agenda.

#### 8/20 Tree Preservation Order EL:20/10 - Land at 15 Burstead Close, Cobham

(Link to Council Priorities: P6)

The Sub-Committee was asked to give consideration to an objection that had been received in connection with Tree Preservation Order EL:20/10, made in respect of trees on Land at 15 Burstead Close, Cobham.

The Sub-Committee had been provided with details of the objection received and the report of the Council's Tree Officer.

Tree Preservation Order EL:20/10 had been made on 19 February 2020. The order was in respect of the trees shown on Appendix 3 of the Officers. The Council had made the order in response to the submission of Planning Application 2019/3524 - 15 Burstead Close, Cobham and the perceived threat. The Order was made after a Tree Evaluation Method for Preservation Orders (TEMPO) assessment had been undertaken. A TEMPO was the Council's method for determining the suitability and defensibility of all new Orders.

In respect of a letter submitted by the architect who acted as the applicant's agent for the original planning application, one Member considered that it had

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contained a perceived threat that for future cases trees would be removed to prevent Tree Preservation Orders being placed on them when planning applications were being considered. The Member requested that this be noted and that in his opinion, this was quite appalling and was of an undesirable behaviour. In response the Chairman suggested that the Member may like to consider reporting the architect to his professional body who may like to be made aware of these comments.

Following consideration of the Tree Preservation Order, for openness and transparency purposes, a recorded vote was undertaken on the recommendation as set out within the officer's report, whereupon there voted:

For the recommendation to confirm Tree Preservation Order EL:20/10 without modification: J.W. Browne, A.P. Burley, Mrs. H.C. Butler, O.T. Chappell, G.P. Dearlove, P.M. Harman, D.J. Lewis, Mrs. V. Macleod, and A. Tilling (9)

Against the recommendation to confirm Tree Preservation Order EL:20/10 without modification: (0)

Abstentions: B.J.F. Cheyne (1)

The Chairman declared the recommendation as having been carried and accordingly the Sub-Committee resolved to

Resolved that Tree Preservation Order EL:20/10, be confirmed without modification, as outlined in the agenda.

## 9/20 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) 2019/0080 - Site of Arawa Cavendish Road Weybridge

Following consideration of the application, for openness and transparency purposes, a recorded vote was undertaken on the recommendation as set out within the officer's report subject to an amendment to Condition 5. 'Obscure Glazing – Additional Fenestration' whereby the glazing should be obscured to the highest level and that the windows be permanently fixed shut. The outcome of the recorded vote was as follows:

For the recommendation to permit: J.W. Browne, A.P. Burley, Mrs. H.C. Butler, O.T. Chappell, G.P. Dearlove, P.M. Harman, D.J. Lewis, Mrs. V. Macleod, and A. Tilling (9)

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Against the recommendation to permit: (0)

Abstentions: B.J.F. Cheyne (1)

The Chairman declared the recommendation as having been carried and accordingly the Sub-Committee resolved to

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

Amend Condition

**5 OBSCURE GLAZING - ADDITIONAL FENESTRATION**

**Within 1 month of permission being granted, the additional first floor windows on the southern elevation shall be glazed with obscure glass that accords with level five obscurity as shown on the Pilkington textured glass privacy levels (other glass suppliers are available) and be non openable and fixed shut. If the existing windows installed do not satisfy these requirements, then they must be replaced with windows which do within 1 month of permission being granted. The window shall be permanently retained in that condition thereafter. The affixing of an obscure film will not be sufficient.**

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

(b) 2020/0236 - 2 Stoke Road, Cobham

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

Members discussed the separation between the proposal and 6 Ravenswood Close, which is closer than that under application 2019/1432 and below the 22m guideline for separation distance. However, it was concluded that the harm was not sufficient to represent a reason for refusal. Having reviewed the relevant material considerations, including previous planning history, Members considered that the scheme was materially different and applied a different planning balance, concluding that the proposal would have a harmful impact on views from the Conservation Area, caused by the change in building line and increase in depth. The less than substantial harm to the Conservation Area was not considered to be outweighed by public benefits.

Following consideration of the application, J.W. Browne proposed that permission be refused, contrary to the Officer's recommendation, in respect of policies DM2a, DM2b and DM12b of the Elmbridge Development Management Plan 2015, and

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Policies CS10 and CS17 of the Elmbridge Core Strategy 2011, and The Tilt Conservation Area Character Appraisal and Management Plan. The outcome of the recorded vote was as follows:

For the refusal: J.W. Browne, A.P. Burley, Mrs. H.C. Butler, O.T. Chappell, G.P. Dearlove, P.M. Harman and D.J. Lewis (7)

Against the refusal: A. Tilling (1)

Abstentions: B.J.F. Cheyne and Mrs. V. Macleod (2)

The Chairman declared the motion as having been carried and accordingly the Sub-Committee resolved to

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

**1. The proposed structure by virtue of its mass and bulk would result in an excessively prominent building which would cause unacceptable harm to the views from the Conservation Area and fails to comply with Policies DM2a, DM2b and DM12b of the Elmbridge Development Management Plan 2015, and Policies CS10 and CS17 of the Elmbridge Core Strategy 2011, and The Tilt Conservation Area Character Appraisal and Management Plan.**

(c) 2020/0265 - 85 Queens Road Weybridge

This application was withdrawn by the officers prior to the meeting and was therefore not considered by the Committee.

(d) 2020/0473 - 85 Queens Road Weybridge

This application was withdrawn by the officers prior to the meeting and was therefore not considered by the Committee.

#### 10/20 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.

