

MINUTES
OF A MEETING OF THE
PLANNING COMMITTEE

held on 5 September 2017
Present:

Cllr G G Chrystie (Chairman)
Cllr M A Whitehand (Vice-Chair)

Cllr A Azad	Cllr D Harlow
Cllr T Aziz	Cllr L M N Morales
Cllr A J Boote	Cllr C Rana
Cllr I Eastwood	

Also Present: Councillor J Kingsbury.

Absent: Councillor S Hussain.

1. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 25 July 2017 be approved and signed as a true and correct record.

2. DECLARATIONS OF INTEREST

In accordance with the Members' Code of Conduct, Councillor M A Whitehand declared a non-pecuniary interest in minute item 5n – 2017/0496 Lorna Doone, Chobham Road, Woking, GU21 4AA arising from her making formal representation on this item in her position as Chairman of the Woking Conservative Constituency Association which was based at Churchill House, the neighbouring property. The interest was such that speaking and voting were not permissible and Councillor M Whitehand left the Chamber during consideration of the item.

In accordance with the Members' Code of Conduct, Councillors A Azad, G G Chrystie, D Harlow, J Kingsbury and C Rana declared a non-pecuniary interest in minute item 5n – 2017/0496 Lorna Doone, Chobham Road, Woking, GU21 4AA arising from their membership of the Woking Conservative Constituency Association which was based at Churchill House, the neighbouring property. The interest was such that speaking and voting were permissible. (NOTE: Councillor J Kingsbury's declaration was made immediately prior to consideration of item 5n, as he was not present for item 2.)

3. PLANNING AND ENFORCEMENT APPEALS

RESOLVED

That the report be noted.

4. TREE APPLICATION - 2017/8220 5 BARRENS CLOSE, WOKING

The Committee considered an application to remove one Sycamore and two Conifers at 5 Barrens Close, Woking, Surrey by Mr Raja Khan. The trees were essentially healthy but of low public amenity value. The removal of the trees was seen as reasonable and good arboricultural practice.

The application would have normally been determined by delegated powers but was before the Committee as the applicant was a relation of Councillor M Ilyas Raja.

RESOLVED

That consent be permitted for the removal of one Sycamore and two Conifer Species.

5. 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. 2017/0155 Cherrytrees, 15-17 Claremont Avenue, Woking

[NOTE 1: In accordance with the procedure for public speaking at Planning Committee, Mrs Carolyn Drury attended the meeting and spoke in objection to the application and Mr S Gengasamy spoke in support.]

[NOTE 2: The Committee were advised of an additional Condition as detailed below;

The development hereby approved shall only be accessed from Claremont Avenue unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the amenities of the adjoining properties in accordance with Policy CS21 of the Woking Core Strategy 2012.]

The Committee considered an application for the erection of a two storey building containing four one-bedroom self-contained flats (Class C2 Use).

Concerns were raised by the public speaker and the Committee regarding access to the site during the works, including deliveries to and from the site and the hours during which these could take place. The Planning Officer advised the Committee that Condition 10 and Informative 4 should address these concerns and apply the relevant restrictions to the development. The Committee did not want to see any access to the site from Salisbury Road and the Planning Officer confirmed that there were two vehicle accesses to the site from Claremont Avenue and that the additional Condition detailed above would address this concern.

The Committee were satisfied with the Conditions and Informatives that were in place and were supportive of this much needed accommodation for males with mental health issues to enable them to get used to living alone and independently before leaving the care facility.

RESOLVED

Grant planning permission subject to conditions and SAMM contribution secured by way of Unilateral Undertaking.

6b. 2017/0293 17 Alterton Close, Woking

The Committee considered an application for a two-storey side extension which would have a pitched roof that would be a continuation of the existing main roof of the house. A ground floor window and a first floor window were proposed in its front elevation. A set of bi-fold doors and a first floor window were proposed in its rear elevation. A single-storey, hipped roof extension was proposed to infill the area between the proposed two-storey extension and the property's double garage. A window was proposed in its rear elevation. Part of the garage was proposed to be converted to a habitable room. In order to serve this new room an existing garage door was proposed to be partially blocked up and a window was proposed in the remaining opening. A second set of internal stairs were proposed to provide access to the first floor level of the extension. The application also proposed a conservatory on the existing rear elevation of the house.

