

**MINUTES OF THE ORDINARY MEETING OF EFFINGHAM PARISH COUNCIL  
HELD AT 8pm ON TUESDAY 24 APRIL 2012  
AT KING GEORGE V HALL, BROWN'S LANE, EFFINGHAM**

**PRESENT**

Cllr Pindar in the Chair  
Cllrs Lightfoot, Nicholls, Peskett and Wetenhall  
Cllr Barker, 15 local government electors and one other

**50.12 APOLOGIES FOR ABSENCE**

Cllr Bowerman (EVRT Trustee meeting), Cllr Brazil, Cllr Hogger (GBC Planning Committee), Cllr Symes (family event).

**51.12 RESIGNATION OF CLLR ALYSON REAY**

The Chairman thanked Alyson for her service to the council. He recorded how disappointed he was by her resignation but completely understood how her work situation had changed. It was hoped that she would stay in contact with the council.

**52.12 REGISTER OF INTERESTS AND DISCLOSURE OF INTERESTS**

Cllr Pindar had updated his register.

With regard to the care-home item to be discussed under Planning, two councillors still serving had previously been asked by the Press for comment. Standards and Monitoring Officers at GBC had confirmed that this did not constitute predetermination (breach of the Code of Conduct). There had been no pre-meetings by the council to jointly discuss issues relating to this item. Cllr Nicholls stated that although he was entitled to vote, because of exposure in the Press, he had decided to give up his vote voluntarily on this occasion.

**53.12 MINUTES OF THE MEETING OF 27 MARCH 2012**

The Minutes were agreed to be a true record and signed.

**54.12 MATTERS ARISING FROM PREVIOUS MINUTES (not elsewhere on the Agenda)**

None mentioned.

**55.12 MATTERS RAISED AT THE ANNUAL PARISH MEETING**

Issues that residents had raised included:

- The state of High Barn Road, very badly damaged by heavy contractors vehicles accessing The Long Barn. The contractors had agreed to approach from the south but did not do this. GBC had no power of enforcement in this item. Cllr Barker agreed that SCC should seek reparation when the work was mostly done.
- Neighbourhood Plan. The Chairman reported that the Parish Council is preparing to undertake this, but it needs to be the result of work by all residents, not just the council. It will be taken up as soon as possible. Cllr Nicholls pointed out that the parish's contribution to the last Guildford Local Plan had taken 13 months to co-ordinate but was well worth it.

**56.12 MATTERS RAISED BY RESIDENTS**

Nothing raised.

**57.12 PLANNING MATTERS**

**New applications**

12/P/00535 12 Beech Close

Single storey front extension, raise existing ridge height by 0.99 metres together with alterations to front and rear openings. No comment.

12/P/00546 Linkside, Beech Avenue

Demolition of single storey garages, south east elevation low level roof and rear bay window. Erection of single storey rear extension, spiral stairs to existing patio and two storey front extension to include portico porch. Addition of pitched dormered roof over existing flat roof and pitched roof over existing dormer windows. Internal and external alterations.

Cllr Wetenhall declared an interest as this house belonged to a neighbour but was not visible from his own property. It was agreed not to object but to request a condition that if the volume of the garage is used for extra living space, a future application for a garage would not gain consent.

SM

12/P/00526 Land opposite The Old Post Cottage, Church Street

Erection of a 3 storey 72 bed residential care home with nursing (use class C2), together with associated car parking, landscaping and creation of a new access to Lower Road, following demolition of outbuildings

Cllr Pindar pointed out that the Parish Council is both the statutory consultee and also a neighbour of the site (it owns and manages the Burial Ground to the south of the site for the benefit of residents), and thus declared an interest in this capacity.

Registered electors in the audience made the following points from the floor:

