

BOROUGH OF REIGATE AND BANSTEAD

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held at the New Council Chamber - Town Hall, Reigate on 24 April 2024 at 7.30 pm.

Present: Councillors S. Parnall (Chair), M. S. Blacker (Vice-Chair), J. Baker, P. Chandler, P. Harp, K. Fairhurst, N. D. Harrison, J. Hudson, S. A. Kulka, C. Stevens, J. Thorne, D. Torra, M. Tary and V. Chester (Substitute).

Also present: Councillors Ashford, Cooper and Walsh

106. MINUTES

RESOLVED that the minutes of the previous meeting held on 27 March 2024 be approved as a correct record.

107. APOLOGIES FOR ABSENCE

An apology for absence had been received from Councillor McKenna, Councillor Chester was his substitute. An apology for absence had also been received from Councillor Sachdeva.

108. DECLARATIONS OF INTEREST

There were no declarations of interest.

109. ADDENDUM TO THE AGENDA

RESOLVED that the addendum be noted.

110. 22/01928/F - BANSTEAD CRICKET AND SPORTS CLUB, AVENUE ROAD, BANSTEAD

The Committee considered an application at Banstead Cricket and Sports Club, Avenue Road, Banstead for the demolition of the existing clubhouse. Construction of a new double storey pavilion requiring the existing cricket nets to be repositioned. Creation of new car parking. As amended on 21/03/2023, 19/04/2023, 24/07/2023, 25/08/2023, 09/11/2023 and on 19/02/2024.

Councillor Stevens arrived at 7.51 pm and was therefore unable to vote on this application.

Mr Ray Smyth, an objector, addressed the Committee, stating that he was a resident of De Burgh Park and that he had sent a letter to members of the Committee dated 12 April and he was not going to repeat what was said in the letter, but focussed instead on the Committee's role in assessing whether "very special circumstances" existed regarding the Green Belt. The officer had advised the Committee that the development constitutes inappropriate development in the Green Belt which should not be approved except in "very special circumstances". "Very special circumstances" was a very high standard. He believed the officer's analysis of the presence of "very special circumstances" in paragraphs 6.61 - 6.68 of his report was flawed:

- The clubhouse did not need to be located between the two cricket fields; this was a preference of the Club, Sport England and the ECB. The positioning of the new premises would eliminate the only distant view from the Recreation Ground that was not currently obstructed by buildings;
- The proposed 1st floor did not provide facilities that were necessary or required for cricket;
- The financial standing of the Club was not a material matter for consideration for this Committee, however, that the financial burden of funding this development could be reduced by over 50% by scaling back the ambitious plans to a single storey building remaining on the current site.
- There was no evidence of any need for facilities to be provided for wider community use. Those that already existed were greatly under-utilised.
- The biodiversity net gains potentially resulting from the Club's proposals were initiatives that the Club could take in any event and were merely "greenwashing".

In summary, he believed that the attempt to demonstrate "very special circumstances" failed entirely. The Committee were the gatekeepers of the Green Belt. This was a critical role for preserving the openness and inclusiveness of the green space in the centre of Banstead village.

Mr Martin Long, an objector, addressed the Committee stating that he represented the 107 objectors, all of whom lived in the Borough and the vast majority of whom live in Banstead Village. The report did not mention that of the 157 letters of support, only 10% were from addresses within the borough. The report stated that the application would normally be refused as inappropriate development within the Green Belt. Two principal factors were stated as providing the very special circumstances to outweigh this. The first was the assertion that without this development the financial viability of the club was at risk. Mr Long searched and was unable to find in the application documents for a financial viability assessment to properly demonstrate this. The second was the benefit that it would supposedly provide to the community by way of non-cricket lettings. There were three other community venues in the village, all with superior access. Was there enough demand from the other clubs and societies in the village to justify over-riding an important planning policy? And if that fourth venue was built, what impact would that have on the viability of the established community facilities?

In such circumstances of substantial local objection, it would normally be required for the applicants to demonstrate what alternatives have been looked at and the reasons why they have been rejected. The open terrace was a particular concern, both visually and due to noise. The website of the applicant, Sports Clubhouses Ltd shows photographs of two dozen of their other clubhouse projects. None had a terrace. Balconies yes, but not a large open terrace. The location of this proposal, the sheer size and proposed use as a revenue streaming function venue were at odds with a village cricket clubhouse. Together with the loss of Green Belt and the removal of a long-established mature hedgerow this was not in keeping with national and local government plans. Once the Green Belt was gone, it was gone forever. The noise pollution from an unspecified number of events would affect not only local residents but also farm animals in adjacent fields. The noise was linked to the high-level terrace and the very late opening hours. The construction of a new car park for the cricket club on public land was also unacceptable. The Lady Neville

Park was given to the people of Banstead not to Banstead Cricket Club. Any application for a car park should be solely on cricket club land. The consensus was that a vast two storey development would be an appalling blot on the Green Belt, the surrounding tree line and the view from the park itself. A single storey cricket clubhouse was all that was needed, not a vast function venue with an all-round terrace.

