

**MINUTES OF THE PLANNING COMMITTEE MEETING
HELD ON MONDAY 01 NOVEMBER 2021**

- 1 **PRESENT:** Mr Garber (Chairman), Mr Ball, Mr McLachlan, Mrs Dale, Mrs Schryver, Mr Ashwood, Mrs Ryan and the Clerk.

In Attendance: District Councillor Mrs Huggins, Mrs Michelle Watson, Mr Luke Margetts (5(ii)), Mr Robert Challis and Dr Jule Harries (5(i)).

- 2 **APOLOGIES FOR ABSENCE:** Mr Salter, Mr Cox, County Councillor Helyn Clack and District Councillor Caroline Salmon.

- 3 **DECLARATIONS OF INTEREST:** None.

4. **PUBLIC QUESTIONS:** None.

The Chairman welcomed everyone to the meeting and explained that the agenda would be altered slightly so that the applications relating to attendees will be discussed first.

5. **CONSIDERATION OF PLANNING APPLICATIONS:**

- i. **Planning Application MO/2021/1832 – Long Barn, Ockley Road, Beare Green.** This is an application for the addition of cladding/cart shed doors to existing barn.

Mr Challis and Dr Harries were both invited to address the council as representatives of the community close to Long Barn.

Mr Challis told the Committee that the description given on the application was incorrect. The structure is not a barn and had never been for agricultural use. The structure is a Victoria style green house, and no justification has been given for the addition of cladding. There was also concern regarding accessing the structure, parking and access on to the A29. The area around the structure is now completely overgrown and is the domain of bats, dormice, and slow worms. To date no ecology inspection surveys have been undertaken.

Dr Harries agreed with all Mr Challis had said.

The Chairman thanked Mr Challis for his comments and addressed the Committee on planning matters. Consideration must be given regarding the intention of the applicant to change the compelling character of the “Victorian Greenhouse” to one of an enclosed structure. No justification has been provided for the change. The structure is important in this rural location. To change its appearance in such a fundamental way could lead to inappropriate alternative uses. Policy considerations which include its setting within the Green Belt are important.

Core Strategy

CS 1 Criteria 3 Countryside Development and NPPF 21 relating to the Green Belt; CS 13 Landscape Character and CS 14 Protecting the landscape character.

Mole Valley Local Plan

ENV 22 General Criteria and Criteria 1 the proposal is inappropriate; ENV 23 The proposal does not respect the setting; ENV 32 Character and style not retained.

The Committee agreed that there was no justification for the change in character. It was questioned whether the structure was sound or if it could be reinstated or would need to be strengthened. It was agreed that the outline was not a proper representation of the property and there appeared to be several significant inaccuracies within the application. The Committee agreed that this application should be recommended refusal and the Chairman agreed to put together a response to Mole Valley.

- ii. **Planning Application MO/2021/1843 - Capel Bowling Club, Recreation Ground, Mortimer Road, Capel.** This is an application to remove all existing netting and surfacing and return the area back to natural grassland. Erect new cricket nets on part of the disused Capel Bowls Club land.

Mr Margetts was invited to address the Committee, giving an outline of the Cricket Clubs plans for the bowls green, and how it would enhance the performance of the club. A number of issues had been raised, namely noise, hours of use, floodlighting and the possibility of moving to an alternative location, away from the residential area. The closest property was Charlotte Broadwood flats which

is home to elderly residents. Mr Margetts agreed to meet with the Trustees of Charlotte Broadwood flats to work with them to dispel any concerns.

The Chairman thanked Mr Margetts for his attendance, agreed that a meeting would be beneficial, and the Council would refrain from responding to Mole Valley until the meeting had taken place. The Committee agreed the location of the proposed nets and noise impact from the users having regard to the proximity of dwellings, in particular Charlotte Broadwood Flats and Wayside needed to be considered. Mitigation could be addressed having regard to the times of use.

The nets will enhance the community sports facilities provided in the village.

