

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

held on 21 July 2020

Present:

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

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

Absent: Councillors L S Lyons

**1. MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 23 June 2020  
be approved and signed as a true and correct record.

**2. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor L Lyons.

**3. DECLARATIONS OF INTEREST**

No interests were declared under this 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. 2020/0340 12 Chertsey Road, Woking**

The Committee considered an application for the change of use of the lower ground floor and part of the ground floor from A4 to A3/A5 Use Class with change of use of part of the ground floor and first floor from A4 to 4no C3 units. External changes were proposed on the rear elevation to facilitate these changes.

Councillor T Aziz, Ward Councillor, commented that he welcomed the application to develop this derelict site.

RESOLVED that planning permission be granted subject to recommended conditions and SAMM (TBH SPA) contribution secured by Legal Agreement.

**6b. 2019/1239 Pyrford Green House, Pyrford Road, Woking**

The Committee considered an application which sought permission for the erection of a new barn to house agricultural machinery.

Councillor G Elson, Ward Councillor, commented that he had no issues with the application for the erection of a new barn as this was appropriate development for this green belt area.

Following a query from the Chairman the Planning Officer advised the Members that this application was considered acceptable as it was for agricultural use and it was not deemed to cause harm to the green belt.

RESOLVED that planning permission be granted subject to conditions.

**6c. ENF/2018/0036 7 Martin Way, Woking**

The Committee considered an enforcement report regarding the unauthorised development – construction of metal bike shed to the front of the property and associated engineering operations including removal of soil to re-level the land, formation of gravel surface, installation of wooden sleepers as retaining walls and erection of a wooden lattice fence.

Following a query from the Chairman the Planning Officer confirmed that that Officers had tried to engage with the householder on many occasions in order to return this land to its prior state.

Councillor L Morales queried whether the proposed wording for point (d) of the Enforcement Notice could be re-worded to include the term 'returf' as it could be very difficult to re-seed an area that was on such a slope. The Planning Officer confirmed that it would be acceptable to amend the wording so the householder had the choice of how to achieve the desired outcome.

RESOLVED that an Enforcement Notice be issued in respect of the above land requiring the following within three months of the notice taking effect;

- (a) Remove the metal bike shed/store;
- (b) Remove the wooden lattice fence;
- (c) Reinstate the excavated area of the land to its former level and condition prior to the engineering operation taking place (see associated photos and drawings);

- (d) To re-seed or returf the excavated area of the land; and
- (e) To remove all materials and paraphernalia associated with the reinstatement of the land described at (c) above.

## **7. DEVELOPMENT MANAGER - SCHEME OF DELEGATION.**

[Note: During the debate on this item, a Member referred to Council-owned companies. The following interests were then declared.

In accordance with the Officer Procedure Rules, Peter Bryant, Director of Legal and Democratic Services declared a non-pecuniary interest in this item arising from his position as a Council appointed Director of Thamesway Group Companies, Kingfield Community Sports Centre Limited, Rutland Group companies and Brookwood Cemetery companies. The interest was such that it would not prevent the Officer from advising on this item.

In accordance with the Officer Procedure Rules, Douglas Spinks, Deputy Chief Executive, declared a non-pecuniary interest in this item arising from his position as a Council appointed Director of Thamesway Group Companies and Brookwood Cemetery companies. The interest was such that it would not prevent the Officer from advising on this item.]

The Committee considered a report which detailed the review of the Council's Scheme of Delegations to the Development Manager

Councillor S Ashall commented that this review of the Scheme of Delegations was welcomed and a positive move forward on how we do business at the planning Committee. He supported the criteria set out in the report and thought that it was important that Members retained the ability to call in applications to the Planning Committee if need be. Councillor S Ashall commented that he did not agree with the revised trigger threshold in relation to the number of dwellings proposed in a development for the application to be determined by the Planning Committee; he would be happier for this to remain at ten, as in the national definition of 'major developments'.

Some Members supported the view of Councillor S Ashall regarding the trigger threshold, whereas others welcomed the change and thought it would give the Committee greater control and prevent developers undercutting the figure to avoid determination by Planning Committee.

Councillor S Ashall proposed and it was duly seconded by Cllr G Elson a motion to amend the trigger threshold in relation to the number of dwellings proposed in a development for the application to be determined by the Planning Committee. This was currently set at five dwellings in the proposed Scheme of Delegations and Councillor S Ashall proposed it should be set at ten dwellings.

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 approval of the motion were recorded as follows.

In favour: Cllrs Ashall, G Elson and N Martin.

TOTAL: 3

Against: Cllrs T Aziz, A Boote, G Chrystie, S Hussain and L Morales.

TOTAL: 5

Present but not voting: None.

TOTAL: 0

The motion was therefore not approved.

The Chairman and Councillor L Morales suggested that planning applications from Council owned Companies should need to be determined by the Planning Committee. Douglas Spinks commented that this issue was not raised when the proposed Scheme of Delegation was discussed by the Working Group and that Members had initiated the review of the Scheme in order to increase Delegated Powers, not remove them. Douglas Spinks suggested that it could be unfortunate to delay the planning application process for the Companies affected and it could be unfair to compromise them by including them under Woking Borough Council. It was likely this change would also see a number of smaller applications come to the Planning Committee that would normally be determined through delegated powers. Douglas Spinks suggested that there could be a way to highlight these Company applications on the weekly Planning List to bring awareness to Members at an early stage so that they had the opportunity to call in such applications; this would not compromise the Companies and would also avoid bringing small cases to the Planning Committee.

Some Members thought that there was a greater need for transparency regarding the Council owned Companies and commented that this proposed change to Delegated Powers would achieve that.

Some Members liked the suggestion made by Douglas Spinks to update the weekly Planning List and thought that the Chairman and Vice-Chairman could go through this list to determine which applications needed to be brought forward to the Committee. They thought it would be unfortunate if every application from Woking Borough Council owned Companies, including minor amendments had to get caught up in the Planning Committee process.

Councillor L Morales proposed and it was duly seconded by the Chairman a motion to amend point 3.3 (d) to include the words “and any companies or entities 50% or more owned by Woking Borough Council” inserted after “Council”.

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 approval of the motion were recorded as follows.

In favour: Cllrs T Aziz, A Boote, G Chrystie and L Morales.

TOTAL: 4

Against: Cllrs G Elson and N Martin.

TOTAL: 2

Present but not voting: Cllr S Ashall and S Hussain.

TOTAL: 2

The motion was therefore approved.

RESOLVED that the Planning Committee RECOMMEND to Council that with effect from 1 August 2020, the current delegations to the Development Manager be rescinded and, subject to the note below, replaced by those in Appendix 3 to this report.

Note: Paragraph 1 d) of Appendix 3 shall have the words “and any companies or entities 50% or more owned by Woking Borough Council” inserted after “Council” so that it reads:-

“d) Applications where the applicant is Woking Borough Council and any companies or entities 50% or more owned by Woking Borough Council, except for non-material amendments and minor material amendments (irrespective of whether they are major or non-major development).”

The meeting commenced at 7.00 pm  
and ended at 8.30 pm

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

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