

**MINUTES OF THE PLANNING COMMITTEE MEETING  
HELD ON TUESDAY 7 FEBRUARY 2022 IN CAPEL PARISH HALL**

1 **IN ATTENDANCE:** Mr Garber (Chairman), Mr Ball, Mr McLachlan, Mrs Schryver, Mr Cox, Mr Ashwood, Mrs Ryan and the Clerk.

**Attending:** Mr Simon Markham (Item 7).

2 **APOLOGIES FOR ABSENCE:** Mrs Dale and Mr Salter

3 **DECLARATIONS OF INTEREST:** None.

4 **PUBLIC QUESTIONS:** None

5 **PLANNING APPLICATIONS**

- i. **MO/2021/1428 - The Laurels, Henfold Lane, Beare Green.** This is an application for the erection of 1 residential dwelling to the rear of existing house. The Planning Policies material to the determination of the application are the NPPF 2021, the MV LP 2000 and the MV Core Strategy 2009. The application criteria refers to the NPPF 2012 which no longer applies. The site is located in the Green Belt which must be considered, and attention must be given to the absence of any justification for any special circumstances to permit the development. No justification has been offered for the development of any agricultural activity. While the design appears to be innovative it does not respect or respond to its rural setting having regard to Para 130 of the NPPF criteria (c). It is not sympathetic to local character including the surrounding environment and landscape setting. In terms of Green Belt considerations five tests to be applied are not met by the proposals. Having regard to all of the policy consideration in particular the NPPF 2021, the Council recommended that this application should be refused.
- ii. **MO/2022/0050 – The Minorities, Capel Leyse, Moorhurst Lane, Beare Green.** This is an application for a replacement porch and extensions to side and rear of the existing property. The property is in the Green Belt outside the Beare Green village settlement. The dwelling is substantial but given its location it will not have an adverse impact upon the neighbouring dwellings. The architectural character is already established therefore the policy considerations of the Local Plan will not be compromised. The Council discussed the application and recommended this application should be approved.
- iii. **MO/2021/2141 – Leith View, 7 The Street, Capel.** This is an application for the erection of two storey rear extension, new first floor window to the northeast elevation and oak framed entrance canopy. The development looks out onto the open countryside and will not impact upon the setting of The Street or on the important approach into the village of Capel from the north. The design is sensitive to the neighbouring dwelling which is important to the Local Plan Policy Considerations. The Council reviewed and discussed the application and agreed this application should be approved.
- iv. **MO/2022/0108 – 4 Stockrydons, Henfold Lane, Beare Green.** This is an application for a Certificate of Lawfulness for a proposed development in respect of a single storey rear extension. The proposal is to erect a single storey rear extension to this rural semi-detached property located in the Green Belt. The proposals should have regard to MV Policies ENV 22, 23 and 32 which are in conflict with criteria 2 of ENV 22 and the impact it will have on the adjacent property. It was considered the proposal does not meet the Certificate of Lawfulness considerations and should be rejected and tested through a formal application for planning permission. This information will be forwarded to Mole Valley District Council.
- v. **MO/2021/2360 – Palmers Farm, Newdigate Road, Beare Green and MO/2021/2362 – Palmers Farm, Newdigate Road, Beare Green (Listed Building).** These applications are for the repair and conversion of curtilage Listed barns to form 2 No. dwellings and erection of 5 No. new build dwellings. This site falls within the Green Belt and from a policy perspective is absent of compelling justification for residential development. When applying the Green Belt tests in particular Para 148 of the NPPF states that “very special circumstances” must outweigh other considerations. At paras 149 and 150 further emphasis is given to the conditions which could apply in relation to mitigating

development. The tests do not appear to be met therefore a justification for the changes of use to residential are not met by the proposals. Given the proximity of the Local Plan Review which will test the provision of new homes the application cannot be justified and is premature in meeting the supply of new homes. Policies 42 and 43 of the Local Plan have been considered but they do not outweigh the NPPF GB consideration. Likewise having regard to the Core Strategy, no contribution is made to the need for affordable provision (CS4). In relation to CS 14 this again is not appropriate have regard to the NPPF. The Committee considered all the material policies not least the 2021 NPPF and recommend that these applications should be rejected.

6. **MO/2021/1313 - Capel Post Office, 87 The Street, Capel.** This application for the conversion of part of the rear of the building to C3 dwellinghouse, including extension to existing roof to increase height and insertion of new dormer window. This application was approved with conditions on 17 January 2022. The Parish Council had objected to the application. A copy of the officers report will be made available.

7. **MO/2021/1843 - Capel Cricket Cub Recreation Ground, Mortimer Road, Capel.** This application to remove all existing netting and surfacing and return the area back to natural grassland and erect new cricket nets on part of the disused Capel Bowls Club land was approved with conditions on 21 January 2022. The Council supported the application but have concerns regarding the times the nets will be used and the bar opening times at the Sports Pavilion. It was agreed that at this meeting, the time of use for the new cricket nets would be discussed, leaving the matter of the Sport Pavilion bar for discussion at the Full Council meeting in February.

