

MINUTES
OF A MEETING OF THE
PLANNING COMMITTEE

held on 10 November 2020

Present:

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

Cllr T Aziz	Cllr L S Lyons
Cllr A J Boote	Cllr L M N Morales
Cllr G W Elson	Cllr C Rana (substitute for Cllr Martin)
Cllr S Hussain	

Also Present: Councillors D Hughes.

Absent: Councillors N Martin.

1. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 21 October 2020 be approved and signed as a true and correct record.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Nancy Martin.

3. DECLARATIONS OF INTEREST

In accordance with the Officer Procedure Rules, Douglas Spinks, Deputy Chief Executive, declared a non-pecuniary interest in item 6b – COND/2019/0110 Sheerwater Estate, Albert Drive, Woking arising from his position as a Council appointed Director of Thamesway Group Companies. The interest was such that it would not prevent the Officer from advising on these items.

In accordance with the Officer Procedure Rules, Peter Bryant, Director of Legal and Democratic Services, declared a non-pecuniary interest in item 6b – COND/2019/0110 Sheerwater Estate, Albert Drive, Woking arising from his position as a Council appointed Director of Thamesway Developments Ltd. The interest was such that it would not prevent the Officer from advising on these items.

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. 2019/1050 Grosvenor Court, Hipley Street, Woking

[NOTE: In accordance with the procedure for public speaking at Planning Committee, Mr David Sampson attended the meeting and spoke in objection to the application and Mr Steve Prockter spoke in support.]

The Committee considered an application for the erection of part five storey, part four storey building containing twenty eight apartments (Two studio, seventeen one-bedroom and nine two-bedroom) with car parking, cycle stores, landscaping and associated works. The proposal would utilise an existing vehicular access onto Hipley Street which would be slightly modified and the proposal would provide thirty three parking spaces.

Following a question from the Chairman, the Planning Officer clarified that Grosvenor Court, next door to the application site, had been converted under prior approval.

Councillor D Hughes, Ward Councillor, commented that Hipley Street was a small simple traditional street which already had some high density development and adding to this would put pressure on an already congested road. There were already blocks of dense accommodation with no green space, minimal landscaping and no outdoor facilities, leisure or seating areas. If this development was added, which was two to three storeys higher than existing buildings, this would put extreme pressure on the congestion and parking. Councillor D Hughes thought that this site would be more suited to a low rise, green and open development to mitigate what had already been built on this street and she considered the application to be inappropriate in the context of the existing properties around. Councillor D Hughes was also concerned by the lack of affordable housing provision and queried the viability assessment. Councillor D Hughes stated that this application was too much in this small congested space and would provide an overall poor living experience which would adversely impact those in the neighbouring properties; she hoped that the Committee would consider these points and refuse the application.

With regards to parking, the Planning Officer explained that the existing spaces at Grosvenor Court would not be affected and the application would provide an additional 33 parking spaces, which was above the number required. Surrey County Council Highways had been consulted and had raised no concern regarding the impact on the highway. The Council's Consultants Kempton Carr Croft had assessed the viability of the development and concluded that in this instance it was not viable for any affordable housing contribution to be provided. Regarding the lack of amenity space the Planning Officer advised that all of

the flats would have access to some form of space, be that a balcony, roof terrace or ground floor space, which would all be situated on the west elevation. There would be landscaping to the west of the building and the Planning Officer advised that condition 4 required a landscaping plan to be submitted. The Planning Officer agreed that the height of the proposed development would be taller than those surrounding it, but that this was mitigated by the separation distance to Hipley Street (25m) and from Priors Croft (44m). The building size was consistent with the larger buildings in the area such as Grosvenor Court, Westminster Court and the Harvey Water Softener site and it was considered that the size was acceptable for the proposed area.

Councillor L Morales, Ward Councillor, spoke in objection to the application. Councillor L Morales was concerned that the submitted flood reports did not mention the significant 2013 flooding where water had come right up to the gate of the property. Located in Flood Zone 2, Councillor L Morales did not think this site was right for sustainable development. The lack of affordable housing provision as part of the application was very disappointing. Councillor L Morales was concerned by the height of the proposed development which was two to three storeys higher than those buildings around. The current design policy stated that buildings two storeys higher than those surrounding should be considered 'tall buildings' and therefore should be of exceptional design quality and be considered by a design review panel; this was not the case with this application and Councillor Morales commented that the proposal was of an extremely poor design. There would be loss of light in surrounding properties and the bulk and mass of the huge block offered very little style and no soft landscaping. The private amenity space was insufficient and would not be suitable for a small family; Councillor Morales suggested that children would end up using the car park to play, which was dangerous. There was no appropriate close by amenity space.