Mr Ian Thorpe, the agent, spoke in support of the application stating that the Cricket and Sports Club had been in the heart of Banstead village since 1850. It was a community amateur sports club run by volunteers and for the last 170 years it had maintained and preserved the buildings and ground for the benefit of the local community. It was very much a cricket club, not an events business, with premier league status within Surrey cricket with two pitches servicing four league teams and the growth over the last 20 years in particular, has been enormous, with over 350 young boys and girls now part of the junior section. As the club has grown, so too have the demands on its own sporting provision and, the existing facilities were no longer fit for purpose. Those that had seen the clubhouse or the images would see that it was a temporary prefab unit and was over 54 years old. It would no longer be seen as compliant in terms of providing appropriate toilets, changing and showering for all players, regardless of gender or age, and that was particularly relevant considering the growth in popularity with regards to girls' and women's cricket. In addition, the facilities for disabled visitors and members were woefully inadequate. At a time when cricket was rightly being asked to be more inclusive and diverse, the existing clubhouse restricted the club from doing so. The proposed new clubhouse addresses all of these key concerns. It would be erected in the middle of the two pitches, over 80 metres from the nearest home, offering views of both pitches on car park land owned by the cricket club. It would be constructed from modern materials that minimised noise and light pollution and was keeping with the surroundings. It would be fully ECB compliant offering welcoming facilities for players, social members and visitors alike. It would operate within the current opening and licensing regulations, with no desire to extend these further, and it would continue to run club events, quiz, nights, parties and other fundraising events, as it did today. It was hoped that the facility would be more than just a cricket club to the local community, offering a space that may be used for parties, training opportunities, fitness groups and wellbeing sessions. With this proposal the cricket club was seeking to offer its members and the local community a clubhouse to be proud of and that was compliant and sustainably responsible. A clubhouse that supported the growth of cricket for all and that coexisted sensitively and harmoniously with its neighbours.

A member of the Committee agreed that the clubhouse needed to be replaced but felt that replacing it with a 2-storey building in the middle of the site would dominate the area. It was also felt that the new clubhouse should be built where the current clubhouse was situated. Concern was also raised regarding the licensable hours being proposed and an amendment to these was proposed, although it was acknowledged that there was a cap on the number of large events that could be held each year.

Councillor Walsh, a visiting member and also the ward member for the area, stated that it was recognised that this was a contentious application and acknowledged the issues around the use of Green Belt land. However, it was important that the cricket club was sustained for another 175 years. There were other community facilities

locally however they were often oversubscribed. Seeing the club grow was supported by many people but understood that this application was controversial. The current facilities were sub-standard. There would be potential issues around noise, although noise abatement was dealt with via conditions. The proposal to extend parking from 27 spaces to 47 spaces addressed the parking issues. A balance needed to be struck and providing cricket for the future was important. A large proportion of people felt that this application was a good proposal.

Councillor Ashford, a visiting member, stated that there were compelling arguments on both sides, with the need to provide facilities for disabled sport and for those with learning difficulties. There was weight regarding the Green Belt and whether there were “very special circumstances” in this case.

A reason for refusal was proposed by Councillor Harp and seconded by Councillor Torra, whereupon the Committee voted and **RESOLVED** that planning permission be **REFUSED** on the grounds that:

1. The development by reason of the much larger two storey size of the replacement clubhouse together with the extent of the new car park and resultant increase in the intensity of the use of the site would result in a scheme that fails to preserve the openness and have a greater impact on the Green Belt when compared to the existing clubhouse and car parking. The proposal therefore constitutes inappropriate development in the Green Belt which conflicts with the purposes of the green belt. No very special circumstances have been demonstrated to clearly outweigh the harm caused by reason of inappropriateness and the other identified harm. As such, the proposal is contrary to Policy CS3 of the Reigate and Banstead Core Strategy, Policy NHE5 and OSR3 of the Reigate and Banstead Development Management Plan and the provisions of the NPPF (2023).
2. The proposed design of the building by reason of its scale, height, siting and materials would be visually obtrusive and fail to be of a scale and form which is appropriate for its location and harmful to the character of the surrounding area. As such, the proposal is contrary to Policy DES1 and OSR3 of the Reigate and Banstead Development Management Plan and requirements of the NPPF (2023).
3. The proposed development, by reason of the increase in the size of the clubhouse and car park would result in a greater level of car movements and activity at the site which would result in adverse levels of noise, disturbance and light pollution to adjoining residential properties which cannot reasonably be mitigated by condition. As such, the proposal is contrary to Policy DES9 and OSR3 of the Reigate and Banstead Development Management Plan and requirements of the NPPF (2023).

