

MINUTES
OF A MEETING OF THE
PLANNING COMMITTEE

held on 29 June 2021

Present:

Cllr L M N Morales (Chairman)
Cllr T Aziz (Vice-Chair)

Cllr A J Boote	Cllr D E Hughes
Cllr J Brown	Cllr N Martin
Cllr S Dorsett	Cllr D Roberts

Also Present: Councillors S Ashall, D Harlow and C Kemp.

Absent: Councillors C Rana.

1. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 8 June 2021 be approved and signed as a true and correct record.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor C Rana.

3. DECLARATIONS OF INTEREST

In accordance with the Officer Procedure Rules, Peter Bryant, Director of Legal and Democratic Services declared a non-pecuniary interest in items 6h COND/21/0002 – Sheerwater Estate, Albert Drive, Woking 6i COND/21/0057 Sheerwater Estate, Albert Drive, Woking, 6j COND/21/0099 Sheerwater Estate, Albert Drive, Woking, 6k COND/21/0056 Sheerwater Estate, Albert Drive, Woking, 6l COND/20/0162 Sheerwater Estate, Albert Drive, Woking, 6m COND/20/0176 Sheerwater Estate, Albert Drive, Woking – arising from his position as a Council appointed Director of Thameswey Developments 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. 2021/0192 1-3 High Street, Knaphill, Woking

[NOTE 1: The Planning Officer advised the Committee that four additional letters of representation had been received, including one from Knaphill Residents Association. These mainly reiterated the comments already summarised within the representations section of the report and also include comments on loss of privacy and loss of light.]

[NOTE 2: In accordance with the procedure for public speaking at Planning Committee, Mr Paul Watson attended the meeting and spoke in objection to the application and Mr Ray Freeland spoke in support.]

The Committee considered an application for the erection of a four storey building including accommodation in the roof space, comprising nine self-contained flats and two commercial units and associated parking, landscaping, bin and cycle storage following demolition of existing building.

Councillor D Harlow, Ward Councillor, spoke in support of the application and commented that her priority as Housing Portfolio Holder was to ensure new homes were built. The Ward Councillor felt that the applicant had done enough to overcome the previous reasons for refusal and in the circumstances asked the Committee to find a way to approve the application.

Some Members agreed that development and regeneration of the site was needed, however they were concerned by the history of the site and the consistent planning application refusals. Concerns remained about the bulk, massing and scale on the site and the dominant impact the building would have as you approached from the bottom of the hill. The Planning Officer commented that the reasons of the previous refusal needed to be overcome; it was their opinion that although some changes had been made, not enough had been done to address the main reason for refusal which was due to scale, mass, bulk and design.

Following a query from a Member on neighbour privacy, the Planning Officer explained that this had been detailed on page 23 of the report and it was noted that the planning policies had all been complied with in this respect and that the impact would be considered acceptable.

Some Councillors were concerned regarding the lack of Legal Agreement and were minded to refuse.

Councillor N Martin commented that this building was in disrepair and that this site needed to be developed. The Councillor disagreed that the application was prominent, dominant and incongruous and suggested that it would actually fit in well when you considered the street scene as a whole. Councillor N Martin did comment that she had some sympathy for

those residents in Highclere Road & Highclere Gardens regarding parking however this application did meet the parking standards and therefore this was not grounds on which it could be refused. It was noted that no statutory consultees had objected to the application. Councillor N Martin proposed, and Councillor S Dorsett duly seconded that the application be approved.

Debate continued.

Members agreed that no application was perfect, however this one did breach CS21 and CS24 of the Core Strategy; some Members suggested that the Committee should not compromise and should strive for a development that was less bulky and of a scale that fitted into the street scene. Although the applicant had made a number of changes to address the previous reasons for refusal some Members thought that more changes could be made.

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 application were recorded as follows.

In favour: Cllrs J Brown, S Dorsett, N Martin and D Roberts.

TOTAL: 4

Against: Cllrs D Hughes, T Aziz and A Boote.

TOTAL: 3

Present but not voting: Cllrs L M N Morales (Chairman)

TOTAL: 1

The application was therefore approved.

RESOLVED

That Planning permission be APPROVED, subject to S106 agreement in respect of SAMM payments and authority delegated to the Development Manager to impose the appropriate conditions.