The changes to this application compared to PLAN//2016/1037 were:

- A second kitchen is no longer proposed.
- An internal wall separating a proposed bedroom from the kitchen/living room has been removed.
- A ground floor bedroom has been changed to an office.
- A drawing has also been submitted demonstrating there would still be space to park one car in the existing garage and a further three cars on the existing driveway.

Some Members commented that the density created by the proposal would be out of keeping with the area and potentially set a precedent, however this had not been included in the previous reasons for refusal so it would be difficult for the Committee to refuse the revised application on these grounds.

There was concern that, despite the alterations to the application, the dwelling still had the potential to be split into two dwellings as the second staircase had been retained on the plans. The applicant had advised that the staircase had been retained as an access to the bedroom and that the cost of removing from the plans would be too expensive. Although the second kitchen was no longer proposed and the ground floor bedroom had been changed into an office, some Members of the Committee felt that the layout of the property meant that a split could still easily be made with minor internal adjustments. Other Members of the Committee believed that the changes made to the original plans demonstrated the applicant's willingness to work with the Planning Authority to provide an acceptable application.

Regarding concerns that had been raised concerning the impact on parking, the Planning Officer advised that the parking provision was in line with the Parking Standard SPD. Some Councillors had visited the site and confirmed there would be sufficient space to still park a number of cars without restricting the neighbour's vehicular access.

Some Councillors thought that the application was being excessively scrutinised and that the applicant had addressed the reasons for refusal given on 10 January 2017 with the revised application.

In accordance with Standing Order 10.8, as the Chairman deemed that a division should be taken on the approval of the application, the votes for and against were recorded as follows.

In favour: Cllrs A Azad, T Aziz, A J Boote, L M N Morales and C Rana.

TOTAL: 5

Against: Cllrs I Eastwood, D Harlow and M A Whitehand.

TOTAL: 3

Present but not voting: Cllr G G Chrystie (Chairman)

TOTAL: 1

RESOLVED

That planning permission be granted subject to the recommended conditions.

6c. 2017/0709 3 The Broadway, Woking

[NOTE: In accordance with the procedure for public speaking at Planning Committee, Mr A Najib attended the meeting and spoke in objection to the application.]

The Committee considered an application for the change of use from Hot food takeaway (Use Class A5) to Taxi hire offices (Sui Generis use) including alterations to existing shopfront and first-floor front oriel window and first floor fire escape door with rear dormer roof extension (amended plans received 16.08.2017 omitting front canopy).

The Committee were sympathetic to a number of the safety and highways concerns that were raised by the public speaker. There was concern that if the change of use was approved, the location would become excessively busy; people would block the pavement whilst waiting for both Hackney Carriage Taxis and Private Hire in the same vicinity, it was too close to the Hackney Carriage Taxi Rank which would be confusing for patrons, there were insufficient dropping off spaces, there would be difficulties with wheelchair accessibility and there was the potential for unlawful parking of private hire vehicles in the vicinity. Although sympathetic the Committee was reminded that they could only consider the application on its planning merit and that many of these concerns were outside of the remit of the Planning Committee. The County Highway Authority had commented that as The Broadway was already a key point for public transport including buses, taxis, private hire vehicles, the railway station and other town centre users, the relocation of an existing operator was unlikely to affect the existing dynamic significantly. It was their opinion that to refuse the application on the grounds of highway safety or capacity would be unreasonable. The Committee noted that a number of valid points had been raised, some of which could be addressed by the Council as the Licensing Authority and through parking enforcement, however The Woking Taxi Association was urged to raise these concerns in alternative forums, including feedback to SCC on the amended road layout when the highways works on The Broadway had been completed.

