

### **CAPEL PARISH COUNCIL**

**080. MINUTES OF MEETING held on Monday 16<sup>th</sup> September 2013 in the Committee Room, Capel Village Memorial Hall.**

**081. PRESENT:** Mrs Schryver (Chairman), Mr Dale, Mrs Pearson, Mr Salter  
Mr McLachlan, Mr Cox and Mrs Coke the Clerk.

**082. APOLOGIES FOR ABSENCE:** Mr Garber. Cllr Osborne-Patterson had also sent apologies

**083. ALSO IN ATTENDANCE:** County Cllr. Helyn Clack, Cllr I Murdoch, Mr Patrick Nolan, Chair of LHAG, Ms Michelle Watson.

**DECLARATION OF INTEREST:** Cllr McLachlan declared a personal interest in the LHAG / Europa Oil Appeal

**084. THE MINUTES:** Minutes of the meeting on July 15<sup>th</sup> 2013 were signed as a correct record. (There being no meeting in August)

**085. MATTERS ARISING:** None

**085a POLICE MATTERS:** The Police were not in attendance

**PUBLIC QUESTIONS – 1).** Mr Patrick Nolan, Chair of LHAG, spoke regarding the current situation on the Europa Oil appeal. LHAG has been fighting for the last 4yrs against the planning application proposed by Europa Oil and Gas to build an oil platform at the Bury Hill site. £75,000 had been raised from public and private donation to fight Europa's appeal against SCC's decision to refuse permission. The Planning Inspector at the Public Inquiry found against Europa in December 2011, but in November 2012 Europa had again appealed and the hearing found in favour of them – quashing the Inspector's decision. LHAG were given leave to appeal and are advised that the chance of success at appeal is better than 50:50. LHAG must indicate they will appeal within one month but must have funding in place to pay for the eventuality of losing. Losing would cost £25,000 comprising 15,000 LHAG costs + Europa's costs capped by a Protection of Costs Order at £10,000.**(see Min. Ref.086A)**

2). Ms Michelle Watson (Beare Green resident) requested that white lines be installed on either side of the road over the railway in Old Horsham Rd to prevent parking which is causing a serious obstruction to traffic **(see Min. Ref.0861b)**

**085b MINUTES OF PLANNING COMMITTEE:** August 5<sup>th</sup> and September 2<sup>nd</sup> 2013 were received and adopted by the Council.

**085c PLANNING APPLICATIONS:** Applications listed below include those considered and recommended to the Council by the Planning Committee 05.08.13, 02.09.13 and at this meeting.

<b>Application Ref:</b>	MO/2013/0896/PLA	<b>Date:</b>	01-Jul-2013
<b>Case Officer:</b>	Miss Jenny Rushton		
<b>Ward:</b>	Beare Green, Within 20m of Holmwoods Ward	<b>PSH/Area:</b>	Capel, Within 20m of Holmwood Parish
<b>Applicant:</b>	L Pearce		
<b>Location:</b>	Grandon Lodge, Horsham Road, South Holmwood, Surrey, RH5 4LT		
<b>Proposal:</b>	Erection of replacement dwelling and conversion of outbuilding to dwelling, following removal of existing semi-detached dwellings. Alterations to landscaping around site and repair of existing accesses.		
<b>Response:</b>	Councillors find nothing about this application unacceptable. No objection.		

**Application Ref:** MO/2013/0902/PLA                      **Date:** 02-Jul-2013

**Case Officer:** Donncha Murphy

**Ward:** Leith Hill

**PSH/Area:** Capel

**Applicant:** Mr & Mrs T Nelson, Crockers Farm House

**Location:** Crockers Farm, Abinger Road, Coldharbour, Dorking, Surrey, RH5 6HE

**Proposal:** Erection of storage barn and installation of solar panels to existing barn and associated works.

**Response:**

This is the third application for the above development, the first having been withdrawn and the second refused planning permission against the recommendation of officers of Mole Valley District Council to grant planning permission.

That determined application is now the subject of an appeal to which the Parish Council made representations to the Planning Inspectorate. The recommendation of the Parish Council in respect of the appeal is that planning permission should be allowed.

