

MINUTES  
OF A MEETING OF THE  
**PLANNING COMMITTEE**

held on 23 June 2020  
Present:

Cllr G G Chrystie (Chairman)  
Cllr S Ashall (Vice-Chair)

Cllr T Aziz	Cllr L S Lyons
Cllr A J Boote	Cllr N Martin
Cllr G W Elson	Cllr L M N Morales
Cllr S Hussain	

Also Present: Councillors K Davis, D Hughes and W Forster.

**1. MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 3 June 2020 be approved and signed as a true and correct record.

**2. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

**3. DECLARATIONS OF INTEREST**

In accordance with the Members' Code of Conduct, Councillor L Lyons declared a non-pecuniary interest in minute item 6b. 2019/1177 Land South of Hoe Valley School, Egley Road - arising from a recent employment contract between himself and Hoe Valley School, the site of which borders the application site. The interest was such that speaking and voting were permissible.

In accordance with the Members' Code of Conduct, Councillor S Ashall declared a non-pecuniary interest in minute item 6b. 2019/1177 Land South of Hoe Valley School, Egley Road - arising from his membership of the Mayford Village Society. The interest was such that speaking and voting were permissible.

In accordance with the Officer Procedure Rules, Peter Bryant, Director of Legal and Democratic Services declared a non-pecuniary interest in items 6a. 2019/1176 Land to the South of Kingfield Road and East of Westfield Avenue and 6b. 2019/1177 Land South of Hoe Valley School, Egley Road – arising from his link to Woking Football Club. Peter Bryant was a member of the Cards Trust, the supporters' club for Woking Football Club. He had also provided occasional unpaid assistance to the Football Club, e.g. acting as Returning Officer in the election of directors. The interest was such that it would not prevent the Officer from advising on the item.

In accordance with the Officer Procedure Rules, Peter Bryant, Director of Legal and Democratic Services declared a non-pecuniary interest in items 6a. 2019/1176 Land to the South of Kingfield Road and East of Westfield Avenue and 6b. 2019/1177 Land South of Hoe Valley School, Egley Road – arising from his position as a Council appointed Director of Kingfield Community Sports Centre Ltd. The interest was such that it would not prevent the Officer from advising on the item.

#### **4. URGENT BUSINESS**

There were no items of Urgent Business.

#### **5. PLANNING AND ENFORCEMENT APPEALS**

The Committee received a report on the planning appeals lodged and the appeal decisions.

RESOLVED

That the report be noted.

#### **6. PLANNING APPLICATIONS**

The Committee determined the following applications subject to the conditions, informatives, reasons for refusal or authorisation of enforcement action which appear in the published report to the Committee or as detailed in these minutes.

##### **6a. 2019/1176 - Land to South of Kingfield Road & East of Westfield Avenue**

[NOTE 1: It was noted that an update sheet regarding the application had been circulated to the Committee in advance of the meeting.]

[NOTE 2: In accordance with the procedure for public speaking at Planning Committee, Ms Katie Bowes attended the meeting and spoke in objection to the application and Mr Ian Nicholson spoke in support.]

The Committee considered an application for the redevelopment of the site following demolition of all existing buildings and structures to provide a replacement stadium with ancillary facilities including flexible retail, hospitality and community spaces, independent retail floor space (Classes A1/A2/A3) and medical centre (Class D1) and vehicle parking plus residential accommodation comprising of 1,048 dwellings (Class C3) within 5 buildings of varying heights of between 3 and 11 storeys (plus lower ground floor and partial basement levels) on the south and west sides of the site together with hard and soft landscaping, highway works, vehicle parking, bin storage, cycle storage, plant and other ancillary works including ancillary structures and fencing/gates and provision of detached residential concierge building (Environmental Statement submitted).

Councillor D Hughes, Ward Councillor, spoke in objection to the application and raised the following concerns commenting that the application had generated a huge level of concern from residents with most objecting strongly to it. Councillor D Hughes commented that the development would have a detrimental effect on neighbouring residents in regards to light and noise pollution, overbearing impact, privacy and parking issues. The massing and density of the development was out of keeping in this village location and it was contrary to the prevailing character of the area/setting. As yet there had been no confirmation from the

CCG that any healthcare providers wanted to occupy the medical centre, so the benefit to the local community was not yet known. Councillor D Hughes asked the Members of the Committee to refuse the application as it would lead to permanent harm to the area and the negative aspects of the development outweighed the few benefits.

