

MINUTES
OF A MEETING OF THE
PLANNING COMMITTEE

held on 26 July 2022
Present:

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

Cllr A J Boote	Cllr P J T Graves
Cllr J Brown	Cllr S M Oades
Cllr G T Cosnahan	Cllr M A Whitehand
Cllr S Dorsett	

Also Present: Councillors A Caulfield.

Absent: Councillors T G Spenser

1. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 28 June 2022 be approved and signed as a true and correct record.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor T Spenser.

3. DECLARATIONS OF INTEREST

No declarations of interest were received.

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. 2022/0320 7 Moor Lane, Woking

The Committee considered an application for the erection of a part single storey, part two storey side and rear extension and alterations to fenestration.

Councillor A Caulfield, Ward Councillor, spoke in objection to the application which he stated would cause loss of privacy and daylight due to its bulk and proximity. The Councillor noted that the boundary fence was very close to the existing garage and the proposed two storey extension was due to be built on the same boundary line; 30cm from the adjoining property. The daylight/sunlight to the window of the study of No.8 would be greatly reduced and the Councillor thought that this change would make the room redundant. Councillor A Caulfield also raised concern regarding trespass on the neighbouring property by potential construction scaffolding, window openings and guttering. Councillor A Caulfield noted that there were other examples on the street of extensions close to the boundary, however he did not think any of these had windows on the boundary side.

The Planning Officer commented that there was no limit in the proximity to the boundary for the single storey element and it was confirmed that in this application, the part of the property closest to the boundary would remain single storey. The two-storey element of the proposed extension would be 3.3m from the boundary and 4.4m from the side facing windows.

With regards the comments made about scaffolding, the Planning Officer advised the Committee that this would be a civil matter and was not a material planning consideration. The windows on the side east elevation would be conditioned to be obscure and non-opening and would therefore not trespass on the neighbouring property. Windows that were above 1.7m above the ground could have opening parts and the Committee discussed the possibility of these being restricted.

As written in the report, the Planning Officer had accepted that there would be some harm caused by the application, but on balance it was recommended that the application be approved. Members questioned what had outweighed this potential harm. The Planning Officer explained that paragraphs 38 and 39 detailed the loss of daylight and the reasoning why, on balance, it was considered that this room would not sustain a significant harmful loss of daylight contrary to Policy CS21 of the Woking Core Strategy (2012). The Planning Officer went on to explain that as part of the assessment they also considered whether they would be able to successfully defend on appeal.

Some Members were uncomfortable with the application and thought that the proposal would cause significant harm by virtue of, loss of daylight and outlook from windows.

It was noted that there was a large timber out-building on the boundary with number 6 and the extension projection would be similar to this.

Following a question from Members, the Planning Officer advised that they were not aware whether a similar situation existed on the street where there were windows close to the boundary. It was noted that several properties on the street had large extensions.

A member queried whether the side storey of the extension could be rendered to reflect the light to mitigate the daylight loss in the neighbouring property. The Planning Officer advised that the Committee needed to consider the application as it was set out before them.

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, J Brown, G Cosnahan, S Dorsett, P Graves, S Oades and M Whitehand.

TOTAL: 7

Against: Cllr A Boote.

TOTAL: 1

Present but not voting: Cllrs L Morales (Chairman).

TOTAL: 1

The application was therefore approved.

RESOLVED

That that planning permission be GRANTED subject to the recommended conditions.

6b. 2021/1223 Mink Farm Kennels, Littlewick Common, Woking

The Committee considered an application for the erection of a single storey building to be used as kennels.

Councillor M Whitehand, Ward Councillor, had called the application to the Committee for consideration and request that Members consider approval. Councillor M Whitehand commented that the application could be seen as an extension of the existing business, which had grown rapidly, and that the new building would be used for the same purpose as the other building already on the site. She argued that the land was already used commercially and that the proposed development would not be visible from the nearest footpath, or when the animals were dropped off at the kennels. The new kennel was very modest and there would be no additional traffic generated. Councillor M Whitehand suggested that in relation to policy DM13 there were special circumstances and that this application did not contravene policy CS6 of the Core Strategy. Councillor M Whitehand proposed, and it was duly seconded by Councillor S Dorsett that the application be approved for the reasons set out above.

The Planning Officer commented that the development was considered inappropriate development in the Green Belt, which by definition would mean it was harmful to the Green Belt. There had been no very special circumstances case put forward in support of the scheme and there were none apparent in this instance. The Planning Officer advised the

Committee that the development was proposed on an area of undeveloped land on the site and approval of this would be seen as encroachment on the countryside. This application could not be considered agricultural, or forestry use as suggested by Councillor M Whitehand, although it may have been in the past it was now a kennels, which did not fall under this exemption category. It would also not fall under the exemption category of limited infilling in a village. The Planning Officer commented that they considered this application to be contrary to Policy CS6 of the Woking Core Strategy (2012) and Policy DM13 of the Development Management Policies Development Plan Document (2016) and Section 13 of the National Planning Policy Framework (2021).

Members were disappointed that the photos that were available on the planning portal did not make up part of the presentation. The Planning Officer apologised and advised the Committee that it was not possible to include these due to IT issues.

Following comments regarding the field where the development was proposed being full of rubbish, the Planning Officer commented that this could not be used as a reason to develop Green Belt land. Rubbish could be easily cleared and did not have the same level of permanence as a building.

Thomas James, Development Manager, asked that Councillor M Whitehand be clear on her reason to approve; was this appropriate development in the Green Belt or was this inappropriate development in the Green Belt, but with very special circumstances. Following discussion, Councillor M Whitehand proposed that this was inappropriate development in the Green Belt, but that there were very special circumstances.

Some Members commented that the kennels were a great local business and an impressive facility, however they did not think that a robust case for very special circumstance had been put forward. The Planning Officer confirmed that the applicant had not submitted a very special circumstances case to support the scheme. The information that Councillor M Whitehand had read out had not been submitted and was therefore not robust and did not outweigh the harm. The Planning Officer commented that the applicant could come back with further evidence and a robust case for very special circumstances and the Committee could reconsider the application with all the information available to them.

Some Members commented that there was merit in the application, but clearly some information was missing.

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

In favour: Cllrs J Brown, S Dorsett and M Whitehand.

TOTAL: 3

Against: Cllr T Aziz, G Cosnahan, P Graves, L Morales (Chairman) and S Oades

TOTAL: 5

Present but not voting: Cllr A Boote

TOTAL: 1

The application was therefore not approved.

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

In favour: Cllr T Aziz, G Cosnahan, S Dorsett, P Graves, L Morales (Chairman) and S Oades.

TOTAL: 6

Against: Cllr M Whitehand.

TOTAL: 1

Present but not voting: Cllr A Boote and J Brown.

TOTAL: 2

The application was therefore refused.

RESOLVED

That planning permission be REFUSED.

6c. 2022/0427 23 Oriental Road, Woking

The Committee considered an application for erection of a single storey side extension, following demolition of detached garage (part retrospective).

RESOLVED

That planning permission be GRANTED subject to conditions.

The meeting commenced at 7.00 pm
and ended at 8.40 pm

Chairman: _____

Date: _____