

MINUTES
OF A MEETING OF THE
PLANNING COMMITTEE

held on 26 September 2017
Present:

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

Cllr A Azad	Cllr S Hussain
Cllr T Aziz	Cllr L M N Morales
Cllr A J Boote	Cllr C Rana
Cllr D Harlow	

Also Present: Councillors J E Bond, M A Bridgeman, I Johnson and J Kingsbury.

Absent: Councillor I Eastwood.

1. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 5 September 2017 be approved and signed as a true and correct record.

2. DECLARATIONS OF INTEREST

In accordance with the Members' Code of Conduct, Councillor D Harlow declared a pecuniary interest in minute item 4b. 2016/0834 7 York Road, Woking arising from Consort Court, which was adjacent to the application site, being owned by the same Company that she was employed by. The interest was such that speaking and voting were not permissible and Councillor D Harlow left the Chamber during consideration of the item.

3. URGENT BUSINESS

There were no items of Urgent Business.

4. PLANNING AND ENFORCEMENT APPEALS

RESOLVED

That the report be noted.

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.

5a. 2017/0128 Land North of Old Woking Road & East of Station Approach, West Byfleet

[NOTE 1: In accordance with the procedure for public speaking at Planning Committee, Mrs Jo Reed attended the meeting and spoke in objection to the application and Mr Stephen Tillman spoke in support.]

[NOTE 2: The Planning Officer advised the Committee that reference to the previous planning application 2014/0584 had been omitted from the report in error.]

[NOTE 3: The Planning Officer advised the Committee that four additional letters of objection had been received, including one from the Vice Chair of the Byfleet, West Byfleet and Pyrford Residents Association, which reiterated the concerns summarised within the representations section of the report.]

[NOTE 4: The Committee were advised of an additional recommendation following further consultation with Thames Water, as detailed below.

(iii) Following further consultation with Thames Water Development Planning (following submission of the Statement regarding drainage strategy (Ref: X4502-1335), dated 20 September 2017) the Development Manager (or designated deputy) be authorised to amend the wording of condition 20 (on and off site drainage works) and issue the decision.]

[NOTE 5: The Planning Officer advised the Committee that if they were minded to they could add the following condition to facilitate business continuity in accordance with Policy CE4 of the emerging West Byfleet Neighbourhood Development Plan (2017 – 2027).

‘Prior to the commencement of development (including demolition) the developer shall submit a report to the Local Planning Authority detailing the outcomes of their further investigations in terms of the options for ensuring business continuity as outlined within paragraph 19 of the Statement of Intent prepared by Turley and dated June 2017.’

Reason: To facilitate business continuity so far as practicable during the demolition and construction phases of the development in accordance with Policy CE4 of the emerging West Byfleet Neighbourhood Development Plan (2017 – 2027).]

The Committee considered an outline planning application (all matters reserved except for access) for demolition of all buildings on the site and retail and leisure led mixed use redevelopment comprising up to 5,000 sq. m GIA of retail and leisure uses (Use Classes A1/A2/A3/A4/A5), up to 2,000 sq. m GIA of commercial use (Use Class B1a), up to 20,500sq m GIA residential (or maximum of 255 units) (Use Class C2/C3 or C3), up to 300 sq. m GIA of community use (Use Class D1), together with the provision of basement space, car and cycle parking, highway works, public realm improvements and associated works (amended plans relating to north-west corner of Building B1).

The Committee took a short five minute recess at 7.35pm to allow members to consider the tabled papers and to view the illustrative 3D model of the proposed development which had been provided by the applicant.

Concerns had been expressed regarding the Statement of Intent and the provision of certain services on the site including the post office, dispensing chemist and library during and after the construction phases of the project. The Committee was advised that if they

thought it appropriate they could choose to add an additional condition, as noted above, in order to facilitate business continuity during the demolition and construction phases of the development in accordance with Policy CE4 of the emerging West Byfleet Neighbourhood Development Plan. The Committee were advised that it would be inappropriate for a planning condition to go further than this.

In addition to this the Planning Officer also addressed concerns regarding Policy CE5 of the emerging West Byfleet Neighbourhood Development Plan, titled 'Public Amenity Provision' which stated that proposals for the redevelopment of the Sheer House Complex must, subject to viability, provide opportunity for the continued provision for the public library, post office, dispensing chemists and public toilets. The Committee were advised that both post office and dispensing chemists fell within Class A1 use and that the proposal made provision for between 3,000 and 5,000 sq. m of floor space within Classes A1 – A5 use. The proposal would provide between 200 sq. m and 300 sq. m of Community use space and as addressed within the report, this Community use floor space would provide the opportunity for the re-provision of a public library and public toilets on the site. The proposal was therefore considered to accord with Policy CE5 of the emerging West Byfleet Neighbourhood Development Plan.

Following a query it was noted that CIL liability would be assessed at the reserved matters stage once the areas of floor space for CIL liable land uses were known. Therefore, provided that the West Byfleet Neighbourhood Development Plan passed referendum and was adopted by the Council prior to the approval of the last reserved matter associated with the permission, the community would benefit from 25% of the community infrastructure levy revenues arising from the development.

