ELMBRIDGE BOROUGH COUNCIL
PLANNING COMMITTEE

REPORT of a meeting held on 9 September 2014

Members of Committee:
* B.J.F. Cheyne (Chairman)
* S. Hawkins (Vice-Chairman)

* D.J. Archer
* Mrs. C.J. Cross
* V.G. Eldridge
* Mrs. J. Fuller
* T.J.C. Grey
* A.J. Hopkins
* A. Kopitko
* Mrs. D.M. Mitchell
δ Mrs. K. Randolph
δ Mrs. J.R. Turner

* Mrs. R.M. Bruce
* A. Davis
* C.J. Elmer
R. Green
* P.M. Harman
δ Mrs. S.R. Kapadia
δ N.J. Luxton
* J. O’Reilly
* Mrs. M.C. Sheldon
* S.J. Waugh

* Denotes attendance
δ Denotes substitution

(δ Tricia W. Bland, A. Coomes, N. Haig-Brown and C.R. Sadler were present as temporary substitutes for Mrs. K. Randolph, Mrs. S.R. Kapadia, Mrs. J.R. Turner and N.J. Luxton respectively.)

(Mrs. C. Elmer and A. Kelly were also present.)

1. DECLARATIONS OF INTEREST

In respect of application 2014/1975 – 16 Meadway, Esher, whilst not a disclosable pecuniary interest or other interest under the Code of Conduct, J. O’Reilly wished it to be noted that one of the consultees was the British Pipeline Agency, which was co-owned by British Petroleum, which was in turn owned by British Petroleum PLC, with whom he had a prejudicial financial interest. However, J. O’Reilly confirmed that he had been advised by Legal Services that such an interest was insignificant, as the interest was in respect of the parent, public limited company.

2. MINUTES

The Minutes of the meetings held on 4 June, 17 June and 8 July were agreed as correct records and signed by the Chairman.

MATTERS OF REPORT

3. PLANNING APPLICATIONS

The Committee considered the reports of the meeting of the East, North & West Area Planning Sub-Committees held on 21 July and 11 August 2014.
RESOLVED that the reports of the East, North & West Area Planning Sub-Committees held on 21 July and 11 August 2014, be received and, except where already determined under delegated powers, as listed in Appendices ‘A’ to ‘F’ [to be circulated as TP1 with the Council Agenda for 1 October 2014], the planning matters set out below be determined as follows:

(i) 2014/0904 – Former Dairycrest Site, 57 High Street, Walton on Thames

The Committee considered the recommendation of the North Area Planning Sub-Committee.

During consideration of the application, J. O'Reilly moved that planning application 2014/0904 – Former Dairycrest Site, 57 High Street, Walton on Thames be granted permission for the reasons set out in the officer’s report to the North Area Planning Sub-Committee on 21 July 2014.

The Planning Committee, having discussed and debated the relevant material considerations and having had the opportunity to question the Council’s Viability Consultants, Dixon Searle Partnership who were present at the meeting, concluded that the application to vary Condition 5 (Affordable Housing) of planning permission ref. 2013/4381 Mixed Use Development to remove the requirement to provide affordable housing was acceptable.

The Planning Committee did not therefore concur with the recommendation of the North Area Planning Sub-Committee and, following the amendment moved by J. O'Reilly

RESOLVED that permission be granted, contrary to the North Area Planning Sub Committee’s recommendation, and subject to the conditions and informatives as set out in the North Area Planning Sub Committee agenda of 21 July 2014.

(ii) 2014/1975 – 16 Meadway, Esher

The Committee considered the recommendation of the East Area Planning Sub-Committee.

The Planning Committee, having discussed and debated the relevant material considerations including giving due consideration to the site being within the Green Belt and the presence of very special circumstances, concluded that the proposal for a detached two storey house with basement, integral garage and a pair of entrance gates and piers (maximum of 2.2 metres height) following demolition of the existing house and garage was acceptable.

The Planning Committee did not therefore concur with the recommendation of the East Area Planning Sub-Committee and accordingly
RESOLVED that permission be granted, contrary to the East Area Planning Sub Committee’s recommendation, and subject to the following conditions and informative:

Add Conditions and Informative:

1. **TIME LIMIT**
The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

   **Reason:** To comply with Section 51 of Part 4 of the Planning and Compulsory Purchase Act 2004.

2. **LIST OF APPROVED PLANS**
The development hereby permitted shall be carried out in strict accordance with the following list of approved plans: 0649 01 rev A, 0649 03 rev A and 0649 08 rev A received on 21 May 2014.

   **Reason:** To ensure that the development is carried out in a satisfactory manner.

3. **MATERIAL SAMPLES**
   No development shall take place 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 saved Policy ENV2 of the Replacement Elmbridge Borough Local Plan 2000.