6b. 2021/0218 74 Orchard Drive, Horsell, Woking

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

The Committee considered an application for prior notification for the proposed enlargement of single storey dwelling house by construction of an additional storey with a proposed ridge height of 8.7m.

Councillor C Kemp, Ward Councillor, spoke in objection to the application and asked the Committee to listen to the concern of residents. Councillor C Kemp noted that when the 2018 application one of the reasons it was refused was due to bulk, scale and massing; this still applied and when it was built it would be very overpowering and prominent on the corner plot.

The Chairman commented that although the 2018 application had been refused by the Committee, this application could not be considered under the same legislation as this was for prior approval. As set out by the Planning Officer in the presentation, the grounds on which a prior approval application could be refused were very limited. The Planning Officer explained that under prior approval legislation the Committee could not consider the impact on the wider street scene, and could only consider the impact on the external of the dwelling house; which the Planning Officers considered was acceptable.

The Committee voiced their frustration regarding the prior approval legislation as it appeared that their hands were somewhat tied despite them considering this development inappropriate.

Councillor N Martin shared these frustrations and proposed that the application be refused on the grounds that the amenity of the neighbouring property at number 72 would be negatively impacted. The motion was seconded by Councillor S Dorsett.

Debate continued.

Thomas James, Development Manager, understood and sympathised with the frustrations of Members and residents, however it was his view that there were no strong grounds to be able to refuse this application.

The majority of Members were frustrated by the legislation and wanted to refuse this application, however they agreed with the Planning Officer that there were not reasonable ground to do so.

Peter Bryant, Director of Legal and Democratic Services advised the Committee that he thought there was significant risk of costs being awarded against the Planning Authority if the Committee refused this and it was taken to appeal.

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 S Dorsett and N Martin.

TOTAL: 2

Against: Cllrs J Brown, L Morales (Chairman), T Aziz, A Boote and D Roberts.

TOTAL: 5

Present but not voting: Cllr D Hughes

TOTAL: 1

The application was therefore not refused.

RESOLVED

That prior approval be GRANTED.

6c. 2021/0125 Land at Grosvenor Court, Hipley Street, Woking

[NOTE 1: The Planning Officer advised the Committee that six additional letters of representation had been received (two from the same person). These reiterated some of the comments already summarised within the representations section of the report and also included comments on the impact on infrastructure, parking, drainage, over population, impact on wildlife and affordable housing.]

[NOTE 2: 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 Ms Nia Russell spoke in support.]

The Committee considered an application for the erection of a four storey building containing twenty five apartments with car parking, cycle stores, landscaping and associated works.

The Committee were pleased that the applicant had worked with Officers to try and overcome the reasons for the refusal when the application had been considered in November 2020. Members were still concerned by the lack of amenity space and even though the balconies of the two bedroom units had been increased, as had the ground floor space, they did not think this was sufficient. The Planning Officer commented that they considered the changes made by the applicant to be acceptable, however some Members were not reassured by this.

There was concern regarding the lack of greening and also the fact that much of the amenity space was immediately adjacent to the car parking area, causing safety issues. The Planning Officer commented that condition 4 covered landscaping, screening and boundary treatment, and that as part of this the applicant may want to include safety rails between the amenity space and car park.

Councillor D Hughes, Ward Councillor, queried whether there was space for emergency vehicles on such a constrained site. Councillor D Hughes was concerned that the units were less than the minimum standard and also flagged up the lack of amenity space and the safety implications of it being next to the car park. The loss of light to the neighbouring Nissan office building was also raised as a concern. Councillor D Hughes did not feel that the applicant had sufficiently overcome the previous reasons for refusal.

The Planning Officer commented that Surrey County Council had been consulted and had raised no concerns around emergency vehicles entering or exiting the site. Regarding the size of the units it was noted that only two of the studio flats would be 36sqm, which was 1 metre below our standard; this was the same on the previous application and this had not been raised as a reason for refusal, so it would not be acceptable to do so on this application.

With regard to the loss of light for the Nissan office building, the Planning Officer explained that as this was not a residential property and therefore it could not be taken into account as a planning concern.