The proposal addresses the perceived concern of others in relation to visibility. In the opinion of the Parish Council this concern is unfounded. Nonetheless the application proposes a reduced slab level of 0.5 metres. In taking that course of action the ridge of the building will also be 0.5 metres lower affording very limited visibility.

Councillors do not consider that the development will have any adverse impact upon Coldharbour, its Conservation Area and the prevailing characteristics of the Surrey Hills AONB. Councillors also consider that in the context of Policy REC15 of the Mole Valley District Plan the three considerations which relate to the operation of an agricultural holding, its impact upon the Green Belt and appearance are met. The proposals are also NPFA compliant. Councillors have no objection to Planning Permission being granted.

**Application Ref:** MO/2013/0952/LBC                      **Date:** 11-Jul-2013

**Case Officer:** Mrs Jenny Margetts

**Ward:** Capel, Leigh & Newdigate

**PSH/Area:** Capel

**Applicant:** Mr C Bird, Punch Taverns

**Location:** The Crown Inn (PH), 98, The Street, Capel, Dorking, Surrey, RH5 5JY

**Proposal:** Installation of extract canopy with external ductwork and 1 No. fresh air intake grill to trade kitchen.

**Response:**

No objection

**Application Ref:** MO/2013/0926/PLAH                      **Date:** 22-Jul-2013  
**Case Officer:** Mr Aidan Gardner  
**Ward:** Leith Hill, Within 20m of Beare Green Ward, Within 20m of Holmwoods Ward                      **PSH/Area:** Capel, Within 20m of Holmwood Parish  
**Applicant:** Mr & Mrs S Lovis  
**Location:** Spring Copse, Anstie Lane, Coldharbour, Dorking, Surrey, RH5 4LL  
**Proposal:** Erection of single storey side extension and porches to both front and rear. Insertion of 1 No. dormer window to front elevation and lantern roof light to existing single storey rear element.  
**Response:** No objection

**Application Ref:** MO/2013/1033/PLAH                      **Date:** 31-Jul-2013  
**Case Officer:** Mrs Jenny Margetts  
**Ward:** Beare Green                      **PSH/Area:** Capel  
**Applicant:** Mr P Alloway & Ms C Penny  
**Location:** Briarwood, Henfold Lane, Beare Green, Dorking, Surrey, RH5 4RW  
**Proposal:** Amendment to approved planning permission MO/2013/0577 for erection of roof extension to include 2 No. dormer windows on the front elevation and 2 No. dormer windows on the rear elevation to facilitate the addition of further habitable accommodation in roofspace. The erection of single storey rear extension and front and rear porches following removal of the existing rear conservatory.  
**Response:** Councillors have no objection to the garage but regard the house extension as being grossly out of proportion and consider it to be overdevelopment.

**Application Ref:** MO/2013/1037/PLAH                      **Date:** 31-Jul-2013  
**Case Officer:** Miss Caroline Spencer  
**Ward:** Capel, Leigh & Newdigate                      **PSH/Area:** Capel  
**Applicant:** Mr L Horwood  
**Location:** 2, Northwood Cottages, Horsham Road, Capel, Surrey, RH5 5JW  
**Proposal:** Amendment to permission MO/2013/0594 to increase footprint of garage/playroom/store.  
**Response:** Councillors have no objection to the proposals but request that a Condition be included that the increased space should not be used as either permanent or temporary accommodation

**Application Ref:** MO/2013/1043/PLA                      **Date:** 02-Aug-2013  
**Case Officer:** Mrs Sherelle Munnis  
**Ward:** Capel, Leigh & Newdigate                      **PSH/Area:** Capel  
**Applicant:** Mr C Bird, Punch taverns  
**Location:** The Crown Inn (PH), 98, The Street, Capel, Dorking, Surrey, RH5 5JY  
**Proposal:** Installation of new external extract canopy ductwork from trade kitchen and  
**Response:** installation of new fresh air intake grill to trade kitchen.  
The duct is made of shiny steel and Councillors agree with the Historic Environment Officer that it should be painted black. Otherwise Councillors raise no objections