4. **OBSCURE GLAZING**
The first floor windows (including to the stairwell) on the side elevations of the development hereby permitted shall be glazed with obscure glass and fitted with non-opening principal lights, and subsequently maintained in this form. Such glass shall be sufficiently obscure to prevent loss of privacy. The affixing of an obscure film will not be sufficient.

   **Reason:** To preserve the reasonable privacy of neighbouring residents in accordance with saved Policies HSG16 and HSG20 of the Replacement Elmbridge Borough Local Plan 2000.
5. PD LIMITATION
Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 1995 (as amended - or any Order revoking or re-enacting that Order) no development falling within Part 1 Classes A, B & E of Schedule 2 to the said Order shall be carried out within the curtilage of the dwellinghouse, unless planning permission is first granted by the Borough Council.

Reason: To safeguard the openness of the Green Belt in accordance with saved Policy GRB5 of the Replacement Elmbridge Borough Local Plan 2000.

6. LANDSCAPING SCHEME
No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Borough Council and these works shall be carried out as approved. This scheme shall include indications of all hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out, and details of the measures to be taken to protect existing features during the construction of the development.

7. LANDSCAPING - IMPLEMENTATION
All hard and soft landscaping works shall be carried out in accordance with the approved details. Arboricultural work to existing trees shall be carried out prior to the commencement of any other development, otherwise all remaining landscaping work and new planting shall be carried out prior to the occupation of any part of the development or in accordance to the timetable agreed with the Borough Council. Any trees or plants, which within a period of five years of the commencement of any works in pursuance of the development die, are removed, or become seriously damaged or diseased, shall be replaced as soon as practicable with others of similar size and species, following consultation with the Borough Council, unless the Borough Council gives written consent to any variation.

Reason: To preserve and enhance the visual amenities of the locality in accordance with saved Policy ENV11 of the Replacement Elmbridge Borough Local Plan 2000.
These Minutes should be referred to in conjunction with the Minutes of the subsequent meeting of the Council, where they are presented; and for completeness to the next relevant meeting when the Minutes are adopted.

8. TREE PROTECTION
In this condition 'retained tree' means an existing tree, which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the first occupation of the development.

a) no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Borough Council. Any pruning shall be carried out in accordance with British Standard 3998 (tree work) and in accordance with any supplied arboricultural method statement;

b) if any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Borough Council;

c) tree protection shall be maintained in-situ and not moved or removed until all construction has finished and equipment, materials, or machinery are removed from site; and

d) any arboricultural protection information and plans submitted as part of the application, and listed in the approved plans condition, shall be implemented and adhered to at all times during the construction process unless otherwise agreed in writing with the Borough Council. This shall include any requirement for arboricultural supervision and site monitoring.

Reason: In order to preserve trees that make a contribution to the character of the area in accordance with saved Policy ENV12 of the Replacement Elmbridge Borough Local Plan 2000.

Informatives

1. REASONS FOR PERMISSION
This application is for a replacement two-storey house that is considered to be materially larger than that it replaces and therefore would have a harmful impact on the openness of the Green Belt. However, there exist Very Special Circumstances by way of an extant permission for extensions that are considered to outweigh the harm to the Green Belt. As such, the proposal is considered to be acceptable and in accordance with saved policies GRB5, HSG16, HSG19, ENV2 and ENV12 of the Replacement Elmbridge Borough Local Plan 2000, CS17 of the Core Strategy and the NPPF. It has been concluded that the development would not result in harm that would justify refusal in the public interest.
4. MINUTES OF THE LOCAL PLAN WORKING GROUP MEETINGS HELD ON 7 APRIL AND 30 JULY 2014

The Committee received the reports of the meetings of the Local Plan Working Group (LPWG) held on 7 April and 30 July 2014.

RESOLVED that the reports of the meetings of the Local Plan Working Group held on 7 April and 30 July 2014 be received and noted.

5. CHAIRMAN’S CLOSING REMARKS

In closing the meeting, the Chairman updated Members on the outcome of the recent hearing on the Development Management Plan. It was noted that the Council still awaited formal confirmation from the Inspector, however the Inspector had commented that he believed that the Plan could be made sound subject to some modifications to ensure consistency with the National Planning Policy Framework and to ensure the effectiveness of some policies. Members noted that a report would be presented to Cabinet in this regard in due course.

The meeting commenced at 7.45 p.m. and concluded at 9.16 p.m.

B.J.F CHEYNE
Chairman

Committee and Member Services Officer

Ms. M. Hayes - Committee and Member Services Manager

Other Officers in attendance

Mrs. K. Fossett - Head of Planning Services
Mrs. A. Biggs - Development Manager
E. Chetwynd-Stapylton - Senior Planning Officer
Mrs. C. Herbert - Law Practice Manager
C. Waters - Strategy & Enabling Manager

Also present:
R. Dixon - Dixon Searle Partnership
R. Searle - Dixon Searle Partnership