Some Members of the Committee suggested that the application be deferred due to highway and safety concerns, however the County Highway Authority had been consulted and they had advised that the proposal would not give rise to highway safety implications. The Committee was reminded that the consideration of road layout was not the matter

before the Planning Committee and the application was solely for a change of use. The same Members went on to query whether the application could be deferred on the grounds that the change of use would be out of character within the Woking Town Centre Conservation area, safety concerns and to allow Members the opportunity to visit the site. The advice from Officers was that this would be unreasonable grounds for deferment and it was not thought any further information to that which was already included in the report could be provided at a later date to warrant this deferral. With regard to safety concerns, the Committee was advised that most concerns that had been raised related to the highways work on The Broadway that was currently underway and which had already been approved by the Planning Committee.

Following a query it was confirmed that the initially proposed front awning/canopy had been omitted from the current application by the advice of the Planning Authority. Informative 2 reinforced this point and if the canopy was desired at a future date, a further planning application and permission would be needed.

In accordance with Standing Order 10.8, as the Chairman deemed that a division should be taken on the approval of the application, the votes for and against were recorded as follows.

In favour: Cllrs A Azad, I Eastwood, D Harlow, L M N Morales, C Rana and M A Whitehand.

TOTAL: 6

Against: Cllrs T Aziz and A J Boote.

TOTAL: 2

Present but not voting: Cllr G G Chrystie (Chairman)

TOTAL: 1

RESOLVED

That planning permission be granted subject to the recommended conditions.

6d. 2017/0515 Holywell House, Hook Hill Lane, Mayford, Woking

[NOTE: In accordance with the procedure for public speaking at Planning Committee, Mrs Bronwen Van Strien attended the meeting and spoke in objection to the application and Mrs Kate Johnson spoke in support.]

The Committee considered an application for the erection of a two storey detached replacement dwelling (seven bedrooms) with accommodation in the roof space and in a basement level following the demolition of the existing detached dwelling. The proposal also included the erection of a detached triple garage with accommodation at first floor level to the frontage of the dwelling in place of an existing timber outbuilding.

The Development Manager advised the Committee that they should give limited weight to the previously approved applications which had now lapsed as these had been approved under different Planning Policies.

Councillor A Azad, Ward Councillor, spoke in objection to the application and commented that the bulk, scale and design of the proposal would be to the detriment of the neighbouring properties and would result in an unacceptable loss of amenity, light and have an overbearing impact. A number of other Councillors supported this view. Councillor A Azad proposed and it was duly seconded that the application be refused. Further discussion ensued.

The proposed application was smaller than the previously approved scheme. Although the plot of land was large, some Members thought the proposed dwelling was the wrong shape and position for the plot and adequate consideration had not been given to the proximity of the boundary to neighbouring properties.

Questions were raised regarding the permeability of the hard landscaping on the property, specifically the driveway, and the Committee asked for reassurance that this would not impact surface water flooding in the area. Planning Officers confirmed that an informative could be added to address this if needed.

Although some Members supported the proposed replacement seven bedroom dwelling, further concerns were raised regarding the proposed detached triple garage with first floor accommodation and external staircase, which was only 45cm from the boundary of the neighbouring property and it was thought could result in a loss of privacy. Clarification was requested on the meaning of Condition 6, in respect of the first floor garage accommodation, to only be used for purposes ancillary and incidental to the use of the main dwelling. Members were concerned the garage accommodation could be used for domestic staff lodgings. The Planning Officer advised that if this was a concern of the Committee an additional condition/informative could be included.

The views of the Committee were mixed and it was proposed and duly seconded that the application be refused on the grounds that the proposed dwelling and associated garage would, by virtue of the bulk, scale, height and design, represent a visually intrusive and over dominant form of development which would adversely affect the outlook and visual amenity enjoyed by adjoining residential properties contrary to Policy CS21 of the Core Strategy.