Councillor W Forster, Ward Councillor, spoke in objection to the application and stated that the application was not suitable for the Kingfield and Westfield area; the height and density of this huge development within a village setting did not conform to national or local planning policy. Councillor W Forster commented that it was contrary to CS1, CS21 and the Woking Design SPD which was against high density buildings outside of a town centre location. The Planning Inspector recently reinforced this position on tall buildings in the Poole Road appeal; there was a fundamental policy obstacle for a development of this density and height outside of a town centre location. The proposed density was contrary to Policy CS2 and the housing mix did not satisfy Policy CS11 and the National Planning Policy Framework. The application failed to meet parking standards and Councillor W Forster commented that the Road Traffic Surveys undertaken in Apr/May 2019 were unrealistic as there were large roadworks in place in the area at that time. Councillor W Forster thought that approval of this application would set a worrying precedent and he urged the Members of the Planning Committee to refuse it.

Concerns that had been raised by the public speaker and the Ward Councillors were shared by the majority of the Committee.

Councillor L Lyons commented that he was genuinely torn between approval and refusal of the application. Councillor L Lyons supported the need for more social and affordable dwelling in the Borough and commented that if the application was approved it was very important that these were delivered. He appreciated the serious concerns regarding the height and density of the development raised by those residents that lived in the vicinity of the application site; many of who would be happy to see the site developed for housing in some form, but not in the way that had been proposed. Following a query regarding the requirement on the developer to provide the affordable housing provision set out in the application, the Planning Officer advised that as Woking Borough Council was part owner of the site it was not possible to fulfil this through a S106 Agreement as was usual. If the Committee were minded to approve the application there would be an Executive Undertaking in lieu of a S106 Agreement.

Councillor L Lyons commented that Woking Football club was an important asset to the area and he thought that there would be public support for a new football stadium, but it was unfortunate it was part of the high density housing development. If this application was refused the Council would need to consider what support could be offered to Woking Football Club as it was a valuable cultural and community asset which the Borough could be at risk of losing.

Councillor A Boote agreed that the borough needed more affordable and social housing but did not think that this application offered a sensible solution to housing provision. The height of the development was in excess of the prevailing character of the area, which was predominantly two storey dwellings; The Planning Authority had no policy that allowed for tall buildings such as this outside of the Town Centre. Councillor A Boote commented that the development did not respect the scale, height and proportions of the surrounding area. There would be loss of light, overlooking and loss of privacy to neighbouring properties. Councillor A Boote stated that there would be insufficient parking on match days and that the local streets were likely to become gridlocked as a result. Approval of this application would set a dangerous precedent.

In their consideration Members noted that CS21 stated that a development should make a positive contribution to the street scene and pay due regard to the characteristics of the area. It should also achieve a satisfactory relationship with adjoining properties. The National Planning Policy Framework stated that a development should be sympathetic to the character of the area and place importance on design. The Planning Officer had asked the Committee to see the site as creating its own character, due to the size, rather than taking a cue from the surrounding area.

Councillor S Ashall supported the need for more social and affordable housing in the Borough however he did not think the mix of dwellings types and sizes on this development addressed local need and did not meet Policy CS11. He commented that many of the dwellings were of a poor standard with some failing the daylight assessment. The height of the development was in excess of the prevailing character of the area, which was predominantly two storey dwellings. The density of the existing area was low and the proposed application was the opposite with an extremely high density of 360 dwellings per hectare which was ten times more than the indicative density provided for in the Planning Policy. Councillor S Ashall commented that it was contrary to CS1, CS21 and the Woking Design SPD which was against tall high density buildings outside of a town centre location. The Committee noted again that the Planning Inspector had recently reinforced this position on tall buildings in the Poole Road Appeal; there was a fundamental policy obstacle for a development of this density and height outside of a town centre location.

Councillor S Ashall suggested that this application had many characteristics of overdevelopment. The Planning Officer commented that paragraph 85-97 of the report provided details on establishing density, however he commented that how density manifested was a subjective decision for the Committee. The Planning Officers opinion was that this was a large site and there was some flexibility for it to create its own character that differed from the surrounding area.