**Application Ref:** MO/2013/1035/PLAH                      **Date:** 06-Aug-2013  
**Case Officer:** Mrs Jenny Margetts  
**Ward:** Capel, Leigh & Newdigate                      **PSH/Area:** Capel, Within 20m of  
Newdigate Parish  
**Applicant:** Mrs V Chapple  
**Location:** The Carriage House, Rusper Road, Capel, Dorking, Surrey, RH5 5HG  
**Proposal:** Erection of detached garage with games room over.  
**Response:** The dormer windows overlook Stable Cottage meaning that any music and other noise seepage could cause a noise nuisance to adjoining properties. It is suggested that a noise consultation should be considered.  
Neither the garage or games room should be used as accommodation.

**Application Ref:** MO/2013/1075/PLA                      **Date:** 14-Aug-2013  
**Case Officer:** Mr David Spring  
**Ward:** Leith Hill    **PSH/Area:** Capel  
**Applicant:** Mrs P Darbyshire  
**Location:** Ivy Cottage, Abinger Road, Coldharbour, Dorking, Surrey, RH5 6HB  
**Proposal:** Erection of log store.  
**Response:** No objection.

**Application Ref:** MO/2013/1126/PLA                      **Date:** 19-Aug-2013  
**Case Officer:** Mrs Megan Rowe  
**Ward:** Capel, Leigh & Newdigate                      **PSH/Area:** Capel  
**Applicant:** Mr S Wyles  
**Location:** Osbrooks, Horsham Road, Capel, Surrey, RH5 5JN  
**Proposal:** Conversion of barn to create 1 No. residential dwelling.  
**Response:** Although the building has been shown to be structurally sound, it does not mean that it is an appropriate building for development. Councillors still consider that the building is inappropriate in all respects for development.

**Application Ref:** MO/2013/1137/PNJ                      **Date:** 21-Aug-2013  
**Case Officer:** Mrs Megan Rowe  
**Ward:** Capel, Leigh & Newdigate                      **PSH/Area:** Capel  
**Applicant:** Colorsport Images Limited  
**Location:** Broadwood Test Centre, Rusper Road, Capel, Surrey, RH5 5HF  
**Proposal:** Prior notification for the conversion of offices (Use Class B1) into 2 No. residential units (Use Class C3).  
**Response:** Councillors consider that this development would lead to a loss of employment in a rural economy. Paragraph 28 of the NPPF is against conversion of commercial to residential occupancy. No attempt appears to have been made to diversify to a different type of commercial activity. The applicant should be seeking alternative business opportunities to aid the rural economy.

**Application Ref:** MO/2013/1153/PLA                      **Date:** 27-Aug-2013  
**Case Officer:** Mrs Megan Rowe  
**Ward:** Capel, Leigh & Newdigate                      **PSH/Area:** Capel  
**Applicant:** Mr & Mrs D Fraser  
**Location:** Rear of 123, The Street, Capel, Surrey, RH5 5JX  
**Proposal:** Conversion of equipment shed to one detached dwelling.  
**Response:** No objection

**Application Ref:** MO/2013/1189/PLAH                      **Date:** 30-Aug-2013  
**Case Officer:** Mrs Jenny Margetts  
**Ward:** Capel, Leigh & Newdigate                      **PSH/Area:** Capel  
**Applicant:** Mr & Mrs P Hamlin  
**Location:** Hobart, 178, The Street, Capel, Dorking, Surrey, RH5 5EN  
**Proposal:** Conversion of garage to habitable accommodation.  
**Response:** Totally inappropriate development

**Appeals:**

**Site Address: The Willows, Horsham Road, Seamans Green, Capel. Appellant: Mr A Lloyd and Mrs/N Lloyd. Appeal Reference: APP/c3620/C13/2202287 – 2012/016/ENF. Consultation Period: 13<sup>th</sup> August 2013 to 24<sup>th</sup> September**

An appeal has been made to The Secretary of State against an enforcement action issued by Mole Valley District Council. The appeal will be determined on the basis of written representations. The Clerk to respond along the lines of response to MO/2012/0132 and the reasons for MVDC issuing the enforcement notice.

