

## Minutes of the Meeting of the PLANNING COMMITTEE held on 10 December 2020

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### PRESENT -

Councillor Clive Woodbridge (Chair); Councillor Monica Coleman (Vice-Chair); Councillors Neil Dallen, David Gulland, Previn Jagutpal, Colin Keane, Jan Mason, Steven McCormick, Debbie Monksfield, Phil Neale, Peter O'Donovan and Clive Smitheram

Absent: Councillor Alex Coley and Councillor Lucie McIntyre

Officers present: Viv Evans (Interim Head of Planning), Alex Awoyomi (Trainee Solicitor), Tom Bagshaw (Planner), Steven Lewis (Planning Development Manager), Danny Surowiak (Principal Solicitor), Sarah Keeble (Democratic Services Officer) and Tim Richardson (Committee Administrator)

### 19 DECLARATIONS OF INTEREST

The following declarations were made in relation to items of business to be discussed at the meeting:

Councillor Neil Dallen: In the interests of openness and transparency, Councillor Neil Dallen declared that he is a member of Epsom Civic Society. He stated that he came to the meeting with a clear and open mind.

Councillor Steven McCormick: In the interests of openness and transparency, Councillor Steven McCormick declared that he is a member of the Woodcote Epsom Residents Society and Epsom Civic Society. He stated that he came to the meeting with a clear and open mind.

### 20 MINUTES OF THE PREVIOUS MEETING

The Minutes of the Special meetings of the Planning Committee held on 23 September and 18 November and the Minutes of the meeting of the Planning Committee held on 5 November were agreed as a true record and the Committee authorised the Chair to sign them, subject to the following:

Amendment of the following typographical error to the Minutes of the meeting of the Planning Committee held on 18 November:

Epsom General Hospital, Dorking Road, Epsom, Surrey, Kt187eg

**Reasons for refusal:**

- (3) The proposed development by reason of its height, massing and design would adversely impact on the neighbouring amenities of the occupiers at 40 and 46 Woodcote Green Road, by means of overbearing, loss of privacy and loss of outlook, failing to comply with Policy DM10 of the Development Management Policies Document (2015).

**To read:**

- (3) The proposed development by reason of its height, massing and design would adversely impact on the neighbouring amenities of the occupiers at 40 and 46 Woodcote Green Road, by means of overbearing, loss of privacy and loss of outlook, failing to comply with Policy DM10 of the Development Management Policies Document (2015).

**21** 15 BEECH ROAD, EPSOM, KT17 4NH

Description

Proposed ground and first floor rear extension, ground and first floor side extension and internal alterations.

Decision

The Committee noted a presentation from the Planning Officer.

The Committee heard from Ward Councillor, Nigel Collin, who spoke in objection to the Application. The Committee heard from an objector to the Application, as well as from the Applicant.

The following points were raised by the Committee:

- a) **Damage to neighbouring buildings:** Members raised concerns regarding potential damages to neighbouring properties. It was noted that this was not a Planning consideration, and would be referred to Building Control.
- b) **Neighbouring access:** Members noted the proposed distance from the neighbouring property. It was noted that this distance was appropriate for property maintenance to be upheld.

Following consideration, the Committee resolved with 7 Members voting for, 2 Members voting against, 1 abstention and the Chairman not voting that:

The Application be **APPROVED** subject to the following:

Condition(s):

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason: To comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.**

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No 04 Rev F – Proposed Plans

Drawing No 05 Rev F – Proposed Elevations

**Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans to comply with Policy CS5 of the Core Strategy (2007).**

- (3) The external materials used in the construction of the extension shall match as close as possible to those which are present at the existing property. The materials shall thereafter be retained.

**Reason: To secure a satisfactory appearance in the interests of the visual amenities and character of the locality in accordance with Policy CS5 of the Core Strategy (2007) and Policies DM9 and DM10 of the Development Management Policies 2015.**

- (4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting this Order) no windows or other openings (other than those hereby approved) shall be formed in the side walls of the extensions hereby approved without the prior written consent of the Local Planning Authority.

**Reason: To protect the amenities and privacy of the occupiers of the adjoining residential properties in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Development Management Policies Document Adopted October 2015.**

- (5) The roof of the extension hereby permitted shall not be converted or used as a balcony or a sitting out area, and no access shall be gained except for maintenance purposes.

**Reason: To protect the amenities and privacy of the adjoining residential properties in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Development Management Policies Document Adopted October 2015.**

- (6) Before any occupation of the development hereby permitted, any windows above ground floor level on the east elevation shall be constructed so that no part of the framework less than 1.7m above finished floor level shall be openable. Any part below that level shall be fitted with, and retained in, obscure glazing of a patterned type only which shall thereafter be retained as such. Obscure glazed windows should be obscured to minimum of

level 3 of the Pilkington Scale. The use of any type of film or material affixed to clear glass is not acceptable for the purposes of this Condition.

**Reason: To protect the amenities and privacy of the adjoining residential properties in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Development Management Policies Document Adopted October 2015.**

Informative(s):

- (1) In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.
- (2) Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced.
- (3) You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work before 8am or after 6pm Monday to Friday, before 8am or after 1pm on a Saturday or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Health Department Pollution Section.
- (4) The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
  - carry out work to an existing party wall;
  - build on the boundary with a neighbouring property;

- in some circumstances, carry out groundwork's within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "The Party Walls etc. Act 1996 – Explanatory Booklet".

- (5) All species of bats found in the UK are European Protected Species under the Habitats Directive 1992, the Conservation of Species and Habitats Regulations 2010 and the Wildlife & Countryside Act 1981 (as amended). If any presence of bats is found on the site during development, then development should cease and it is the responsibility of the applicant to alert a trained ecologist and perform the necessary surveys and form a wildlife mitigation plan in order to avoid causing any harm to the protected species. Should the applicant fail to perform the necessary surveys in a situation where bats have been discovered at the site, they may be committing a statutory offence and could open themselves up to prosecution from the Local Wildlife Crime Officer.

## **22 MONTHLY APPEAL AND HOUSING NUMBER REPORT**

The Committee noted the appeal decisions from 13 October 2020 to 18 November 2020.

*The meeting began at 7.30 pm and ended at 8.18 pm*

COUNCILLOR CLIVE WOODBRIDGE (CHAIR)