

CAPEL PARISH COUNCIL

MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON MONDAY 8 JANUARY 2018 AT CAPEL PARISH HALL

1 **IN ATTENDANCE:** Mr Garber, Mr Ball, Mrs Schryver, Mrs Dale, Mr Margetts, Mrs Ryan and the Clerk.

District Councillor Mrs Michelle Watson.

For part of meeting: Ms Dee O'Brien and Ms Zia Carreras item 5(i), Mr Turner and Mr Vick item 5(v), Mrs Salton and Mr Greenway Item 5(vii).

2 **APOLOGIES FOR ABSENCE:** Mr McLachlan, Mr Salter, Mr Cox

3 **DECLARATIONS OF INTEREST:** Mrs Schryver item 5(i)

4 **PUBLIC QUESTIONS:** Relevant to each item.

5 **CONSIDERATION OF PLANNING APPLICATIONS:**

(i) **MO/2017/1923 – CPC/17/001: 5-6 Beare Green Court, Old Horsham Road, Beare Green.** This is an application for the change of use from retail (Use Class A1) to a mixed use of retail and tattooing and body piercing (Use Class A1/Sui Generis). The Parish Council had delayed making a decision on this application until further information was received. Ms O'Brien and Ms Carreras both addressed the meeting, stating that they wanted to increase the size of their established business. They gave information regarding opening hours, modesty panels within the premises and the inclusion of a retail section, including clothes, jewellery and art. The Parish Council took into consideration the fact that this is an established business of 10 years standing, which is now looking to expand. The premises in Beare Green Court has been vacant for the past two years, and business would provide an employment opportunity for three people. There is a proposed retail section which is compliant with businesses in the Court. The applicant is proposing trading between Tuesday and Saturday, 10am to 5pm and the Parish Council would like this to be a consideration if the planning application is approved. This planning application is compliant with Capel NDP Policy CA-WS2. The Parish Council recommended that this application should be approved.

(ii) **MO/2017/2058 – CPC/17/007: Surrey Hills Hotel, Horsham Road, Beare Green.** This is an application for the removal of existing building and erection of 10 dwellings and associated landscaping, car parking areas and access. The Parish Council considered this application and the fact that there had been consultation with the Parish Council and the community prior to the application. The inclusion of maisonettes provides accommodation for elderly/disabled residents. The application complies with NDP Policy CA-BG03 for allocation, it responds to the character and identity of Beare Green. It complies with CA-ESDQ2 for sustainable drainage, CA-ESDQ3 being a high-quality development, CA-ESDQ7 providing a pleasant living area and CA-ESDQ10 offering adequate car parking/traffic calming. The Parish Council recommended that this application is approved.

(iii) **CPC/17/008: Land at Ruby's Café, The Hoyle, Wigmore Lane, Capel.** The applicant had been contacted by the Parish Council, and asked to explain the proposed agenda for Ruby's Café and the site generally. No response has been received to date and no planning application has been submitted. The Committee agreed that there needs to be a clear decision on the process for the site and it will now be necessary to contact Mole Valley and ask for a visit by the Enforcement Officer.

(iv) **CPC/17/009 and 010: Europa Appeal/Traffic Management.** An appeal to this application is pending. To date nothing has been processed by the Planning Inspectorate. There has been no response to the Parish Council's letter to Europa. LHAG have informed the Parish Council that it is known that Europa are still holding discreet meetings with selected residents. As the agreed process is not being followed a letter will be forwarded to both Europa and Surrey County Council.

(v) **MO/2017/2164 – CPC/18/001: Melville House, Newdigate Road, Beare Green.** This is an application to convert the existing outbuilding to 1 dwelling, with new access and parking. There is considerable planning history with this property. There have been three enforcement appeals). There is significant (adverse) planning history relating to this property. The Parish Council, having considered the proposal determined that further development would be inappropriate. The property is within the Green Belt (paragraph 87 NPPF). The conversion will not contribute to the existing housing stock and there is no mitigation regarding exceptional circumstances. There will be considerable adverse impact upon the countryside and neighbouring properties. Capel Parish council has previously object to a similar proposal. Furthermore, there are now 17 local objections. The proposal is contrary to numerous NDP policies. Policy CA-CA1 requires development to provide good connection to village centres. This is a fundamental requirement of any new development. It does not provide any sustainable drainage, policy CA-ESDQ2 and this is no quality of design CA-ESDQ3. The proposed conversion is not compliant with RUD9 of the Mole Valley Local Plan or RUD19 criteria 2, 4, 7 and 8. The principle issue is that the property is within the Green Belt and the relationship and impact upon those living in close proximity to Melville House. As indicated, no exceptional circumstances have been offered to allow building within the Green Belt. It was recommended that that this planning application is refused.