**Appeal: Site Address: Osbrooks, Horsham Road, Capel Application Ref: MO/2013/0495  
Appellant's Name: Shaun Wyles Appeal Ref: APP/C3620/A/13/2201027**

The Parish Council's objections to this application are consistent with MVDC's in that the proposed development involving the conversion of a simple utilitarian building of an insubstantial construction in the countryside would require major rebuilding works. The building is therefore considered to be inappropriate for residential re-use and the works are considered to be in conflict with Mole Valley Local Plan policy RUD19

**Appeal: Site Address: Heathwood on the North West side of Ockley Road, Beare Green, Dorking, Surrey RH5 4PU Appellant's Name: Mr R Freaan Appeal Reference: **APP/C3620/C/13/2202295** Capel Parish Council is in support of MVDC issuing an enforcement notice because: 1. It appears to them that there has been a breach of planning control within the last 4 years. 2. The land is situated within the Metropolitan Green Belt on the northern side of the A29. A strong presumption against development applies since none of the exceptions to this strong presumption are relevant. 3. The construction of a new vehicle access point on the major highway route (A29); the construction of the hardened track and associated hardstanding on the Brown Land, and the construction of the large steel framed building on the Yellow Land are all considered to be a breach in planning terms. 4. The Local Planning Authority does not consider that planning permission should be given because planning conditions do not overcome these problems.**

**086A. STRATEGY AND FINANCE – EUROPA OIL APPEAL**

**A) Minutes of the Planning Committee 02.09.13 stated:**

LHAG has requested unconditional funding to support their Court of Appeal Action but it is the choice of action by LHAG alone. The cost of this action will be up to £25,000 with £10,000 costs protection to be applied for against loss with court.

(Mr McLachlan had submitted his views in advance of the meeting and these had been taken into consideration with the views of the rest of the meeting and had been incorporated into the following points. Mr McLachlan will have the opportunity to add to the discussion in person when the matter is further discussed by the full Council on 16<sup>th</sup> September)

1. Following adverse decision of Judicial Review LHAG was given leave to appeal judgement.
2. If successful no further action and the appeal decision stands
3. If lost the matter will be returned to PINS for a new appeal
4. Cost of new appeal will again be about £25,000
5. If Court of Appeal is not actioned the case will go back to PINS for a new appeal
6. The PC gave evidence at Inquiry at a cost of £4,300
7. PC had agreed that it would support LHAG on the basis that any balance from £5,000 would be contributed to LHAG (£700).
8. If the matter returned to appeal then CPC would again appear at Inquiry
9. The Europa Oil case is very local (unlike the incinerator) and LHAG accept that an alternative site or alternative access to a site from Holmwood / Beare Green direction would not result in their objecting. That would not be the case with CPC who would be obliged to fight any application within or affecting the Parish of Capel.
10. If LHAG are successful with their Court of Appeal case then they would have the majority of their costs paid by Europa Oil but these would be subject to court taxation. The receipt would be about 70%. CPC could agree to contribute towards that shortfall based upon earlier agreed figures.
11. The Committee agreed to recommend to the Full PC that it agree to Conditional Funding support based on the outcome of the Court of Appeal success and that CPC should limit exposure as it will incur costs at a new appeal or in resisting an application for the exploration.

B(i) Mr McLachlan disagreed strongly that the £4,300 the PC had contributed towards David Boswell's evidence on Highways /Transport issues should be regarded as a contribution towards LHAG's fight against the Europa Oil application and considered that the PC had only contributed £325 towards LHAG costs (2011 for travel by coach to the SCC hearing).

B(ii) Members disagreed. The PC had already contributed £4,300 towards the Europa Oil Appeal and proposed that the PC pay the residual from the £5,000 July '12 ie £700 if the proposed appeal is lost with a further £2,000 being allocated in the 2014/15 budget.

B(iii) Mr McLachlan's view is that a conditional offer based on LHAG winning is no use to LHAG.

B(iv) Mr Salter saw no reason for the PC to change its opinion

B(v) Mr Dale suggested a further £5,000 be offered to LHAG

B (vi) A vote was taken on whether the full Council approved the Minutes of the Planning Committee 02.09.13 as above inclusive of points 1 to 11. The vote was carried with 3 in favour and 2 against (with the Chairman's vote not being cast.)