Councillor L Morales commented that if the Committee allowed this to be approved then this would set a precedent that would allow poor applications that were totally out of character to the area to be approved.

Councillor L Morales moved and Councillor S Hussain seconded that the application be refused on the grounds of bulk and mass, design, lack of affordable housing, privacy, daylight and lack of amenity space.

Following a suggestion from the Chairman, Councillor L Morales agreed that the proposed refusal reason regarding the lack of affordable housing could be removed from the motion. Although Councillor L Morales did think that some form of affordable housing should be provided on this site, she commented that in her view the development should not be there on this scale, so the affordable housing would be irrelevant in this case as the design aspect had not been dealt with. Many Members supported this amendment as they thought it would put forward an unreasonable reason for refusal.

Debate continued on the motion above.

A number of other Members echoed the concerns of the Ward Councillors covering flooding, lack of design review, daylight issues and amenity space.

Concerns were raised again regarding the lack of affordable housing provision and Councillor L Lyons commented that he was disappointed this reason for refusal had been removed from the motion. Councillor L Lyons commented that the Council's viability consultant, Kempton Carr Croft, had concluded on every development that they had been consulted on that affordable housing was not viable and he thought this gave developers a get out. Douglas Spinks commented that the current policies had a specific provision to

enable less than 40% affordable housing where the financial viability did not justify it. It was unfair to make those comments about a specific viability consultancy when a recent peer review had actually been carried out on one of their assessments due to concerns which produced the same conclusion as the initial viability assessment. The Committee was reminded to adhere to planning policies.

Following a query from Members the Planning Officer explained that the Flood and Drainage Team were satisfied with the proposal and the submitted flood risk assessment. They considered that the proposal had complied with Policy and had recommended five conditions, which would require the submission of some additional information either prior to commencement or occupation.

Following a query regarding the amenity space, The Planning Officer explained that it was considered that the standard of external amenity space was acceptable in this instance due to the constraints of the site and Officers felt that it was sufficient. The Chairman queried whether it complied with the minimum standards for amenity space and the Planning Officer advised that the SPD did detail a minimum requirement, but in this instance due to the constraints of the site it was considered acceptable.

Some Members did not support the daylight concern as a reason for refusal.

On the advice of Dan Freeland, Development Team Leader, Councillor L Morales agreed to amend her motion for refusal as it was considered a number reasons put forward would not be defensible on appeal as there was not sufficient evidence to support these.

Councillor L Morales proposed and it was duly seconded by Councillor S Hussain to refuse the application on the amended grounds of bulk and mass of building out of character with the area, design was not of exceptionally good quality and the lack of private amenity space for occupiers of the units.

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 refusal of the application were recorded as follows.

In favour: Cllrs A J Boote, G Chrystie (Chairman), S Hussain, L Lyons, L Morales and C Rana.

TOTAL: 6

Against: Cllrs S Ashall, T Aziz and G Elson.

TOTAL: 3

Present but not voting: None.

TOTAL: 0

The application was therefore refused.

RESOLVED

That planning permission be REFUSED.

6b. COND/2019/0110 Sheerwater Estate, Albert Drive, Sheerwater

The Committee considered a condition application which sought approval of details pursuant to Conditions 44 (Landscape and Ecological Management Plan), 54 (Arboricultural Information and Method Statement) and 57 (Works within the RPAs) of planning permission PLAN/2018/0337.

RESOLVED

That the details submitted be APPROVED.

6c. 2020/0140 153 Hawthorn Rd, Woking; and

6d. 2020/0141 155 Hawthorn Rd, Woking

[NOTE: It was agreed that item 6c. 2020/0140 153 Hawthorn Road, Woking and 6d. 2020/0141 155 Hawthorn Road, Woking would be considered together by the Committee.]

The Committee considered an application for the erection of a two storey side and rear extension and two storey rear extension following demolition of existing rear conservatory with car parking area at rear (part retrospective) at 153 Hawthorn Road and the Committee considered an application for the erection of a two storey front and side extension with porch addition (Retrospective) at 155 Hawthorn Road.

The Planning Officer explained that two enforcement notices had been issued last year regarding the two sites, which the applicant had appealed. As reported earlier in the meeting under Item 5, these appeals had been dismissed and valid enforcement notices were in place, which allowed the applicant nine months to comply. The applications for consideration before the committee today were different, however the Planning Officer considered a number of the initial concerns of the Committee remained extant, these included harmful impact on neighbouring amenities, flooding, inadequate amenity space, parking and harm to the tree. Similar concerns had been raised with the Committee in September 2019 which they supported when they authorised the enforcement action.