- Why was a petition of support circulating in the room
- There was no suitable local provision
- The site concerned is not really Green Belt
- Having been acquired in the land swap, the site is now useless and essentially derelict – of no use to the village
- ‘The Church’ needs more graveyard space
- Provision locally may be bad, but this site is totally unsuitable for the proposed facility – ‘has an industrial feel’
- The location outside the Settlement Area, inside the Conservation Area and in the Green Belt is a clear indication that this site is not suitable, but there could be alternatives to being lumbered with a huge multi-storey monster
- The number of floors made this totally unsuitable for the care of Alzheimers’ patients, who feel so trapped unless they are on the ground floor. Also the plan does not consider relatives and visitors and all that will go with 72 beds.
- It is far too big and in-house businesses will compete with the village businesses
- At least one owner of the site had written to the Press in support of the site without declaring his interest, whereas the Parish Council and members of the public were declaring their interest if any and doing their best to be transparent about the reasons for their views. Persons present if any with a financial interest in the site were invited to declare their interest. [This invitation was reiterated by the Chairman].
- A resident of Effingham Place declared an interest as a neighbour and pointed out that the site is very small for this level of commercial development yet larger sites were specifically discounted in the Site Sequential exercise; that this is the heart of the oldest part of the village and protected for a reason; that a traffic study which did not mention the word ‘school’ was poor; that Lower Rd is effectively a one-lane highway, not two; overflow parking is already a serious issue; the proposed entrance is in a blind spot created by a rise in the road and a bend; that there should be no more traffic on that road.
- The new build resulting from the refurbishment of The Lodge was a foot-for-foot exchange for demolished buildings, not a single foot additional development had been allowed
- If The Howard is having to bus in ancillary staff from Croydon, this will be the case with the care home and is not locally sustainable
- A resident of Effingham Place declared an interest as a neighbour and again wondered why owners / those with a financial interest in the site had not been prepared to admit to this in their comments to GBC; cited a recent decision at appeal where an application to have a garage roof raised by one foot had been turned down because of the location.
- In the past there had been an application to refurbish The Lodge as a care home but it could not provide the facilities needed.

Having listened to the points made, the Parish Council proceeded to debate the application as statutory consultee.

Because of the location, the development was by definition unacceptable unless the applicant could demonstrate special circumstances which outweighed harm to the openness of the Green Belt. This still applied in the National Planning Policy Framework. The applicant had stated the special circumstances to be:

'... there is a clear and overwhelming, quantitative and qualitative need for specialist residential care with nursing in the locality, as demonstrated in the submitted Needs Assessment Report

'... no better alternative sites in the locality, for this development proposal, have been revealed by the Sequential Site Assessment

'...pre-application public consultation has revealed strong public support locally for these particular proposals, which underpins the 'needs' argument.'

These were debated first.

### *1. Unmet need - quantity and quality*

Councillors questioned whether this was in fact demonstrated by the report, which confirmed a small shortfall of en-suite bed spaces, but also that en-suite facilities were a useful marketing tool for appealing to the families of sufferers rather than of use in the care of the sufferers themselves. The number of spaces for either dementia sufferers, or severe dementia sufferers, or just elderly frail was not defined. Nearby several other care homes in the locality already have consent and are under construction; SCC's policy is for care in the home. Local homes are known to be currently advertising vacant places in the local Press. There could in fact be over-provision, with the risk of the heart of the village being saddled with an enormous and anomalous structure.

There is no clear statement about the number of private, and the number of state-provided beds. At the original open-day all provision was to be private, ie with no benefit to Effingham's less wealthy residents. It was not clear that village need would be met.

It was agreed that there was insufficient detail, and grounds for worry, that the care would not be of a high standard for the patients: the number of storeys, the lack of outdoor space for walking, or views, the lack of level access both inside and out. It was not ideal that residents would face a Burial Ground. Quality medical care would be difficult in a location where ambulance times were so long and there is no local GP, dentist, chiropodist etc. In one section of the plan there is one assisted bathroom and W/C to 18 beds, which from experience is not sufficient. Access to the village for community involvement would be extremely difficult, given prevailing conditions of the footways and narrow roads with low visibility in the area, where pedestrians already feel at risk. There was concern about a building with one lift (and staircases otherwise) for so many frail patients. The proposals included little or no discussion of facilities for active involvement in sensory stimulation - just passivity.

### *2. Choice of location*

This site is as far as it is possible to be from the major surrounding centres of population - Guildford, Cobham, Leatherhead etc. To shorten journey times (cited as an important element) it would be better to place a home nearer more people. From the presentation made to the Parish Council in October it was clear that the site had been chosen BEFORE the Sequential Site assessment, not afterwards. The parameters for the search were so tightly drawn as to make this site the inevitable choice. The lack of public transport links made this an unsustainable choice.

### *3. Support*

Literature used to elicit public support had been inconsistent in the detail of what the project would provide, for instance number of beds, parking spaces, relationship with local businesses. It was unclear why the logo of another company had been used on the literature. The consultation hot-line phone was not manned as stated. The poll in the local press was not trusted to reveal the true position as multiple voting was possible for a time; also, the newspaper coverage reached an area much wider than Effingham and people who may not perceive the difference between the idea of care in general and the

proposal affecting a particular site could vote. Residents had clearly stated their opposition to the plans in speaking to councillors, at the Annual Parish Meeting, and in their on-line submissions.

The Parish Council concluded that in its view clearly none of the claims for special circumstances were substantiated and it therefore objected to the proposals.