(vi) **MO/2017/2252 – CPC/18/002: Bregells Farm, Bregells Drive, Beare Green.** This is a planning application to give prior notification for change of use of an existing agricultural barn into 2 no. residential dwellings (Use Class C3). The Parish Council discussed this application and considered that the building was not suitable for conversion as it is not a sound structure. The site is in the Green Belt east of the A24 and is unrelated to the settlement of Beare Green. The barn itself is unrelated to farm buildings and there is inadequate access. The proposed accommodation is unrelated to agricultural activity. Policies within the NPPF and Mole Valley Local Plan must be considered. This conversion will not replace a dwelling. In relation to RUD19 re-use and adoption of buildings will only be permitted if the buildings are of permanent and substantial construction and are capable of conversion without major reconstruction. In this regard the Parish Council had to consider if RUD19 can be complied with. No design statement had been submitted with the application. The Parish Council recommended that planning permission be refused.

(vi) **MO/2017/2282 – CPC/18/003: Henfold Farm, Henfold Lane, Beare Green RH5 4RW.** This is an application for a Certificate of Lawfulness in respect of the use of a barn for non-agricultural purposes for a period in excess of 10 years. The Parish Council discussed this application and considered that the statement does not demonstrate that this has been a non-agricultural barn for 10 years. This barn is located within the Green Belt and does not have any relationship to the settlement of Beare Green. Policies within the NPPF must be considered. This application does not comply with NDP policies CA-CA1 or CA-WS2. The Parish Council therefore recommended that planning permission be refused.

(vii) **MO/2017/2199 – CPC/18/004: Hill House Farm, Misbrooks Green Road, Capel.** This is one of four planning applications relating to this site. This application is for the change of use of part of a field for educational and recreational fixed tent camping. The Parish Council considered this application along with the three other applications for the same property. Each application is considered separately but the four applications inter-relate central to this planning application, MO/2017/2199. The landscape/landscape environment was the subject of a detailed analysis by landscape consultants CSA. This study informed the Capel Neighbourhood Development Plan (2017). The conclusion of the Capel Sensitivity Appraisal (April 2017) found that in overall sensitivity terms the area was in the 'Moderate – High' category. In 'Landscape Policy' terms the area falls in the Green Belt, NPPF Chapter 9 Protecting Green Belt land, the Mole Valley Core Strategy Goal 1 and Policy CS13 Landscape Character (LP Saved Policy ENV4). Policy CS14 states that **"All new development must respect and enhance the character of the area."** The site is currently agricultural in use and nature and consists of an undulating rising landscape. The most prominent views of the site are from the south/south east, and in particular elevated land south of Capel from public footpath vantage points which affords extensive views to the north/north east with the backdrop of the Surrey Hills beyond. The landscape effect of the development is therefore that the proposed development would introduce new incongruous features and structures. In landscape terms the development would therefore conflict with Policy CS13 and ENV22 of the Mole Valley Local Plan, the former requiring that new development must respect and enhance the character and distinctiveness of the landscape character of the area. Paragraph 89 of the NPPF indicates that the construction of new buildings in the Green Belt would contribute inappropriate development. The proposal does not conform with the exceptions outlined in Paragraph 89. Paragraph 87 of the Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (which do not

exist). The road (lane) is typified by the prevailing character of elevated land (banking) rising steeply from this narrow lane with a high hedgerow beyond. It forms a 'key' definition on the approach towards Capel village from the north east. Apart from access for vehicles enabling access to schools, local workplaces, medical facilities and shops, paths (and bridleways) users of bicycles and horses must be 'protected.' The removal of the hedgerow and any alteration to its prevailing character would create and result in untold visual harm, adverse impact upon nature conservation and must be resisted. Any development which would compromise the prevailing traffic safety consideration must be resisted. Visibility at the junction of Misbrooks Green Road is already poor with heavy commercial use along the road between Newdigate and Beare Green. The only alternative route is via Vicarage Lane into the centre of Capel village. The narrowness of Vicarage Lane together with limitations along The Street make this alternative untenable. The proposed development does not constitute agricultural development, the mitigation therefore set out in MVLP Policy RUD 14 cannot therefore apply. Likewise, the criteria detailed in Policy RUD17 – Farm Diversification does not apply. While the re-use of the farmhouse buildings (Application 2197) could apply (RUD19) on its own as part of the overall strategy is non-compliant. The proposal is wholly speculative and has little or no regard to the environment of Capel Parish. Finally, there are significant third-party objections to this proposal. The Parish Council therefore strongly recommended that this planning application be refused.