In terms of community benefits the Members noted a number of positive aspects including the revitalisation of Woking Football Club, Medical Centre, public realm and economic opportunities provided by mixed use areas. Councillor S Ashall suggested that little weight should be afforded to the medical centre as there was no guarantee of this and limited weight should be afforded to the public realm and economic opportunities. The revitalisation of Woking Football Club did carry weight in consideration of the application but Members did not think this could outweigh the degree of harm that the built form would cause to the surrounding area.

Regarding a comment was made earlier in the meeting concerning provision of school places; Councillor N Martin commented that she did not think this was a material consideration as the Planning Authority was not responsible for the provision of school places. Councillor N Martin commented that although there was a huge amount of opposition to this application, the report noted that there had also been a huge number of representations in support of the application that had been received. Councillor N Martin stated that she wanted to support Woking Football Club and the provision of affordable homes, however it was difficult to justify the height and density of the development. It was out of character with the surrounding area and she was concerned by the precedent that this application would set.

Councillor T Aziz raised similar concerns regarding the height, density and character of the development as other Members. He was supportive of the affordable and social housing provision.

The Committee commented that the development did not respect the scale, height and proportions of the surrounding area. There would be loss of light, overlooking and loss of privacy to neighbouring properties.

Committee Members supported the need for more social and affordable housing in the Borough however they did not think the mix of dwellings types and sizes on this development addressed local need.

The density of the existing area was low and the proposed application was the opposite with an extremely high density of 360 dwellings per hectare which was ten times more than the indicative density provided for in the Planning Policy; Members considered that this could be an indication of overdevelopment

The Committee noted that the bulk and mass of the development provided an uncompromising high density form that was not in character with the surrounding area; even when taking into consideration some of the medium density developments on one side of the site.

Some Members of the Committee did not feel that the proposed medical centre could be considered as a material benefit of the development at this stage as the CCG had not responded to consultations on this issue. The Planning Officer commented that it was usual in applications like this for no occupier to be identified until much later in the process. The application provided the space, the conditions and the Executive Undertaking attached to the application would secure the provision and use of this space.

Members were concerned by the lack of parking and considered that this breached policy CS18 and the Parking Standards SPD 2018. Most of the Committee thought that the level of parking provided for in the application was grossly inadequate, particularly on match days and it was noted that no parking at all had been provided for users of the medical centre (apart from eight staff spaces and disabled patient spaces). Some Members were concerned that on match days the surrounding streets were likely to become grid locked. Following a query from Councillor S Hussain the Planning Officer confirmed that there were three drop off bays that could be used on match days.

Although the affordable housing that this development offered was welcome by the Committee, they thought that this could not outweigh the harm of the other issues; the majority of the Committee concluded that the built form of this development would cause considerable harm to Kingfield and Westfield. Members commented that it broke so many fundamental planning policies it would be difficult to support. The amount of community benefit from this application did not outweigh the harm this development would cause.

Following a query from Councillor S Hussain regarding electric charging facilities for residents the Planning Officer explained that there would be a passive provision on occupation the resident could choose to make this active. This would be at the cost of the developer.

Members acknowledged that Woking Football Club was an important cultural and community asset to the Borough and that they were supportive of a new stadium but not the development in its current form. If this application was refused the Council would need to consider what support could be given to Woking Football Club.

Councillor L Morales, Ward Councillor, spoke in objection to the application and reiterated all of the concerns raised by the Committee. Councillor L Morales was minded to propose refusal of the application on the ground of CS10, DM10, CS24, Design SPD and NPPF

regarding design, bulk, mass and density being out of character; CS21 regarding loss of light and overlooking to neighbours; Parking Standards SPD 2018 regarding insufficient parking for stadium and medical facility.

Thomas James, Development Manager, commented that the Parking Standards SPD 2018 set maximum standards for parking for non-residential uses, so this reason may be difficult to defend on appeal. If the Committee were minded to refuse the application, Thomas James suggested the absence of an Executive Undertaking at this time should also be included as a reason for refusal.

Councillor L Morales proposed and it was duly seconded by Councillor A Boote that the application be refused on the grounds of design, bulk, mass and housing density being out of character; an inappropriate housing mix; loss of light and overlooking to neighbours; insufficient parking for stadium and medical facility; and no Executive Undertaking.