Members discussed the possibility of deferring the application to allow the applicant to reconsider the height and design of the garage, however it was noted that the motion to refuse the application would need to be considered in the first instance.

In accordance with Standing Order 10.8, 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 Azad, A J Boote, I Eastwood, D Harlow and C Rana.

TOTAL: 5

Against: Cllrs T Aziz, G G Chrystie (Chairman), L M N Morales and M A Whitehand.

TOTAL: 4

The application was therefore refused.

RESOLVED

That planning permission be refused as detailed in these minutes.

6e. 2017/0570 St Andrews School, Wilson Way, Horsell, Woking

[NOTE: An error on the Officer report was flagged up and it was noted that the application was registered in May 2017, not June 2016]

The Committee considered an application for the erection of a temporary single storey building containing four classrooms with associated WC facilities for the period July 2017 to June 2019.

RESOLVED

That planning permission be granted subject to the recommended conditions.

6f. 2013/0574 26 and 28 Monument Road, Woking

[NOTE: An error on the Planning Obligation table on page 59 was noted which should read 'Provision of £4,415.00 SAMM Contribution' rather than £5,039.00]

The Committee considered an application for the demolition of the existing properties and the erection of a three storey mixed use scheme comprising ground floor commercial (Class A1 or A2) and parking with two floors of residential above (Three two-bedroom and five one- bedroom flats)

The Committee were advised that a resolution to grant planning permission had been made on 22 April 2014, however since this date the applicant had not progressed the legal agreement and the application remained outstanding. The applicant had subsequently requested that the application not be 'disposed of' and given the significant amount of time that had lapsed since the decision in 2014 it was considered necessary for the application to be reconsidered by the Committee to take account of any changes to local and national policies which had been made in the interim and also any change of circumstance.

The site was in Flood zone 1 and had flooded as a result of surface water in May and September 2016. Conditions 21 and 22 had been added to alleviate this flood risk and comply with Policy CS9 of the Core Strategy and the policies of the NPPF.

The Committee were advised that the position on affordable housing provision had changed since the last application and as detailed in the report, this was no longer being sought.

The Committee supported the application and agreed that the site was in need of development.

RESOLVED

That planning permission be granted subject to the prior completion of a legal agreement to secure the SAMM (SPA) contribution and the recommended conditions.

6g. 2017/0723 5 Morton Close, Horsell, Woking

The Committee considered an application for a Certificate of Lawfulness (proposed) for the erection of a single storey side extension including a new soil and vent pipe.

The application would have normally been determined by delegated powers but was before the Committee as the applicant was an employee of the Council.

RESOLVED

That the Certificate of Lawfulness for proposed use be permitted.

6h. 2017/0582 Albion House, Chertsey Road, Woking

[NOTE 1: The Planning Officer advised the Committee that one additional letter of objection had been received, this was from the same objector who had submitted the previous two letters]

[NOTE 2: The Planning Officer advised the Committee of an update to Condition 7, this would now read 'Prior to occupation' rather than 'Prior to commencement'.]

The Committee considered an application for the change of use and amalgamation of lower ground floor and ground floor of Unit 1 in use as a nightclub (sui generis) and part of unit 10-13 (A1/A2/A3) use to Drinking Establishments (A4) with associated external seating area; change of use of retail storage space (A1) to form three flats (One one-bedroom, One two-bedroom and one three-bedroom) (C3); change of use of ancillary nightclub space (sui generis) at first floor level associated with Unit 1 to office (B1); change of use of flat (One three-bedroom) ancillary to nightclub space (sui generis) at first floor level associated with Unit 1 to form one three-bedroom flat (C3); and associated external alterations.

The Chairman referred to an email that had been sent to all members of the Committee from the current tenants of Albion House, which raised concern that this application had been made when 18 months still remained on their lease. It was confirmed that it was perfectly in order for the application to be made at this time but not acted on until the lease had come to an end.