In policy terms enhancing sports facilities responds to Government recommendations and is consistent with Mole Valley policies relating to recreation. Having regard to REC4 this represents meeting the provision of new facilities. The club may wish to consider how access for the disabled will be provided from the car park to the nets. Regarding NDP Policies CA CLW2 and 3 are met. With emerging policies for housing in the villages this will no doubt be seen as an important community facility.

The Committee agreed that if the Trustees of Charlotte Broadwood flats and the Cricket Club could agree on noise, times of use, etc. the Council would recommend the application be approved.

- iii. **Planning Application MO/2021/0970 - Temple Wood, Temple Lane, Capel.** This is an application for the erection of first floor extension and alterations. The Committee agreed the proposal has been designed with attention to detail and sensitively addressed. The Committee recommended this application should be approved.

- iv. **Planning Application MO/2021/1838 - Site at Riverdale Farm, Rusper Road, Capel.** This is an application for alterations to site layout, to continue to provide three pitches with associated operational development, new access, hard standing, utility blocks, packing treatment plant and fencing, and provide a single storey dwelling with associated landscaping. There is a fundamental background issue having regard to development having been undertaken without the benefit of planning permission and, the emerging Local Plan Policies which do not make provision for new travellers sites. Whilst support is sought for the development having regard to the MV Core Policies the policy material to this application is CS 5. In this regard while pitches may be considered acceptable the provision of a dwelling house does not meet policy criteria and cannot be justified. The use of the dwelling cannot be controlled.

In terms of the proposal being determined against the background of the Mole Valley Local Plan 2000 having regard to the following:

Policy ENV 3 - The criteria for acceptable development in the countryside beyond the Green Belt is not met. As such landscape character considerations also fail in policy terms.

Policy ENV 22 - On the same basis while design and layout and respect for the setting could be considered unless other criteria are met in the first instance the test cannot be met in determining whether the scheme is acceptable. The Committee recommended this application should be refused.

- v. **Planning Application MO/2021/1714 - Lime Cottage, Ruge Farm, Horsham Road, Capel.** This is an application for the conversion of existing stables to offices.

Policy Considerations - NPPF 2021

There are a number of material considerations having regard to its Green Belt location not least P 146 which relates to the re-use of Existing Buildings. The buildings are also within a complex of existing buildings and will not therefore compromise the setting of the Green Belt. Other material NPPF Policies which apply to the proposal have regard to the rural economy in particular Paras relating to sustainable development and good design.

MV Core Strategy

CS 1 - development in the countryside (criteria 3); CS 12 - sustainable Economic Development (Rural Economy Diversification); CS 13 - the landscape character is not compromised.

Mole Valley Local Plan

The proposals have regard to Policies ENV 4,22,23 and RUD19 which relates to the re-use of buildings.

Capel NDP

Although beyond the village setting working and design considerations apply. Given the proposal level of employment use proposed the Committee recommends a planning condition which will require electric charging points for vehicles. The Committee recommended this application should be approved.

- vi. **Planning Application MO/2021/1878 - Kitlands, Broomhall Road, Coldharbour.** This is an application for the demolition of existing dwelling and construction of new replacement dwelling. The house/site lies in the Green Belt and the AONB but beyond the Coldharbour Conservation Area. The house is unlisted. Aspects of development have taken place since the mid-1950s. It is now proposed to undertake a comprehensive approach to the design of a replacement building. Given its location and special relationship with neighbouring properties and, having regard to the diverse characteristics of development in Coldharbour the approach being undertaken will not detract from the prevailing area and its CA having regard to NDP Policy CAPO1 and the NPPF 2021 which gives a clear direction towards "Achieving well designed places" Paras 126 and 130. In relation to its Green Belt location, this is a replacement dwelling of a similar size and will enhance the appearance of the locality. It is suggested that as a new dwelling an electric vehicle charging point should be provided.

MV Core Strategy and LP Policies:

The applicants refer to Policy ENV 1-this has been deleted and as a GB Policy the NPPF GB Criteria applies.