Mr Markham explained that the nets would only be used by Club members, juniors, seniors and ladies. The nets would be used primarily before matches to warm up and at practice sessions. There would be a combination lock on the nets which could only be accessed by members. The Council was concerned that the combination could be shared; likewise, if a padlock was used extra keys could be cut. It was agreed to test the use of a combination lock to ensure it was not being abused and there would be a penalty for misuse. Mr Markham assured the Council that the Cricket Club would know who was using the nets at any time and junior sessions would be supervised by adult members.

The times the nets would be used is a sensitive subject as the noise of the bowling machine and the constant sound of leather on willow could be a nuisance to the residents of Charlotte Broadwood flats. The Council insisted that strict usage times be adhered to, and these would be outlined in a legal deed, ensuring that in the future, Councillors and Cricket Club Committee members are all aware of the agreement. Any exceptions to the agreed times would need the prior approval of the Parish Council.

8. **MO/2021/1038 - Sharks Barn, Misbrooks Farm, Misbrooks Green Road, Capel.** This is an application for the conversion of existing outbuilding to 1 No. dwelling with associated landscaping including boundary fence, parking and access. The original planning application had been withdrawn and the agent had spoken at length to the Chairman of the Planning Committee, agreeing on an application which would enhance the neighbourhood and meet planning policies governing the area. The new application was discussed, and the Committee agreed this application should be recommended for approval.

9. **Mole Valley Local Plan submission to PINS.** The Chairman advised the Committee that Mole Valley District Council has submitted its Plan to PINS. The report below had been circulated to all Councillors, outlining fundamental matters relating to the Parish.

Members of the CPC have considered the local plan at Regulation 18 and Regulation 19 stages. In October 2021 a detailed presentation was made to members and the community following which our representation was made to Mole Valley.

The District Council have now considered in detail representation received in response to the LP Consultation from the district, Capel Parish Council and residents. At an Extraordinary Meeting of the District Council held on 3<sup>rd</sup> February 2022 the Cabinet considered Submission of the Draft Local Plan to the Secretary of State for Levelling Up, Housing and Communities. There are no changes to the proposals considered by Capel Parish Council in October 2021 in relation to sites in Capel Parish. In this regard the following remains:

**Sites Allocated (remaining)**

Land at Breakspear Farm (ref DS 5)  
Boxhill Caravans, Old Kiln Farm, Coles Lane, Capel (Ref DS19)  
Land at Capel House Farm, The Street Capel (Ref DS21)  
Land rear of Redlands House, The Street, Capel (Ref DS22)

**New Allocations**

Land at Hurst, Vicarage Lane (The Street), Capel (Ref DS 20)

**Site Allocations Deleted**

Land South of Beare Green (Ref SA 05)  
Land at Brook Cottage, Wolves Hill, Capel (Ref SA 24)

It should be noted with particular regard to the site south of Beare Green it was REJECTED as a result of the exceptional circumstances test relating to the release of land from the Green Belt. (See section H, document H18 in the Local Plan Evidence Base).

The Regulation 19 representations have been published by MV as Appendices 10 and 11 of the MV Council Report.

We made representation in our October submission regarding certain site issues and their capacity. It is the considered view of the MV Local Plan's team that these are matters to be considered at the LP Inquiry and in due course if the sites are adopted as allocations when planning application are submitted.

The Settlement Boundaries proposed for Beare Green and Capel Village were also agreed for submission to PINS.

Sites in Capel Parish identified as Sites of Nature Conservation Importance (SNCI) were also agreed for adoption in the LP. Sites of mineral importance (Minerals Safeguarding were also agreed). These relate in particular to Clock House Brickworks and South Holmwood Brickworks east of Beare Green.

The A 24 Buffer Zone south of Capel (from Clarks Green) and its Safeguarding Area up to the boundary with West Sussex/Horsham was also agreed.

It is recommended that the Parish Council confirms its support to Mole Valley for the Regulation 19 Proposals and that the submission is made to PINS. We should also confirm our intention to appear in due course in front of the Inspector represented by Planning Counsel and professional witnesses.

9. **CORRESPONDENCE:**

**Trig Street, Newdigate, Upgrade of Footpath to Bridleway.** Correspondence had been received regarding this project. Documents had been forwarded to the Parish Council but before this matter can be discussed further, the following questions need to be addressed:

- Is there a plan and survey identifying the proposed route and ownership?
- Is the width of the proposed route and a specification.
- Who will be responsible for maintaining the bridleway?
- Will the width ensure pedestrian use is safe if riders are the intended users having regard to vehicles and visibility?

The Parish Council understands the objectives but question if all issues have been addressed including a user's safety audit.

The Clerk has asked for confirmation that these matters have been discussed and addressed.

**Date of Next Meetings:**

Full Council Meeting: Monday 21 February 2022

Planning Committee: Monday 7 March 2022

**ANNUAL PARISH MEETING:** Monday 14 March 2022

Finance Committee: Monday 9 May 2022