Following a query from the Chairman, The Planning officer explained how the applications before the Committee differed from the approved planning application. Members heard that there was an increase in depth to the side and rear of both properties, which has increased by that of the consented scheme by up to two metre. Of real concern was also the layout which lent itself to the subdivision of the properties.

Councillor T Aziz had called this application to the Committee. He commented that he did not think it right that historic applications for the site were being discussed and it should only be the applications that were in front of the Committee that should be considered. Councillor T Aziz stated that the only difference in the applications before the Committee and those that were approved in 2018 was the length of seven bricks difference. Councillor T Aziz thought that the enforcement proceedings that had been referenced were a separate matter and should not be considered alongside. He considered the amenity size to be adequate and did not think there was any issue with parking or flooding.

Councillor T Aziz moved and it was duly seconded by Councillor C Rana, that the application be approved.

Debate continued on the item.

In response to Councillor T Aziz comments that Planning Officer clarified that the extension in the current application had not been approved by the LPA and that this was 1.8 - 2 metres larger than what was approved. The flooding and parking was not considered acceptable as the built extension was unauthorised and therefore this matter had not been considered in the approved application. The increase in size of the extension had meant that the run off land area had been reduced and as the site was already in Flood Zone 2, this was considered unacceptable. The Council's Flooding and Drainage Officer had provided detail of this in the report. Regarding the enforcement notices ENF/2019/00114 & 00115, the Planning Officer explained that these did relate to the current applications and reminded that Committee that this enforcement action was approved by them in September 2019.

Councillor S Ashall, Ward Councillor, commented that he thought that the planning history for these sites was very relevant and thought that that it was useful that this information had been included. Councillor S Ashall was still of the view that the application that had been authorised by the Committee in 2018 was the maximum that this site could accommodate and therefore he supported the Officer recommendation to refuse. The Planning Officer had been very clear on the enforcement action that the Committee had agreed in September 2019 and that included the extensions in the current applications and that the site must be returned to the 2018 consented scheme.

Other Members also supported the Planning Officers recommendations and thought that the applicant should have built what was approved.

Following a query, the Planning Officer confirmed that the applicant still had the right of appeal if these applications were refused.

In accordance with Standing Order 22.2, the Chairman deemed that a division should be taken on the motion above, put forward by Councillor T Aziz and seconded by Councillor C Rana. The votes for and against approval of the application were recorded as follows.

In favour: Cllrs T Aziz and C Rana.

TOTAL: 2

Against: Cllrs S Ashall, A Boote, G Chrystie (Chairman), G Elson and L Morales.

TOTAL: 5

Present but not voting: Cllrs S Hussain and L Lyons.

TOTAL: 2

The application was therefore not approved.

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

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

TOTAL: 6

Against: Cllrs T Aziz, S Hussain and C Rana.

TOTAL: 3

Present but not voting: None.

TOTAL: 0

The application was therefore refused.

RESOLVED

That planning permission be REFUSED.

6e. 2020/0779 Barn End, Bracken Close, Woking

The Committee considered an application for the demolition of existing part two-storey, part single-storey detached dwelling. Erection of a replacement part two-storey (with roof accommodation), part single-storey (including garage) detached dwelling and associated landscaping, including erection of front pillars.

Councillor L Lyons, Ward Councillor, explained that he had brought this application to the Committee as a number of residents had raised concern regarding the design. There had been a number of representations, that were noted in the report, some of which Councillor L Lyons agreed with and some which he did not. Councillor L Lyons main concern was the impact the development would have on the privacy of Missenden and he noted that the report did seem to suggest that it would impact on the neighbouring property to some extent. Councillor L Lyons commented that the proposed bay window would look into the ground floor windows of Missenden and he thought that the pergola chimney was not of a sufficient height to prevent the smoke and fume from affecting the amenity value of the garden of the neighbouring property. He also commented that the proposed development was too large for the location and protruded quite significantly at the back near Missenden.

A number of Members commented that although Councillor L Lyons had put forward a balanced summary of his concerns, they were minded to go with the Planning Officers recommendation as they thought the report had addressed and mitigated the overlooking issue.

Following a query from Councillor L Lyons, the Planning Officer confirmed that condition 11 stipulated the first floor bay window would be obscure glazed. Following a further request from Councillor L Lyons to add a condition to obscure glaze the ground floor bay window, the Planning Officer advised that this window was at an acceptable separation distant as noted in the SPD and the addition of this condition might be considered an unreasonable request.

RESOLVED

That planning permission be GRANTED subject to the recommended conditions.

The meeting commenced at 7.00 pm
and ended at 10.35 pm

Chairman: _____

Date: _____