The Parish Council next proceeded to discuss and consider its views on aspects of the designs as proposed:

*Location, setting and context of the site*

It was noted that there were many Grade II Listed buildings, large and small scale in the immediate vicinity; also over 20 items on the GBC Local List either in the wider Conservation Area or immediately next to the site. Many of these would be badly affected by increased traffic generated either by construction traffic and the site in use. Public transport links are said to be 'excellent', but in fact they are minimal. The traffic assessment was felt to be very poor for how it represented prevailing conditions, failing in the process to mention schools, churches and rugby / sports festival events for instance. It was noted that the traffic count was done on a day when Manorhouse School was not in session and therefore was not a true reflection of the normal situation. Regarding traffic, the whole area is currently choked by traffic weekdays and weekends which currently enrages and inconveniences people in this very area; EPC and the Borough Councillor regularly hold summit meetings with local Police and local groups to try to solve this. There is no 'down time' for traffic and parking – it is a problem for weekdays and weekends.

There is a known and recorded problem with land stability and episodes of significant subsidence in this area, affecting properties and roads, the risk of which is acknowledged in the small print of the geology report. It was questioned whether the already-struggling sewerage infrastructure could cope with this level of additional demand.

Issues of inaccessibility included lack of access to health professionals locally, generating more vehicle journeys, on difficult roads within the immediate vicinity of the site. The village is difficult for existing elderly residents – with poor or no footways. Many neighbouring roads are of less than 2 carriageway width which creates difficulty of access for emergency vehicles. Properties on Church Street and Crossways already experience damage to their property and verges, and road-rage, under existing traffic conditions. The number of additional staff, visitor and delivery vehicles at any time of day or night was a concern. The amount of refuse to be collected, for instance, might necessitate four different collections of different recyclables and waste. The bin store had been sited near the pedestrian access, which was ill thought out.

Errors were pointed out - the Playing Field did not previously belong to The Howard School; the Burial Ground does not belong to the Church; the main road is the A246. There was no indication that the owner of the exit onto Church St had been notified, or detail about the implications for the presence of the gas installation. In various places the site and/or the village was referred to as 'urban' or semi-urban, which is not the case.

*Specific aspects of the site*

The report on Flood risk had been done in the driest February on record, and did not adequately report the effect and risks of the site being some 2m above its surroundings on three sides. Use of soakaways might possibly raising the groundwater level and flood the foundations of nearby Listed Buildings or underground graves / tombs. Flooding of Listed Buildings at lower level, created by the run-off from this massive building if the ground could not absorb the water, could be possible.

Again at 2m above Church St this enormous building will seem even higher. This was not properly conveyed by diagrams or photographic 'impressions' of the site. Because the site has a raised bank at the south end, it was questioned whether all the boundary trees growing on top of this would have to be felled here.

The current situation regarding protected species such as bats and other wildlife, the

vegetation and the dark night sky, all valued by residents, would be adversely affected.

#### *Design and appearance*

Despite assurances to the contrary it was clear that even in summer when trees are in full leaf, this building would be visible between and above them not only from the immediate neighbourhood but from long prospects across the village, for instance from the open fields to the west.

The exterior design was felt to be uninteresting and disappointingly average, not a fitting contribution to this location. The bulk, volume and height are all unacceptably out of keeping with the scale of a village centre. There are large buildings already – pub, Red House, schools, Legion, churches – but these are appropriate mostly traditional village presences. A major care home is not

#### *Layout and use*

Councillors felt that the area set aside for bins and waste collection looked inadequate for the purpose. The appearance of the bow-top fencing was disliked as 'institutional', and the introduction of a property closed off by security fencing was not in keeping with the character of the Conservation Area and the heart of a village. It had been noted in the tree report that the installation of fencing might damage roots of existing trees. The energy report stated that the site was not suitable for either solar panel or wind turbines, which for such a large energy user was a severe drawback for this use of the site.

#### *Impact on the village and the residents*

Effingham residents will be only a tiny proportion of the patients, but the whole village will bear the impact and this was discussed. Aspects noted included:

- Effingham and District Community First Responders are extremely concerned by the impact this could have on their ability to provide a useful level of cover, with consequent fall-off in morale if they were overwhelmed.
- The suggestion that the enterprise will provide more employment. Effingham does not have significant unemployment and there are already many unfilled vacancies for care home workers locally. The number of employees is stated to be 'equivalent to 65 full time' which means that the eventual number of employees could be many more than this, with corresponding travel / traffic consequences.
- It is not clear that the parking provision of 29 spaces including disability space for an unspecified number of employees is adequate but for the village, overspill parking would be unacceptable. It is unclear how a 'robust' green travel plan will be 'enforced' on staff. It is stated that travel 'at peak times' will be avoided but councillors questioned how this can be so, since shift workers will have to work within existing school hours etc. It is stated that the volume of traffic generated 'will be significantly less than for other potential forms of development' – but such a claim cannot be substantiated.
- It is stated that a benefit will be more business for local shops but the care home plans to make a café and a hairdresser available to residents, whereas these are two of the businesses the village DOES have. The site will therefore actively compete with local businesses, unless the businesses are prepared to take them over and run them, as suggested by the 'FAQs' document.
- Effingham is unlit at nights and residents value highly the current dark night skies, which is unusual so close to London. Light pollution from the site (lighting of paths, entrances etc) will be very intrusive, and likely to be at higher level for reduced mobility people than for other forms of development.
- The impact on the residents of Ambledown and passersby on Church Street including the noise of plant / air conditioning, car-park and 'service area', and smell (bins area, kitchens), was felt to be very intrusive in this neighbourhood.

In conclusion Parish Councillors reiterated their belief that this development was utterly unsuited to this location. The financial viability of the business had not been explored or demonstrated, whilst for it to be built and then fail would have irreversible consequences for the village. The application details had been studied in full and revealed inconsistencies and inaccuracies. The case to break existing planning policy had not been made. The Parish Council objected strongly and unanimously to the proposals.

**SM**

The Parish Council next debated the application as neighbour to the site. It was noted

that the presence of a care home would affect the remaining amount of available grave space for existing residents. It was noted that a supporter of the proposals had written to GBC confirming that a part of the site was to be set aside as additional burial space at no cost to the diocesan or parish councils; this however was news to the Parish Council which had not been contacted.

It was decided to object on the grounds of loss of amenity to users of the public space (overlooking, inappropriate noise) and of development out of keeping with this currently quiet, tranquil area in the Conservation Area.

SM

#### **Results / progress on previous planning applications**

12/P/00239	The Other Place, Guildford Road	Refused
12/P/00267	Cheyme Cottage, Manorhouse Lane	Refused
12/P/00282	Chatley House	Approved
12/P/00297	Verge outside Moonshine	Approved
12/P/00310	Browns, Browns Lane	Approved
12/T/000031	Trees, KGV	Approved

#### **Other planning matters**

None.

#### **Reports and correspondence relating to other Planning matters:**

##### Ranmore Farm, Hogden Lane

Cllr Peskett had checked the planning situation concerning the replacement building for this farm, now demolished. It will be highly visible from the AONB in Effingham, and from Polesden Lacey's formal garden and estate.

##### Planning Policy, village questionnaire

Several people had contributed comments and Cllr Hogger had submitted this to GBC on EPC's behalf.

*By agreement the Chairman moved to item 59.12 on the Agenda at this point.*

## **59.12 GREEN SPACE AND VILLAGE AMENITIES**

### **Current GSVA matters**

#### Application for financial support of Village Day from the Community Fund

The applicants had prepared a comprehensive paper describing the aims and organisation of Village Day which had been circulated in advance. The Chairman warmly welcomed this and thanked the organisers for their energy and ideas. It was clear that the youth project for which money was being raised was not just provision of a youth club. Cllr Wetenhall also voiced his thanks for the tremendous amount of work revealed by the document and his support for the proposals.

It was agreed that the Parish Council had spoken about provision of youth facilities on many occasions and saw this as important. It was agreed that this application for funding fulfilled the criteria of the Community Fund. After discussion it was agreed to make available a grant of up to £2k for reimbursement retrospectively against invoices paid out in connection with Village Day. The invoices should be for items of equipment, which could be kept afterwards for the benefit of the whole village, and/or the youth workshops being provided as attractions on the day. The organisers undertook to observe the requirements of reporting the finances of the event afterwards as a condition of receiving the money.

*Return to the original order of the Agenda*

## **58.12 HIGHWAYS AND TRANSPORT**

### **Current Highways and Transport matters**

None.

#### **Reports and correspondence relating to Highways matters**

##### Annual survey of Effingham Rights of Way

Cllr Peskett has distributed the forms, to be returned by 8 May.

Browns Lane new young trees planted by EPC (in front of KGV)

Cllr Peskett and the Clerk had checked these and they are mostly in good condition. However, a much older tree (not EPC's) has been reported to SCC for checking because a large amount is dead and ought to be assessed for safety.

Lower Road trees (in front of Howard School)

These are very untidy. It looks as if these were NOT planted by EPC. SCC have been asked to check them for safety but if they do NOT create a safety risk, EPC may wish to get them tidied up (in winter) if this was felt to be a good idea.