Councillor J Bond, Ward Councillor, spoke in objection to the application. Although supportive of the development of the site, Councillor J Bond commented that the application did not offer improvements for residents and the insufficient parking provision would have a negative effect on an area that already struggled to accommodate parking. The application provided for 0.6 spaces per residential dwelling, which Councillor J Bond considered totally insufficient. Despite the reassurances provided by the Planning Officer, Councillor J Bond also remained concerned regarding the provision of the post office, dispensing chemist and library on site. The Ward Councillor asked the Committee to consider deferral of the application until the West Byfleet Neighbourhood Development Plan was in place (if it passed Referendum on 5 October 2017) so that Officers could give more regard and weight to its Policies.

Councillor A Boote, Ward Councillor, also spoke in objection to the application, concerned that the proposed development was inappropriate for a village setting due to the scale and density, a view she stated was supported by the Core Strategy and emerging West Byfleet Neighbourhood Plan. Councillor A Boote disagreed that West Byfleet had access to good public transportation and remained concerned regarding the parking provision, despite the comments provided by the Highways Authority. Councillor A Boote was also concerned regarding the construction period, particularly the underground car park, and did not think the existing shops would survive two years of disruption and relocation. Councillor A Boote considered the application to offer nothing to existing residents and thought that it was undemocratic that the application was being considered before the West Byfleet Neighbourhood Development Plan had gone to Referendum. Councillor A Boote proposed and it was duly seconded that the application be refused on the grounds that the mass and bulk of the development were out of keeping with the local village setting and the lack of commercial parking in the area. The Committee agreed to continue discussion before voting on this Motion.

The Planning Officer advised that significant weight had been given to the policies of the emerging West Byfleet Neighbourhood Plan. It had been noted that some elements of the application were contrary to the Core Strategy and West Byfleet Neighbourhood Plan, however due to the significant number of public benefits that the development would provide considerable weight should be afforded to these. The application was before the Committee recommended for approval as it was considered that the benefits of this application outweighed the conflicts with Planning Policy.

Mr Tim Dukes, Surrey County Council Highways Authority, was present at the meeting and the Chairman invited him to comment on the concerns raised by the Ward Councillors regarding the parking provision. The Committee were advised that the Highway Authority had taken into account the location of the site, opportunities for future occupiers, the controlled parking zones, the significant public transport links in the area and the multiple services that could be reached via these public transport links. With regard to all these points, the Highway Authority had raised no objections at this time. The Committee was reminded that this was an outline application and that considerable additional information would be sought under reserved matters to fully assess the impact of parking.

A member of the Committee commented that the existing scheme was mainly low rise and suggested that the proposed massing on the perimeter of the site was excessive and that the proposed design could not be considered in keeping with a village centre. The conservation areas and Grade II listed building within close proximity to the site was discussed and concern was raised that the height of the proposed buildings would obscure and affect the site lines to the church. Some thought that the design did not reflect local need and did not enhance the designated centre of West Byfleet.

Following a query, the Planning Officer clarified that the width of the proposed foot paths around the perimeter of the proposed site were mainly 5 metres wide.

Some members of the Committee commented that the proposed application offered a sustainable development in the district centre of West Byfleet and considered it a positive use of the site. There had not been a single business objector to the application and it was thought that the site was in desperate need of development. A full consultation process had taken place and as an outline application, these members considered that there were no grounds for refusal. Other Members commented that they did not object to the development of the site in principle, but thought the application in its current form was inappropriate due to its bulk and massing.

Following a query the Planning Officer confirmed that the outline application detailed minimum and maximum parameters which would be considered again by the Planning Committee at the reserved matters stage; the final application could not exceed these parameters.

On concluding discussion the views of the Committee were mixed and the existing Motion to refuse the application on the grounds that the mass and bulk of the development were out of keeping with the local village setting and the lack of commercial parking in the area, must be voted upon.

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 T Aziz, A J Boote and L M N Morales.

TOTAL: 3

Against: Cllrs A Azad, D Harlow, S Hussain, C Rana and M A Whitehand.

TOTAL: 5

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

TOTAL: 1

The application was therefore not refused.

In accordance with Standing Order 10.8, as the Chairman deemed that a division should be taken on the approval of the application, including the addition of the extra Condition as noted in NOTE 5 above, the votes for and against were recorded as follows.

In favour: Cllrs A Azad, D Harlow, S Hussain, C Rana and M A Whitehand.

TOTAL: 5

Against: Cllrs T Aziz, A J Boote and L M N Morales.