Pro-active Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and whilst planning permission has been refused regard has been had to the

presumption to approve sustainable development where possible, as set out within the National Planning Policy Framework.

111. 23/02289/F - LAND TO THE REAR OF 59 AND 61 NORK WAY, BANSTEAD

The Committee considered an application at Land to the rear of 59 and 61 Nork Way, Banstead for the erection of 2 x 4-bedroom detached dwellings with associated access, parking and landscaping.

The Committee raised concerns regarding the loss of parking bays and how these could be reinstated and that it was very tarmac dominated. There were no other back garden developments in Nork of just two houses and if this was allowed it would change the character of the road and set a precedent along this road.

Councillor Walsh, a visiting member, stated that this was a cramped development with poor access design. There was concern regarding the impact of vehicular movements on number 61.

A reason for refusal was proposed by Councillor Harp and seconded by Councillor Torra, whereupon the Committee voted and **RESOLVED** that planning permission be **REFUSED** on the grounds that:

The proposed development and its access by reason of it is siting and layout is considered poorly designed and would result in a cramped form of development not reflective of the positive spacious character of the surrounding area and by virtue of the proximity of the access road with the donor plot (61 Nork Way) would have little suitable landscaping resulting in poor separation between the donor and the access that would give rise to a level of noise and disturbance which would be harmful to the amenity and living conditions of the occupants of the dwelling, including the enjoyment of the garden, contrary to policies DES1 and DES2 of the Development Management Plan 2019 and Reigate and Banstead Local Character and Distinctiveness Guide 2021.

Pro-active Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and whilst planning permission has been refused regard has been had to the presumption to approve sustainable development where possible, as set out within the National Planning Policy Framework.

112. 22/01792/F - EAST SURREY HOSPITAL, CANADA AVENUE, REDHILL

The Committee considered an application at East Surrey Hospital, Canada Avenue, Redhill for a retrospective application for a collection of modular buildings, an extension to the East Entrance, VIE and compound and two car parks. As amended on 22/11/2022.

Members raised concern that the hospital was once again requesting retrospective planning permission.

RESOLVED that planning permission be **GRANTED** subject to conditions.

113. 24/00080/F - LAND TO THE REAR OF 60-64 SHELVERS WAY, TADWORTH

The Committee considered an application at land to the rear of 60-64 Shelveys Way, Tadworth for the construction of a single detached 3 bedroom bungalow with a detached double garage to the rear with vehicle and pedestrian access taken from the permitted 4 unit residential scheme, on land at 62 & 64 Shelveys way, together with a repositioned detached double garage to serve plot 4 of the permitted scheme. As amended on 25/01/2024, 19/02/2024, 12/03/2024 and on 18/03/2024.

Mandy O'Brien, a local resident, spoke in objection to the application stating that for she was at the meeting to protect greenfield, wildlife, trees, peace and tranquillity from the negative impact from these developments. Residents in Shelveys Way believed this case was not judged on its own merits as the assessment showed. The following questions were put to the Committee:

- How can it be justified 1 bungalow impacts the lives of 7 families and 7 homes?
- Did planning officers look from Fleetwood's houses?
- Is drainage in Shelveys Way full to capacity? Residents felt the answer was yes.
- Is £2 million funding Shelveys Way flooding - Residents felt the answer was yes.
- Is £½ a million CIL grant from Reigate & Banstead? Yes - so drainage issues were hugely recognised.

The critical drainage team did not approve this and no plans were submitted when requested. This was crucial as so far two developers, have ignored drainage conditions installed without signoff and homes sold with occupants. Plans should have been submitted prior to today, Condition number 7 was therefore not enforceable. Surrey Wildlife also did not approve. They stated no demolition should take place in bird mating season so after August. Again, no enforceable condition. Demolition was requested in June and pre-emptive felling was proven. Why were there no recommended conditions? For the removal of invasive plants, artificial lighting and the blocking of wildlife holes and preventing a first floor and living spaces being built under a S73 application bungalow and garages – Where were the conditions? A garage amendment stated no difference in height was shown over a metre higher was approved within 24 hours. Two plots had been moved and approved before a S73 was ever submitted. Were the inspector's enforceable words still missing on condition 5? How did these get signed off? It was felt that all not all the facts and plans were shown. It was felt that this application was against Policy DES1. The garage alone was higher than the boundary of all residents in Fleetwood Close and only 3 feet from their garden. It was overbearing, out of character, out of place to all neighbouring properties. Sadly trees being planted held no weight in Shelveys Way. Again, conifers in nesting season were felled by this developer this week.