In accordance with Standing Order 22.2, the Chairman deemed that a division should be taken on the motion above. The votes for and against the motion to refuse the application were recorded as follows.

In favour: Cllrs S Ashall, T Aziz, A Boote, G Chrystie (Chairman), G Elson, S Hussain, N Martin and L Morales.

TOTAL: 8

Against: None

TOTAL: 0

Present but not voting: Cllr L Lyons.

TOTAL: 1

The application was therefore refused.

RESOLVED that the application be refused for the reasons detailed in these minutes (with authority delegated to the Development Manager to draft the detailed wording of those reasons.)

#### **6b. 2019/1177 - Land South of Hoe Valley School, Egley Road**

[NOTE 1: In light of the decision of the Planning Committee to refuse item 6a (Ref: PLAN/2019/1176) there was a short recess of the Planning Committee to allow Planning Officers to revise the recommendation for item 6b so that it was appropriate and consistent with the decision of the Committee to refuse item 6a. Planning Officers now recommended that planning permission be **Refused** on item 6b (Ref: PLAN/2019/1177) for the following reasons:

1. The proposed development constitutes inappropriate development in the Green Belt, which is by definition harmful, would result in loss of Green Belt openness and cause harm to one of the purposes of the Green Belt, by reason of encroachment into the countryside. Very special circumstances do not exist which would clearly outweigh these Green Belt harms. The proposed development is therefore contrary to Policy CS6 of the Woking Core Strategy (2012), Policy DM13 of the

Development Management Policies DPD (2016) and Section 13 of the National Planning Policy Framework (NPPF).

2. The proposed development would result in the loss of protected trees, including part of the woodland on the application site, causing harm to the visual and environmental amenity of the area, the effects of which would not be outweighed by other considerations. The proposed development is therefore contrary to Policy CS21 of the Woking Core Strategy (2012), Policy DM2 of the Development Management Policies DPD (2016) and the National Planning Policy Framework (NPPF).
3. In the absence of an Executive Undertaking no mechanism exists to secure the requirements set out in the report. The proposed development is therefore contrary to Policies CS8, CS12 and CS18 of the Woking Core Strategy (2012), SPD Affordable Housing Delivery (2014), Saved Policy NRM6 of the South East Plan 2009, the Thames Basin Heaths Special Protection Area Avoidance Strategy, the Conservation of Habitats and Species Regulations 2017 and the National Planning Policy Framework (NPPF).]

[NOTE 2: It was noted that an update sheet regarding the application had been circulated to the Committee in advance of the meeting.]

[NOTE 3: In accordance with the procedure for public speaking at Planning Committee, Ms Elaine Evans attended the meeting and spoke in objection to the application and Mr Spencer Leslie spoke in support.]

The Committee considered an application for the redevelopment of the site following demolition of existing building to provide health club building (Class D2) also incorporating external swimming pool, spa garden, terrace and tennis courts (including tennis court airdomes), provision of 36 dwelling houses (Class C3) up to a maximum of 3 storeys in height, vehicle parking, hard and soft landscaping, ancillary works including ancillary structures and fencing/gates and new vehicular access from existing road serving Hoe Valley School (Environmental Statement submitted).

Following a query from the Chairman, the Planning Officer explained that the very special circumstance of this application meant that the proposals at this site were predicated on the provision of the new football stadium at the land south of Kingfield Road and east of Westfield Avenue site (item 6a) because of the need to relocate the existing David Lloyd Health and Sports Club which currently sat on part of that site. David Lloyd could not be forcibly ejected from their current site and would only do this if they had an alternative facility.

Councillor L Morales commented that the development was against Green Belt Policy and that she was also concerned by the adverse impact the development would have on the trees on site; it was noted that this had also been flagged up by the Woking Borough Council Arboricultural Officer.

Councillor A Boote was very pleased that the Planning Officer's recommendation had now changed and recommended refusal. Councillor A Boote was also concerned by the impact the development would have on the Green Belt and the significant loss of woodland and the effect on bats.

Councillor S Ashall, Ward Councillor, commented that this form of development was out of keeping with the area and he was pleased that that recommendation was to now refuse planning permission.