The Committee queried whether it was within their remit to consider whether this application and the loss of the nightclub would have an effect on the night time economy of the town centre. The Planning Officer advised the Committee that nothing in the Core Strategy sought to protect nightclub use, although CS2 did cover town centre uses including retail, leisure entertainment and bars/clubs. The application only proposed for one night time economy use to be replaced by another, which was considered to have limited impact, there was no specific policy for the protection of a nightclub.

RESOLVED

Grant planning permission subject to conditions and SAMM contribution secured by way of Unilateral Undertaking.

6i. 2017/0341 103 Princess Road, Maybury, Woking

The Committee considered an application for the erection of a part two storey part single storey rear extension.

RESOLVED

That Planning permission be granted subject to the recommended conditions.

6j. 2016/0008 Brook House, Carthouse Lane, Horsell

[NOTE: The Committee were advised of an update to Condition 1 as detailed below to reflect the first floor level windows within the front gable:

From: P14/11/S/410 (Proposed Plans & Elevations), dated 07.01.2016 and received by the Local Planning Authority on 08.01.2016.

To: P14/11/S/410 Rev A (Proposed Plans & Elevations), dated 05.09.2017 and received by the Local Planning Authority on 05.09.2017.]

The Committee considered an application for alterations to the previously approved scheme (Ref: PLAN/2014/0334) incorporating conversion of the garage into habitable accommodation, construction of a balcony to the rear and minor design alterations.

RESOLVED

That planning permission be granted subject to recommended conditions and amended condition as detailed in these minutes.

6k. 2017/0695 9 Regency Drive, West Byfleet

The Committee considered an application for the erection of a two-storey house attached to the side elevation of 9 Regency Drive following demolition of existing boundary fencing and vegetation. The existing hipped roof of no.9 was proposed to extend to cover the new dwelling. The new dwelling was proposed to have a width of 5.15 m, a length of 8.80m, an eaves height of 5.2m and a ridge height of 7.3m. A door, a ground floor window, a curved ground floor bay window and two first floor windows were proposed in its front elevation. A set of doors, a ground floor window and two first floor windows were proposed in its rear elevation. Fencing was proposed to be erected off the rear elevation along the party wall line of no.9 and the proposed dwelling to give them both an area of private amenity space. A gate was proposed in the rear fencing of no.9 to enable it to have access to the alleyway to the rear for refuse collection. A new retaining wall with planting in front of it was proposed on the south west of the application site. The existing property was proposed to keep one of the garages and the other was proposed to be given to the new house.

RESOLVED

That planning permission be granted subject to the recommended Conditions.

6l. 2017/0579 4 Leegate Close, Woking

The Committee considered an application for the erection of a two-storey house attached to the side elevation of 4 Leegate Close following demolition of boundary fencing to the side of no.4. The existing pitched roof of no.4 was proposed to extend to cover the new dwelling. The new dwelling was proposed to have a width of 3.98m, a length of 8.04m, an eaves height of 4.9m and a ridge height of 7.8m. A ground floor window, a door with a mono-pitched canopy above it, a first window and a first floor window with pitched roof canopy above it were proposed in its front elevation. A first floor window was proposed in

its side elevation. A set of doors, a ground floor window and a first floor window were proposed in its rear elevation.

1.8m high close boarded fencing was proposed to project off the rear elevation along the party wall line of no.4 and the proposed dwelling to give them both an area of private amenity space. There were three trees on the boundary with no.3 which were proposed to be removed. The proposed dwelling's area of private amenity space is proposed to wrap around its rear and side elevations and a fence with a gate is proposed at the north east corner of the house to fence it off from the front garden.

A refuse enclosure was proposed in the front garden of no.4 and a refuse enclosure was proposed in the front garden of the proposed house.

Some members of the Committee were concerned regarding the increase in density on Leegate Close that would result from this development and the small amenity area for the dwelling. It was noted that Goldsworth Park was already quite cramped and as open space was at a premium, some members thought it would be a shame to lose this small open space. The Committee discussed the lack of housing across the Borough and some members were supportive of providing a much needed small family home.