(viii) **MO/2017/2194 – CPC/18/005: Hill House Farm, Misbrooks Green Road, Capel.** This is a planning application for the removal of 12 metres of hedgerow to create a new access. The Parish Council considered this application along with the three other applications for the same property. Each application is considered separately but the four applications inter-relate central to Planning Application MO/2017/2199. The proposed removal of the hedgerow would have an adverse effect on Misbrooks Green Road having regard to visual, physical and nature conservation considerations with the prevailing character of elevated land (banking) rising steeply from the narrow lane with a high hedgerow beyond. It forms a key definition on the approach towards Capel village from the north-east. Apart from access for vehicles enabling access to schools, local workplaces, medical facilities and shops, path and bridleway, users of bicycles and horses must be protected. The removal of the hedgerow and any alteration to its prevailing character would create and result in untold harm and must be resisted. Any development which would compromise the prevailing traffic safety consideration must be resisted. Visibility at the junction of Misbrooks Green Road is already poor with heavy commercial use along the road between Newdigate and Beare Green. The only alternative route is via Vicarage Lane into the centre of Capel village. The narrowness of Vicarage Lane together with limitations along The Street make this alternative route untenable. The Parish Council strongly recommended that this planning application be refused.

(ix) **MO/2017/2197 – CPC/18/006: Hill House Farm, Misbrooks Green Road, Capel.** This is a planning application for the change of use of farmyard buildings to form a catering unit with associated facilities. The Parish Council considered this application along with the three other applications for the same property. Each application is considered separately but the four applications inter-relate central to Planning Application MO/2017/2199. The proposed development does not constitute agricultural development, the mitigation therefore set out in the Mole Valley Local Plan Policy RUD 14 therefore cannot apply. Likewise, the criteria detailed in Policy RUD17 – Farm Diversification does not apply. While the re-use of the farmhouse buildings (application 2197) could apply (Policy RUD19) on its own as part of the overall strategy is non-compliant. The Parish Council is aware that there are significant third-party objections to this planning application. The Parish Council therefore strongly recommended that this planning application be refused.

(x) **MO/2017/2198 – CPC/18/007: Hill House Farm, Misbrooks Green Road, Capel.** This is a planning application for the formation of car park in association with other proposed uses for this site. The Parish Council considered this application along with the three other applications for the same property. Each application is considered separately but the four applications inter-relate central to Planning Application MO/2017/2199. The proposed development formation of the car park would necessitate the removal of the banking mature hedgerow MO/2017/2914. The proposed removal of the hedgerow would have an adverse effect on Misbrooks Green Road. The road, essentially a narrow lane, is typified by the prevailing character of elevated land rising steeply from the narrow carriageway with a high hedgerow beyond. It forms a key definition on the approach towards Capel village from the north-east. Apart from access for vehicles enabling access to schools, local workplaces, medical facilities and shops, path and bridleway, users of bicycles and horses must be protected. The installation of a car park, removal of the hedgerow and any alteration to its prevailing character would create and result in untold harm and must be resisted not lease

having regard to nature conservation interests. Any development which would compromise the prevailing traffic safety consideration must be resisted. Visibility at the junction of Misbrooks Green Road with Trigg Street is already poor with heavy commercial use along the road between Newdigate and Beare Green. The proposed educational facilities would introduce coaches to this lane, would have a substantial impact on safety in this already dangerous stretch of road. We do not believe in any event that satisfactory visibility splays could be achieved from an emerging entrance. The Parish Council is aware that there are significant third-party objections to this planning application. The Parish Council therefore strongly recommended that this planning application be refused.

(xi) **MO/2017/2064 – CPC/18/008: Ansford, Vicarage Lane, Capel.** This is an application for the erection of a single storey side and rear extensions. The Parish Council discussed this application and considered that although the property is located within the Green Belt it will not have any adverse impact on immediate dwellings. Neighbouring properties have had similar extensions approved. NDP policies were considered and the proposed extension is compliant with CA-ESDQ3 and CA-ESDQ6. The Parish Council therefore recommended that planning permission should be approved.

(xii) **MO/2017/2119 – CPC/18/009: Thames Water Sewage Treatment Works, Brookside, Beare Green.** This is an application for the stationing of a container unit with the compound. The Parish Council had no objection to this request and recommended that this planning application is approved.

The Chairman informed the Committee that information had been circulated from Lesley Bushnell, referring to the status of Capel Neighbourhood Development Plan and sites to be considered in the Mole Valley Local Plan Review. There had been suggestion that the NDP was being directed by Mole Valley plans and was therefore not significant. The Chairman confirmed that the weight of the NDP is wholly significant.

DATE OF NEXT MEETINGS:

Full Council Meeting: Monday 22 January 2018 at 7.30pm.

Planning Committee: Monday 5 February 2018 at 7.30pm.

Finance Committee: Monday 14 May 2018 at 8.00pm.