Councillor D Hughes, Ward Councillor, commented that she had not be reassured by the feedback and was minded to propose a motion to refuse the application. Councillor D Hughes proposed and it was duly seconded by Councillor D Roberts that the application be refused on the 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.

Debate continued.

Members queried whether the applicant had submitted any drawings of the landscaping proposals and the Planning Officer that they had not yet done so, however it was fairly standard not to have receive these such drawings at this point in the application process.

Some Councillors commented that this was an improved scheme to that which was considered in November 2021, however the housing was not good quality, the amenity spaces was insufficient and there still needed to be improvements in order to make it acceptable. Following some comments, Thomas James Development Manager reminded the Committee that the reasons the application was refused in November 2020 were listed on page 52 of the report; these were the only reasons the Committee could now consider refusal on and they needed to conclude whether these reasons had been overcome.

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 T Aziz, A Boote, D Hughes, L Morales (Chairman) and D Roberts.

TOTAL: 5

Against: None.

TOTAL: 0

Present but not voting: Cllrs J Brown, S Dorsett and N Martin.

TOTAL: 3

The application was therefore refused.

RESOLVED

That planning permission be REFUSED.

6d. 2020/0364 Ridge End, Hook Hill Lane, Woking

[NOTE: In accordance with the procedure for public speaking at Planning Committee, Mr Robert Falconer attended the meeting and spoke in objection to the application and Mr Lawrence Evans spoke in support.]

The Committee considered an application for a Section 73 application to vary Condition 2 (Approved Plans) of permission ref: PLAN/2018/0952 (Erection of 2x detached two storey dwellings (one four-bedroom & one three-bedroom) following demolition of existing dwelling and garage and erection of replacement detached garage to frontage) to allow external alterations and alterations to fenestration including insertion of new windows and doors (Amended Plans).

Councillor S Ashall, Ward Councillor, commented that this S73 application was changing significant fenestrations on site and queried whether the Planning Officer was satisfied that they were all included in this application and the measurements were accurate. The

Planning Officer confirmed that he was satisfied that the application addressed all the additional and altered roof lights on site and that all changes were reflected in the report. Councillor S Ashall asked the Committee to consider whether any of these additional windows would cause overlooking to neighbouring properties.

The Planning Officer confirmed that the fenestrations all complied with the separation distance requirements of our planning policy.

Some Members commented that these were minor fenestration amendments and were surprised that this application had been called before the Committee.

RESOLVED

That planning permission be GRANTED subject to conditions.

6e. 2021/0260 3JS Nursery, Smarts Heath Road

[NOTE 1: The Planning Officer advised the Committee that six additional letters of support had been received. These reiterated the comments already summarised within the representations section of the report.]

[NOTE 2: In accordance with the procedure for public speaking at Planning Committee, Mr David Cockburn attended the meeting and spoke in objection to the application and Mr Patrick Cawood spoke in support.]

The Committee considered an application for change of use of part of the existing building to retail shop and use of outside space for cooking and hosting BBQs.

Councillor S Ashall, Ward Councillor, commented that business was capable of being supported on the green belt where appropriate, but queried whether this was contrary to paragraph 146 of the National Planning Policy Framework (NPPF). The Planning Officer advised that the existing use of the building was sui generis and that paragraph 146 of the NPPF allowed for the re-use of existing buildings and for change of use. This application was therefore considered acceptable.

Some Members commented that it was important to support small businesses and that they thought any impact on residents would be minimal as the site was quite far from the nearest residential road.

RESOLVED

That planning permission be GRANTED.

6f. 2020/1126 Homeleigh, Guildford Road, Woking

The Committee considered an application for Erection of 6No apartments following demolition of existing bungalow and garage

RESOLVED

That planning permission be GRANTED subject to a S106 agreement to secure the SAMM contributions.

6g. COND/21/0058 Former Ian Allen Motors, 3-65 High Street and, Copthorne, Priors Croft, Woking

The Committee considered an application for approval of details pursuant to conditions 17 (plant equipment noise), 18 (ventilation odour control), 19 (external lighting) and 32 (photovoltaic panels) of PLAN/2020/0304 dated 10.06.2020 (Erection of a 48 unit 'Independent Living' extra care housing scheme in a building ranging between 1 and 4 storey in height (plus rooftop plant enclosures), comprising 45 x 1 bed units and 3 x 2 bed units, with communal kitchen, living room, dining room and salon facilities, mobility scooter charging ports, staff break out areas and offices, and associated bin storage, access, x25 parking spaces and landscaping. Associated demolition of dwelling at Copthorne, Priors Croft).