In accordance with Standing Order 22.2, the Chairman deemed that a division should be taken on the updated recommendation as detailed in these minutes. The votes for and against refusal of the application were recorded as follows.

In favour: Cllrs S Ashall, T Aziz, A Boote, G Chrystie (Chairman), G Elson, S Hussain, L Lyons, N Martin and L Morales.

TOTAL: 9

Against: None

TOTAL: 0

Present but not voting: None.

TOTAL: 0

The application was therefore refused.

RESOLVED that the application be refused for the reasons listed in the updated recommendation as detailed in these minutes.

#### **6c. 2020/0065 - Veryan, Pembroke Road, Woking**

The Committee considered an application to demolish the existing bungalow and to erect a pair of two storey semi-detached four bedroom dwellings, along with associated plot subdivision. The scheme was the same as that previously submitted under PLAN/2015/0326, which was allowed on appeal in 2016 but has since expired.

Councillor L Lyons, Ward Councillor, queried whether the application effected the privacy of the neighbouring property Glenealy. The Planning Officer confirmed that there would be some oblique overlooking to the rear of the neighbouring plot but this was considered acceptable and was typical in this kind of proximity.

RESOLVED that planning permission be granted subject to conditions and Section 106 Legal Agreement.

#### **6d. 2020/0159 - Red Lodge, Cedar Road, Woking**

The Committee considered an outline planning application for the demolition of the existing bungalow and the erection of 2x two-storey three-bedroom dwellings with double garages using existing accesses from Cedar Road with the access arrangements to be determined at the outline stage.

The Planning Officer advised the Committee that the Council had worked with the applicant to produce a suitable worded legal agreement since their appeal on a previously refused planning permission had been dismissed solely on the grounds that the appropriate Thames Basin Heaths mitigation would not be suitably secured. An updated Legal Agreement which addressed these issues had been sent to the applicant for signing.

Councillor S Ashall, Ward Councillor, commented that he thought there may be some issues regarding access with this application; he thought it was important that access was onto Cedar Road rather than Hollybank Road. He noted that no representations had been received at this stage. Councillor S Ashall asked for a named vote on determination of the application.

Following a query from members the Planning Officer confirmed that condition 4 covered the protection on any trees on the site.

In accordance with Standing Order 22.2, the Chairman deemed that a division should be taken on the recommendation. The votes for and against approval of the application were recorded as follows.

In favour: Cllrs T Aziz, A Boote, G Elson, S Hussain, L Lyons, N Martin and L Morales.

TOTAL: 7

Against: None

TOTAL: 0

Present but not voting: Cllrs S Ashall and G Chrystie (Chairman).

TOTAL: 2

The application was therefore approved.

RESOLVED that planning permission be granted subject to planning conditions and the signing of a legal agreement to secure the Thames Basin Heaths SAMM contribution.

**6e. 2020/0375 - 7 Courtenay Mews, Woking**

The Committee considered an application for the demolition of the existing dwelling, garage and outbuilding and for the erection of a replacement dwelling. The proposal would achieve the same result as that already permitted by PLAN/2020/0008, but where the latter would merely extend the existing dwelling, this would permit a complete rebuild and thereby allow a more efficient construction operation.

Councillor T Aziz, Ward Councillor, queried the impact of the side window and any possible overlooking. The Planning Officer explained that although the side window was clear glazed, it was high level (1.7m above floor level) and therefore it would not be possible to see out of it. The Planning Officer had concluded that the application would not have an overbearing impact on the gardens on Walton Road.

RESOLVED that planning permission be granted subject to conditions.

**6f. 2020/0162 - Woodbank, Holly Bank Road, Woking**

The Committee considered an application for a detached greenhouse.

RESOLVED that planning permission be granted subject to conditions.

**6g. 2020/0175 - 119 Oriental Road, Woking**

The Committee considered an application for the erection of a single storey side and rear extension and garage conversion.

It was noted that this application had been referred to the Committee for determination as the applicant was a Councillor and therefore the application could not be determined under the scheme of delegated powers.

Councillor L Lyons, Ward Councillor, queried whether any further representations had been received; the Planning Officer confirmed that they had not.

RESOLVED that planning permission be granted subject to conditions.

The meeting commenced at 7.00 pm  
and ended at 10.50 pm

Chairman: \_\_\_\_\_

Date: \_\_\_\_\_