Surface repair, A246 and Beech Avenue

The Clerk had circulated information about forthcoming closures for significant repair work. SCC will be alerting residents but help with this in order to make sure all residents are aware in plenty of time would be invaluable. Councillors agreed to help leaflet at soon as needed. SCC is aware of the situation of St Teresa's school traffic.

**59.12 GREEN SPACE AND VILLAGE AMENITIES *continued***

**Current GSVA matters**

Parish Council's stall on Village Day

The theme will be advance notice of Commoners' Day.

Publicity in Effingham for Polesden Lacey's jubilee event

The National Trust would like to ensure leaflets and flyers are available to residents; also tickets need selling. No details had as yet been received.

Effingham & District First Responders use of Parish Room as their official address

The First Responders are planning to set up a Friends Group, separate from the St John Ambulance organisation. It would need an official address (like Smith's Charity and the Local History Group) for post and also potentially for a bank account. This was agreed.

**Reports and correspondence relating to GSVA matters**

Nothing further.

**60.12 REPORTS**

Police and safety community issues (report of session before the start of the present Agenda)

PCSO Culross had sent apologies but reported that in the area more widely cars in the carparks of public houses were being targeted and tools stolen. The public could help by being vigilant.

Allotments

A useful meeting of people interested in discussing self-management had been held, and a further date set. The date for the annual gathering in June will be 19 June, KGV.

Schools

The planned meeting with the school had been cancelled by the school, who now wanted suggestions for further dates.

EVRT

Cllrs Pindar, Hogger and the Clerk will meet the Chairman shortly. There was concern that the invoices for 2011-12 were still not complete. Bids to the Community Fund for the current year would be expected to be structured around work / projects visible to the community. It is hoped that the Trustees will talk constructively with ICE.

Home Farm Estate

No further news.

Friends of Effingham Common

The Annual General Meeting will be on 30 May.

Smith's Charity

A report on the year's activities was given at the Annual Parish Meeting.

Effingham Local History Group

No further news.

Local government / admin matters / website

The Clerk's appraisal has begun but is not yet complete.

**61.12 CORRESPONDENCE**

The following correspondence which had been received since the last meeting was noted:

Effingham with Little Bookham churches	Parish magazine, April
E Horsley	The Horsley Directory
GBC	Guildford in Bloom 2012
	News of recycling of small electricals (nearest = Sainsbury's, Burpham)
	Agenda and reports, meeting of the Council 5 April
	Agenda and reports, meeting of Planning Committee, 24 April
Surrey County Council	Surrey County Agricultural Show, 4 June
Surrey Co. Playing Fields Asscn	The Playing Field newsletter
Surrey Hills Society	Letter of thanks for use of Parish Room
Ministry of Defence	Suggestion of celebrating Armed Forces Day, 30 June
CPRE	Countryside Voice
NALC	DIS no 780 &781

**62.12 FINANCIAL & ADMIN MATTERS**

To adopt the Statement of Account for 2011-12

This was deferred until the next meeting in view of the lateness of the hour.

Annual Meeting of the Parish Council, Tuesday 29 May

Councillors were reminded to think about anything they may wish to put forward for discussion about the way the Parish Council runs its affairs.

Report on the risk inspections

All inspections had not been returned to Cllr Bowerman – deferred.

**Cheques for approval and signature**

The following cheques were authorised and signed:

Mole Valley Printing Soc	90.00	Local Govt Act 1972 s.142
SCAPTC & NALC	676.03	Local Govt Act 1972 s.143
Phone Coop	32.64	Local Govt Act 1972 s.111
EDF	104.63	Local Govt Act 1972 s.133

**Reports and correspondence relating to Finance & Admin matters**

EVRT grant for 2011-12

The Clerk had circulated a report on the state of play with EVRT's claim for the third and fourth quarters:

More figures had been provided which had helped analysis of spend so far, but raised questions about work that had / had not been completed. The claim for the fourth quarter had not yet been received, so the opportunity for EPC to check the year's invoices / timesheets was not yet available. EVRT had made a retrospective request to vire a significant amount of money from one heading to another.

The Chairman reported to the meeting that while in agreeing the grant for specific headings EPC had understood and accepted that money may need to be transferred across categories, this could only be by prior agreement, not retrospectively. It would therefore not be possible for the Council to discuss agreement of this request until the rest

of the paperwork covering the year had been received.

**63.12 PARISH BUSINESS FOR THE AGENDA OF THE NEXT MEETING**  
Date of the next meeting: Tuesday 29 May 2012.