## **CAPEL PARISH COUNCIL**

MINUTES OF PLANNING COMMITTEE held on Monday September 2<sup>nd</sup> 2013

1. APOLOGIES FOR ABSENCE: Mr McLachlan

**2. IN ATTENDANCE:** Mr Garber, Mrs Pearson, Mrs Schryver, Mr Dale, Mr Salter and Mrs Coke the Clerk. No members of the public were in attendance

3. DECLARATION OF INTEREST: None

**4. MINUTES**: The minutes of the Planning Committee August 5<sup>th</sup> 2013 were agreed as a correct record.

5. MATTERS ARISING: Gatwick Airspace Min.Ref.8/08/13 - Please see item 10.

**PUBLIC QUESTIONS: None** 

**6. PLANNING APPLICATIONS and Appeals** – To consider and recommend for adoption Planning Applications and Appeals received between August 5<sup>th</sup> and September 2<sup>nd</sup> 2013

**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.

### Appeal:

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.

# 7. Europa Oil Appeal – Strategy and recommendation to the full Council:

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 have been taken into consideration with those of the rest of the meeting and 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
- 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.
- 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.

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.

# 8. Project OverHall – Business Plan

Several issues were raised regarding the Plan and further points would be included and circulated prior to the meeting, for question and discussion at the meeting with the Project OverHall Committee on September 10<sup>th</sup> (9.30am at the BG Hall). Further details of the Lease currently under discussion with MVDC would also need to be clarified.

#### 9. Weald School Development project - update

- 1. At the request of CPC a Briefing meeting will take place on Sept 17<sup>th</sup> at the Weald School at 11.00am
- 2. The school advisors see the PC as interfering with the project.
- 3. CPC has asked for assurances relating to the promotion of Options 1 and 3 only
- 4. CPC has asked for assurances regarding the retention of a significant amount of recreational land for the community.
- 5. The school may seek a larger school facility than indicated this would be an unacceptable threat to the Scott Broadwood sites at Capel and Ockley.
- 6. The larger school would be of greater cost than £6-7 million and would therefore require more land for development.
- 7. CPC has estimated that for the capital receipt to achieve £6-7 million some 2ha of development would be required located where the present buildings are in position ie brown field.
- 8. Access to the school site is crossed by CPC land school advisors indicted that if CPC attempted to control proposals then it would imply that the failure to facilitate delivery of the project would be the fault of the PC (an unacceptable threat)
- 9. CPC to write to the School / advisors indicating in clear terms that unless they follow the direction indicated as a possible route for their strategy, CPC support would be withdrawn and CPC should then reserve its position until after the pre-view meeting.

**SCC legal dept. (Ann Carlton)** is progressing information on any covenants associated with land bequeathed to the school in1953 and will report back soon.

## 10. Re. Gatwick Airspace (see Matters Arising)

CPC will prepare a submission in relation to the expansion of Heathrow Airport and the proposed additional runway at Gatwick Airport and why alternatives would be appropriate. To form an agenda item at the PC meeting 16.09.13

# 11. THE NEXT MEETING OF THE PLANNING COMMITTEE WILL BE ON MONDAY October 7<sup>th</sup> 2013 at 7.30pm in Capel Village Hall Committee Room