## **086B HIGHWAYS MATTERS**

### Highways Localism Initiative

CPC has now received the grant of £1,000 from SCC for maintenance work at Markham Copse. Future grants under the localism initiative would only be considered for works which Highways normally undertake but which parishes could provide at a more competitive rate.

## **086C AUTHORISATION FOR PLANNING COMMITTEE TO MAKE SUBMISSION RE. AIRPORT EXPANSION.**

A response is to be drawn up to the proposals for the expansion of Heathrow and Gatwick for submission to GATCOM and copied to GACC in advance of the GACC AGM and Seminar (Friday

25<sup>th</sup> October). The submission is to be circulated to PC members in advance of the meeting of the Planning Committee (October 7<sup>th</sup>) in order for discussion and agreement at that meeting.  
Members authorised the above.

#### **086D FINANCE**

BDO external audit for year end March 31<sup>st</sup> 2013 had been completed on July 3<sup>rd</sup>. There were no matters which came to the auditor's attention which required the issuing of a separate additional arising report. This was accepted by Councillors

#### **086E. WARD MATTERS**

Beare Green: (i) Project OverHall update– Timetable of procedure: a) Project OverHall committee to make a formal application to CPC asking for funding. b) CPC to formally consider request and draw up conditional offer of grant to go to October meeting. (ii) Old Horsham Road verges- request to highways for action to prevent fishermen from parking on verge and to install white lines on either side of the road bridge to stop parking on both sides of the railway bridge- Clerk to follow up with Highways. (iii) The split grit bin at Trigg St. / Misbrooks Green Junction has already been reported to Highways. (iv) Chris Anderson to be contacted about the BG Sports Pavilion drains. (v) Clerk to investigate the flooding along the lower end of the Beare Green sports field

Capel: (i) Venue for Annual Meeting Wednesday 12<sup>th</sup> March 2014 - Capel Village Hall is unavailable – the Clerk to establish whether the Beare Green Hall will be available. (ii) New rates for hire are being considered for Capel Village Memorial Hall. (iii) Capel Village Memorial Hall are interested in replacing the trees on the verge to the front of the hall as part of WW1 commemorations.

Coldharbour: (i) SCC Cycling Strategy –consultation from 15<sup>th</sup> September to 1<sup>st</sup> November. To be discussed at October PC meeting. It is hoped there will be a replacement for Helen Card SCC who had led the co-ordination between SCC and local organisations. (ii) The white lines at the sides of Coldharbour Lane need re instating urgently. Clerk to contact Highways (iii) Request to MVDC (A Bircher) to use noise monitoring equipment to monitor traffic noise on the BOATS and through Coldharbour. (iv) Consultations have been started with Rob Fairbanks re. support for GLEAM in making all BOATS permissive byways. (v) Highways / Police advice to be sought concerning Temporary Road Closures and notification of walkers and horse riders to prevent use of BOATS during snow and ice. (vi) The grass triangle had now been strimmed but the work would need re scheduling in 2014.

#### **086F PARISH MAINTENANCE**

1 Driveway to Beare Green Cottages:

Now complete and the invoice received. Areas of Misbrooks Bridle path which have worn badly have also been repaired. Some Beare Green Cott's residents had expressed concern that the access road was not level. Clerk to follow up.

2. Blocked drain outside The Firs, Horsham Rd, Beare Green. The resident at the Firs has undertaken work further up the road to free up gullies and has therefore refused to contribute towards the PC's invoice from The Garden.

3. Capel playground (i) It is hoped that there will be sufficient dry weather this autumn to complete re-painting of the playground equipment. Delivery of paint had been delayed due to factory holidays in August.

(ii) In response to the grant funding offered by the London Marathon Charitable Trust (for the Ride London Cycle Race) an application has been made to the Trust for the supply and installation of safety surfacing (to replace the bark) and supply and installation of play equipment (to replace the balance board). Result known mid -December.

4 Capel Rec hedge cutting: Rob Jochimsen is quoting £665.00 ex VAT to cut the Mortimer Rd Beech hedge, Village Hall hedges and Allotment hedges. This compares with £635 ex VAT in 2012. There will be additional charge of £30 to cut along part of Misbrooks Green Road.  
Councillors approved.