Councillor I Eastwood and C Rana, both Ward Councillor, were supportive of the application.

RESOLVED

That planning permission be granted subject to the recommended Conditions.

6m. 2016/1375 Milestones, Pyrford Road, Woking

[NOTE 1: The Planning Officer advised the Committee of an error in the report. Reference to the distance from the side extension to the boundary should be 1.25m, rather than 1.5m.]

The Committee considered an application for the erection of single-storey side and rear extensions following demolition of an existing detached garage. The side extension was proposed to have a small mono-pitched roof element on its front elevation and the rest of the extension was proposed to have a flat roof. A window was proposed in its front elevation, two windows were proposed in its side elevation and a window was proposed in its rear elevation. The rear extension was proposed to have a flat roof and to project off the existing single-storey rear extension. A door and a window were proposed in its rear elevation.

Councillor M A Whitehand proposed and the Chairman duly seconded to refuse the application, on the basis that Councillor A C L Bowes had advised them, on the grounds that it was contrary to Policy CS21 of the Core Strategy and BE1 of the Pyrford Neighbourhood plan. The Head of Legal and Democratic Services advised Members that this would be inappropriate and that it was unlikely that these reasons would stand up to scrutiny on appeal. As a result of this advice and following further discussion, Councillor M A Whitehand and the Chairman withdrew the motion to refuse.

Following a query regarding concerns over asbestos, Planning Officers clarified that it was proposed that the garage be demolished and rebuilt as living accommodation rather than be converted. Any concerns over asbestos would be covered under Building Regulations.

Some members expressed concern regarding the bulk and scale of the extension being out of character with the area and queried whether it would cause visual/amenity harm. The majority of Members thought that the extension was modest, in keeping with the area and that the concerns raised would be addressed by Building Regulations.

RESOLVED

Grant planning permission subject to the recommended conditions.

6n. 2017/0496 Lorna Doone, Chobham Road, Woking

[NOTE 1: Councillor M A Whitehand left the Council Chamber for the consideration of the item.]

The Committee considered an application for a change of use and conversion of the first floor and roof space (including erection of rear dormer) from dental surgery (Use Class D1) to one two-bedroom residential flat (Use Class C3). Erection of a single storey rear extension for existing dental surgery use together with associated alterations to elevations, insertion of three front roof lights, removal of chimneys and provision of refuse and cycle store (amended plans received 21.07.2017).

Councillor J Kingsbury had asked for the application to be referred to the Planning Committee for determination due to concerns regarding parking provision and the associated vehicular movement. Councillor J Kingsbury was concerned that the patient parking for Lorna Doone Dentist Surgery would be displaced to Churchill House during construction works and requested that the boundary fence at the front and rear of the property be re-instated to mitigate this. Planning Officers advised the Committee that Condition 7 covered these concerns to an extent, but it was proposed an additional informative be added to advise the applicant that, in discharging Condition 7 (boundary treatment), it would be expected that the boundary fence separating the site from the adjacent site occupied by Churchill House would be reinstated to the front and rear. The Committee agreed this change.

RESOLVED

That planning permission be granted subject to recommended conditions, additional informative as noted above and SAMM (TBH SPA) contribution secured by Legal Agreement.

6o. 2017/0316 Catlin, Chobham Road, Knaphill, Woking

The Committee considered an application for the erection of a two storey rear extension, first floor side extension and single storey front extension and insertion of a first floor side-facing window.

Following a request from Members, the Planning Officer clarified that the proposed side window would be required to be obscurely glazed with restricted opening. This was covered in Condition 4. The Planning Officer stated that the side facing windows of the neighbouring property were regarded as secondary windows and the proposal was therefore not considered to impact unduly on these windows. The Planning Officer confirmed that the Planning Authority was satisfied that the 45° test had been met.

RESOLVED

That planning permission be granted subject to the recommended conditions.

The meeting commenced at 7.00 pm
and ended at 11.25 pm

Chairman: _____

Date: _____