

Minutes of the Meeting of the PLANNING COMMITTEE held at the Council Chamber, Epsom Town Hall on 23 March 2023

PRESENT -

Councillor Humphrey Reynolds (Chair); Councillor Phil Neale (Vice-Chair); Councillors Steve Bridger (as nominated substitute for Councillor Monica Coleman), Kate Chinn, Nigel Collin, Neil Dallen, Liz Frost (as nominated substitute for Councillor Alex Coley), David Gulland, Jan Mason, Steven McCormick, Lucie McIntyre and Peter O'Donovan

Officers present: Andrew Bircher (Interim Director of Corporate Services), Justin Turvey (Interim Head of Place Development), Virginia Johnson (Principal Planning Officer), Jason Ofosu (Principal Solicitor) and Dan Clackson (Democratic Services Officer)

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The Committee received a report asking the Committee to determine agenda item 5 of the previous meeting (held on 9 March 2023).

The Principal Solicitor explained that a vote was taken on the item at the previous meeting. However, owing to a confusion with respect to the number of Members voting for, against and abstaining, and the effect of the Chair's casting vote, an outcome was declared different from that upheld. Therefore, the decision made to approve the application at the previous meeting had been deemed ineffective.

The Principal Solicitor informed the Committee that the purpose of the meeting was solely to determine item 5 of the previous meeting. He explained the meeting was a continuation of the previous meeting and Members at the meeting were required to attend and vote only. There was to be no further debate, presentation, or speaking from members of the public.

Following a question from a Member, the Principal Solicitor confirmed that declarations of interest with respect to item 5 of the agenda made by Members at the previous meeting were carried over to the present meeting and did require redeclaration.

The Chair reminded the Committee that, should they be minded to approve the application, the following conditions were agreed at the previous meeting:

- (1) That shrubbery be planted on the perimeter boundary timber fencing.
- (2) That access to the entrance gate be restricted to rigid vehicles up to 3 tonnes only.

Description:

Erection of perimeter boundary timber fencing, relocation of entrance gates and installation of gas tank holder (Retrospective)

Officer Recommendation:

To approve, subject to conditions.

Decision:

The Committee voted (2 for, 4 against, 5 abstaining, and the Chair not voting) against approval of the application.

Councillor Steven McCormick proposed that the application be refused. Councillor Jan Mason seconded the proposal.

The Chair resolved to adjourn the meeting to allow for a brief discussion for Officers to understand the intentions and reasons for the proposed refusal.

The meeting was adjourned at 19:38 and resumed at 19:43.

The Interim Head of Place Development relayed to the Committee the reasons for refusal as put forward by Councillor Steven McCormick. The reasons were as follows:

- (1) Due to its design and siting, the fencing would harm visual quality, openness and character of the Green Belt, failing to comply with NPPF paragraph 149, policy CS2 of the Core Strategy (2007) and policy DM10 of the Development Management Policies Document (2015).
- (2) The fencing represents poor design with inadequate visual screening. It would adversely affect the character and appearance of this part of the site and area, failing to accord with policies CS5 of the Core Strategy (2007) and DM10 of the Development Management Policies Document (2015).
- (3) The application fails to provide satisfactory space for the safe manoeuvring of vehicles within the site, resulting in an unacceptable hazard to highway users, to the detriment of highway safety. This fails to accord with Policy CS16 of the Core Strategy (2007) and policies DM10 and DM36 of the Development Management Policies Document (2015).

The Chair required prior to voting for refusal of the application, that the Committee approve each reason for refusal by majority vote.

With respect to reason 1, the Committee voted (5 for, 5 against, 1 abstention, and the Chair not voting) against the reason for refusal.

With respect to reason 2, the Committee voted (4 for, 6 against, 1 abstention, and the Chair not voting) against the reason for refusal.

With respect to reason 3, the Committee voted (7 for, 2 against, 2 abstentions, and the Chair not voting) to approve the reason for refusal.

Accordingly, the Committee resolved (6 for, 5 against, and the Chair not voting) to REFUSE the application for the following reason:

- (1) The application fails to provide satisfactory space for the safe manoeuvring of vehicles within the site, resulting in an unacceptable hazard to highway users, to the detriment of highway safety. This fails to accord with Policy CS16 of the Core Strategy (2007) and policies DM10 and DM36 of the Development Management Policies Document (2015).**

The meeting began at 7.30 pm and ended at 7.53 pm

COUNCILLOR HUMPHREY REYNOLDS (CHAIR)