#### 086G CAPEL ALLOTMENTS

1. The cost of dividing up one full allotment into 10 raised sleeper beds would be prohibitive. The idea was put on hold. 2. The seeding weeds had been strimmed and removed. 3. Once the hedges have been cut in October a site meeting of all allotment holders would be arranged and proposals put forward for reducing all full plots to half where they are not being maintained to a reasonable standard. 4. Discussions would also include better marking out of the plots and defining path edges. Clerk to follow up.

#### 087 CORRESPONDENCE

Dates

**Monday 23<sup>rd</sup> September** – Discussion of MVDC (Sarah Todd) - Land Allocations Plan and Review of Green Belt Boundary, The Training Hut, Pippbrook 12.45 for 1.00pm start till 3.00pm. – Cllrs Schryver and Garber.

**Tuesday 15<sup>th</sup> October** – Surrey ALC's AGM East Horsley Village Hall. 9.30 to 13.30

**Wednesday 16<sup>th</sup> October** Forum of Local Parish Councils – Buckland Reading Room 7.45pm for 8.00. Andy Bircher – planning enforcement, concurrent grants

**Friday October 25<sup>th</sup>** – CPRE invitation to a seminar at Stanhill Court Hotel, Charlwood chaired by Cllr Helyn Clack 9.30 till 1.00pm . Followed by GACC AGM at 2.30pm

**Tuesday 3<sup>rd</sup> December** – Surrey Local Council's Update. Centenary Hall, Smallfield, 9.30 to 13.00 Close

1 Receipt of 'Gatwick Unzipped' GACC response to the Airports Commission in response to their request for comments on the various runway plans.

2. Receipt of Surrey Cycling Strategy (Ref. Helen Treasure) Documents available at:[www.surreycc.gov.uk/cyclingstrategy](http://www.surreycc.gov.uk/cyclingstrategy) for input from residents, Councillors and Clerks. Please email comments to : [cyclingstrategy@surreycc.gov.uk](mailto:cyclingstrategy@surreycc.gov.uk) for comment 13.09.13 till 01.11.13.

3. East Surrey Water Co Draft business Plan available for comment at:

<http://www.waterplc.com/pages/about/draft-business-plan-2015-2020-feedback/>

**088. URGENT MATTERS AT DISCRETION OF CHAIRMAN FOR NOTE OR INCLUSION ON A FUTURE AGENDA** – 1.Conditional offer of grant for Project OverHall. 2.Surrey Cycling Strategy.

#### 089. PAYMENTS AND RECEIPTS FOR SEPTEMBER 2013

(Payments were made on September 16<sup>th</sup> except where otherwise stated)

##### PAYMENTS

Payable to:	£	VAT
Mrs JM Coke (Clerk's salary Min.046G'09 +ess. car + mileage)	832.38	
HM Revenue & Customs (NI + Payee mnth 6) 36.71NI, 72.80 payee)	109.51	
Burleys (Grounds maintenance July)	588.97	117.79
Clay Griffin (bowls club maint +Yew tree +car park brambles)	275.00	

Hags-smp Ltd spare parts + paint for Capel playground	162.38	32.47
Capel Village Memorial Hall – hire of Committee Room January to June 2013	285.00	
EDF Energy Bowls Club May – Sept '13	32.77	1.64
Viking 2x2 toner + 500 envelopes	148.93	29.79
J Coke large stamps £3.60+ underpayment £20 on 15/7	23.60	
BG Cotts. driveway revetment	1,905.00	381.00
BT telephone June – Nov D/D	88.35	17.67
<b>Total</b>	<b>4,451.89</b>	580.36
	5,032.25	

<b>RECEIPTS</b>		
Easement – Surrey Hills Hotel	2,000.00	
Terry memorial	100.00	
Total	2,100.00	

Payments and Receipts were adopted as an accurate record

**089. DATE OF NEXT MEETING:** The next meeting of the full Council is on Monday 21<sup>st</sup> October 2013. The Planning Committee meets on Monday October 7th 2013 at 7.30pm in Capel Village Hall Committee Room.