CS 1 criteria 3 is met. CS 2 this is not a rural exception proposal the policy does not therefore apply. CS 13 –landscape considerations apply (see also ENV 4). Policies ENV 5 and 6 no longer apply nor does policy RUD 8. In terms of ENV 22 and 23 the relevant criteria are met. The Committee recommended this application should be approved.

- vii. **Planning Application MO/2021/1942 – Hill House Cottage, Misbrooks Green Road, Capel.** This is an application for the erection of first floor above existing garage and conversion of existing garage to habitable accommodation. Erection of single storey link extension to attach garage with Hill House Cottage. This is a proposal for a significant extension to the dwelling in a prominent Green Belt location. An earlier extension was approved to the other part of the semi-detached dwelling against Parish Council advice. What is now proposed results in a dwelling disproportionate to what should be a modest pair of dwellings. Its appearance is awkward with disproportionate elements and does not have regard to criteria 2 of CS 14 "quality of design". In relation to RUD7 criteria it detracts from the character of the existing dwelling. The Committee recommended this application should be refused.

- viii. **Planning Application MO/2021/1952 – Land to the East of Henfold Lane, Beare Green.** This is an application for a Certificate of Lawfulness for the existing use in respect of the land outlined in red on the submitted Site Location Plan Figure Number: 1594-0004-03 being used for mixed-use adventure war games, caravan and camp site for a period in excess of 10 years. Mole Valley Policy REC17 refers War Games criteria and planning permission WOULD NOT be granted.

This application will be expanded on once a full appreciation can be given to a significant level of information much of which conflicts with facts which require clarification. The Chairman has contacted the applicants agents for further information. The documentation is inconclusive in some areas relating to the CLUED. There does not appear any reason for the application now unless the owners which had an agenda which is also unclear. As situations are unclear then the CLUED should be rejected. Full planning permission should be applied for and therefore the Committee recommended that the Certificate of Lawfulness application should be refused.

- ix. **Planning Application 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. New/Emerging policy criteria requires proposals such as the application to be of outstanding architectural quality. As such what is now proposed fails to meet that important objective. That is crucial in this case given its sensitive location. The site lies in the Green Belt. NPPF criteria therefore apply.

Core Strategy - CS 2 see criteria 2 and 3.

MV Local Plan - ENV 22 - does the proposal meet criteria 1 ,3,4; ENV 23 - does the proposal respect the setting in particular criteria 1 and 5. The Committee agreed they were unable to support this application. The Clerk will contact the applicant suggesting a recommendation made to withdraw the application and resubmit to ensure compliance with policy criteria.

- 6. MO/2021/0298 - Grene Trest, Horsham Road, Beare Green.** The Committee were reminded of the of the current situation at the site and the letter forwarded to the Enforcement Team regarding the alleged breach of planning controls. The Mole Valley District Council Enforcement Team were requested to investigate whether the development complies with what has been granted planning permission.

Building works were continuing and the Committee agreed the Enforcement Team will be contacted again, requesting the issue of a **Stop Notice** until the site and works are reviewed, and the matter resolved.

7. MO/2020/0667 - Land south of Coles Lane, Ockley. This application was refused by Mole Valley District Council and has now gone to appeal. No further information has been received from Ockley Parish Council regarding their submission to PINS. * A copy of Ockley Parish Council's draft response to PINS was forwarded to Capel PC on 5 November for comment.

8. RESPONSE TO DRAFT MOLE VALLEY LOCAL PLAN.

All Councillors had been copied into the revised response and the draft covering letter. This will be forwarded to Mole Valley tomorrow.

9. BOUNDARY EXTENSION TO SURREY HILLS AONB. The Chairman confirmed that Natural England will review the boundaries of all AONBs next year and look at any new proposals. The process will take between 3 and 4 years, including a consultation period.

Date of Next Meetings:

Finance Committee: Monday 08 November 2021

Full Council Meeting: Monday 15 November 2021

Planning Committee: Monday 06 December 2021