RESOLVED

That the details submitted be APPROVED.

6h. COND/21/0002 Sheerwater Estate, Albert Drive, Woking

The Committee considered an application for partial approval of details pursuant to Condition 51 (electric vehicle charging points) for Phase Red only of planning permission PLAN/2018/0337 for the Sheerwater Regeneration.

RESOLVED

That the details submitted be APPROVED.

6i. COND/21/0057 Sheerwater Estate, Albert Drive, Woking

The Committee considered an application for partial approval of details pursuant to Conditions 55 (landscaping) and 96 (external lighting) for phase Purple only of planning permission PLAN/2018/0337 for the Sheerwater Regeneration.

RESOLVED

That the details submitted be APPROVED.

6j. COND/21/0099 Sheerwater Estate, Albert Drive, Woking

The Committee considered an application for partial approval of details pursuant to Condition 53 (Evidence of energy efficiency and water consumption) for Phase Purple only of planning permission PLAN/2018/0337 for the Sheerwater Regeneration.

RESOLVED

That the details submitted be APPROVED.

6k. COND/21/0056 Sheerwater Estate, Albert Drive, Woking

The Committee considered an application for partial approval of details pursuant to Condition 48 (means of enclosure to residential garden boundaries) for phase Purple only of planning permission PLAN/2018/0337 for the Sheerwater Regeneration.

RESOLVED

That the details submitted be APPROVED.

6l. COND/20/0162 Sheerwater Estate, Albert Drive, Woking

The Committee considered an application for partial approval of details pursuant to Conditions 26 (surface water drainage for phases 1a and 1b), 27 (sports pitches surface water drainage network) and 63 (sports pitch specification for phase 1b (sports pitches)) of planning permission PLAN/2018/0374 for the Sheerwater Regeneration to amend some of the condition details as approved under COND/2019/0145.

RESOLVED

That the details submitted be APPROVED.

6m. COND/20/0176 Sheerwater Estate, Albert Drive, Woking

[NOTE: The Planning Officer provided an update on the report since it had been published which was detail below;

‘delete the CalcuLuX 7.9.0.0 (ref:1211) received on 07.12.2020 (from the approved details list) as this has been superseded by the updated light spillage plan.’]

The Committee considered an application for approval of details pursuant to Condition 62 (external sports pitch lighting for the artificial grass pitch) of planning permission PLAN/2018/0374 for the Sheerwater Regeneration, to seek approval for alternative external sports pitch lighting only.

RESOLVED

That the details submitted be APPROVED.

6n. ENF/2021/00046 Warehams Grange,

The Committee considered enforcement action for an unauthorised detached structure comprising triple garage and self-contained ‘guest cottage’.

RESOLVED that

- i) An Enforcement Notice be issued in respect of the above land requiring the following within six months of the notice taking effect:
 - a) Remove from the land the detached single storey structure comprising a triple bay garage and guest cottage;
 - b) Remove from the land all material, rubble, debris and paraphernalia arising from compliance with the above; and
- ii) The Head of Legal Services be instructed to issue an Enforcement Notice under Section 172 of the Town & Country Planning Act 1990 as amended, and officers be authorised in the event of non-compliance to prosecute under Section 179 of

the Town & Country Planning Act 1990 or appropriate power and/or take direct action under Section 178.

6o. 2021/0347 Broadoaks, Ivy Lane, Woking

The Committee considered a retrospective application to erect 1.8m high boundary fencing.

RESOLVED

That Planning permission be REFSUED and formal enforcement proceedings be authorised.

7. VOTE OF THANKS

This was the last Planning Committee that Peter Bryant, Director of Legal and Democratic Services, would attend before his retirement on 30 June 2021. The Chairman and the Committee thanked Peter Bryant for his huge contribution to the Planning Committee during his time at Woking and wished him a very happy and enjoyable retirement.

The meeting commenced at 7.00 pm
and ended at 10.05 pm

Chairman: _____

Date: _____