Patricia Brookwick, a local resident and member of the Tadworth and Walton Residents' Association, spoke in objection to the application stating that they were concerned that their principal objection to the development was not put on the Council's website nor referred to in the Committee report. Mrs Brookwick had lived in Shelveys Way for 17 years and had become increasingly overwhelmed and troubled by the changing character of the road, the loss of tree cover and the

increased traffic flows, noise and pollution. There were three main objections to the application. Loss of trees, negative impact on Fleetwood Close and the cumulative impact on local traffic. Google Earth showed the rear of 60 Shelveys Way to be heavily treed. It looked very different now if someone was to visit the site, many trees have already been felled, with large stumps still visible. Residents strongly objected to the proposed felling of a further 15 mature and semi mature trees. The Tree Officer may consider the remaining trees unworthy of preservation, residents strongly believed that the trees on this site were a valuable asset to the community, in addition to all the well-known benefits of trees, the green scape provided a valuable sanctuary for what remained of local wildlife. The protected band of trees along the back of number 60 to 64, once dense and healthy, was now sparse and shamefully disregarded. This needed to be reviewed as part of this planning process. The proposed felling would result in a totally unacceptable net loss of biodiversity. The gardens backing onto the proposed development site were short, and there would be a significant loss of amenity through overlooking loss of sunlight at certain times of the day, and noise and disturbance. Policy TAP 1 refers to the cumulative impact of traffic, the Committee may consider that one additional dwelling would not make much of a difference, however, when taking into account the increasing through traffic flows, the eruption of recent developments and developments already approved but not yet constructed or occupied, there was a considerable cumulative impact along Shelveys Way. This needed to be acknowledged and addressed.

Luke Eldridge, the Agent, spoke in support of the application stating that Devine Homes was the owner of number 64 Shelveys Way and land to the rear of 62. This land benefited from planning permission for four houses with the development due to start this coming summer. Having reviewed the objections, it should be clarified that the application was a new application for a single plot on land to the rear of 60 Shelveys Way; within the same format to that of the consented development, with its relationship to the consented development being the plot's access only. This plot was a one-off infill of land within the urban area with the use of this single storey bungalow adopted to have minimal impact on the adjoining properties, with separation distances well beyond accepted standards. True bungalows were rarely constructed in modern times, so this additional unit in this style should be seen by the community as a positive addition to local housing stock, allowing an occupant to remain in occupancy longer into life within a new and modern environment. It was acknowledged that there have been several objections, which was unfortunate given great care had been taken in designing a single plot which respected neighbouring properties and complements the adjoining consent increasing the range of unit types.

Councillor Ashford, a visiting member and the ward member, addressed the Committee stating that good points had been made and that the decision on this application had to be based on material planning matters. Back garden development in Shelveys Way had seen the addition of 27 new properties, with the loss of trees and an impact on biodiversity and the destruction of habitats. Trees had already been felled in the garden of number 60 Shelveys Way. There was also concern about community infrastructure. It was difficult to get a doctor's appointment or to see a dentist. There was concern regarding flooding and the general loss of amenity.

The Committee was concerned about the amount of pre-emptive felling of trees.

Councillor Cooper, a visiting member spoke on the application raising several concerns including the loss of amenity to residents in Fleetwood Close. There was concern that there would be parking issues as one garage was not wide enough to hold 2 cars and there was concern regarding the tandem nature of parking.

A reason for refusal was proposed by Councillor Blacker and seconded by Councillor Harp, whereupon the Committee voted and **RESOLVED** that planning permission be **REFUSED** on the grounds that:

The proposed dwelling and associated garage, by virtue of the intensification of the site, scale of development, side facing kitchen window and proximity to the rear boundaries of numbers 115 – 118 Fleetwood Close, would result in an unduly overbearing, oppressive and unneighbourly relationship, harmful to the amenities of these neighbours. The proposal is therefore contrary to policy DES1 of the Reigate and Banstead Development Management Plan 2019, the Reigate and Banstead Core Strategy, the Householder Extensions & Alterations Supplementary Planning Guidance 2004 and the provisions of the National Planning Policy Framework.

Pro-active Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and whilst planning permission has been refused regard has been had to the presumption to approve sustainable development where possible, as set out within the National Planning Policy Framework.

114. DEVELOPMENT MANAGEMENT QUARTER 4 2023-24 PERFORMANCE

RESOLVED that the development management quarter 4 performance report be **NOTED**.

115. ANY OTHER URGENT BUSINESS

There was none.

The Meeting closed at 11.01 pm