TOTAL: 3

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

TOTAL: 1

RESOLVED

- That
- (i) Outline planning permission be granted subject to recommended conditions, additional condition as detailed in these minutes and Section 106 Legal Agreement;
 - (ii) In the event that the West Byfleet Neighbourhood Development Plan (2017 - 2027) passes referendum, and is adopted by the Council prior to the completion of the Section 106 Legal Agreement, the Development Manager (or designated deputy) be delegated authority to determine whether the adoption materially alters the consideration of the application and consequently the recommendation and either issue the decision or refer the application back to the Planning Committee accordingly; and
 - (iii) Following further consultation with Thames Water Development Planning (following submission of the Statement regarding drainage strategy (Ref: X4502-1335), dated 20 September 2017) the Development Manager (or designated deputy) be authorised to amend the wording of condition 20 (on and off site drainage works) and issue the decision.

5b. 2016/0834 7 York Road, Woking

[NOTE 1: Councillor D Harlow left the Council Chamber for the consideration of the item.]

The Committee considered a proposal for the erection of a six storey building (ground plus five) comprising forty six self-contained flats (Twenty six one-bedroom & twenty two-bedroom) plus a basement level with thirty parking spaces and associated landscaping following the demolition of the existing buildings on the site. The building would occupy a prominent corner plot facing the roundabout and would therefore have two road frontages. The building would step down to four storeys adjacent to Consort House on York Road and Chataway House on Bradfield Close and would feature pedestrian entrances and fenestration on both road frontages. The basement level would connect with the existing basement level of the 'New Central' development to the north and bin and cycle storage would be provided in the basement level.

Councillor I Johnson, Ward Councillor, spoke on the application. Councillor I Johnson commented that the applicant had made clear efforts to address the previous reasons for refusal including the reduction of height, but queried whether the development fitted into the street scene. Councillor I Johnson remained concerned that the residents of Consort Court would feel hemmed in and be overlooked and queried whether the balconies were appropriate for this location.

The Planning Officer clarified that Condition 6 required details of privacy screening and balustrades to the balconies and roof terraces to the rear of the building to be submitted to and approved in writing by the Local Planning Authority. It was expected that this would be full height solid screening for the balconies. It was confirmed that any fenestration overlooking Consort Court would need to be obscure glazed with restricted opening.

Following a query the Planning Officer advised that in light of the appeal decision and Policy CS11 the housing mix detailed in the report was considered acceptable.

Although not in place when the original outline permission was given, the Planning Officer advised that the Woking Design SPD has been taken into account and that the Committee should be mindful that during the course of the Appeal this had not been flagged up by the Planning Inspector as a problem.

RESOLVED

That planning permission be granted subject to recommended conditions and Section 106 Agreement to secure a SAMM contribution and Overage Agreement.

5c. 2017/0139 The Old Brew House, 130-132 High Street, Old Woking

The Committee considered a proposal for the change of use and subdivision of a building containing a vacant hair and beauty salon (A1 use) to six one-bedroom flats (C3 use). This would be facilitated by the erection of a part two storey, part three storey rear extension, insertion of side and rear-facing rooflights, removal of a rear dormer window, reconfiguration of parking area and associated landscaping, bin and cycle storage. The host building features an existing two storey side extension which contains two self-contained flats which would be retained as part of the proposal.

Councillor L M N Morales, Ward Councillor, commented that the proposal was a good use of the building. The application was 15 metres from a functioning flood plain, and Councillor

L M N Morales queried whether an informative could be added to ensure that the applicant was mindful of this. Officers advised that it would be difficult to word such an informative and it was suggested this concern be flagged up with the applicant so that they could consider future mitigating measures should they wish to.

RESOLVED

That planning permission be granted subject to recommended conditions and Section 106 Agreement to secure a SAMM contribution.

5d. 2016/0990 Globe House, Lavender Park Road, West Byfleet

[NOTE 1: The Planning Officer advised the Committee of an error in the report regarding the allocated parking for the scheme, which it was noted should read 22 spaces in total for 24 units.]

The Committee considered an application for the extension of the existing Globe House which received Prior Approval for the conversion of the office building into eighteen residential units (PLAN/2015/0015) for a four storey extension to a number of the existing units and to accommodate six additional residential units (Three studio and three one-bedroom units).

RESOLVED

That planning permission be granted subject to recommended conditions and Section 106 Legal Agreement.

5e. 2016/1235 3Js Nursery, Smarts Heath Road, Woking

(NOTE 1: The Committee were advised of updates to conditions 8, 10, 15 and the addition of an informative as detailed below;

Condition 8 – amend 2nd sentence to read “Within the application site no more than two riders shall be trained at any one time unless otherwise first approved in writing by the Local Planning Authority. The menage shall only be used for the exercise/tuition of horses stabled/grazed on the application site.”

Condition 10 – delete “(except for that to be used in connection with the bin stores)” from first and second line of condition.

Condition 15 – add after “Class P” “and Part 7, Class H” and change “this Class” to “these Classes” on fourth line.

Additional Informative - The applicant is advised that this planning permission does not permit any retail sales of any items from the site.]

[NOTE 2: The Committee were advised that the applicant had requested changes to the wording of conditions 20, 21 and 22 relating to water drainage, maintenance of drainage and verification of drainage. The applicant had requested that the details of the drainage scheme be submitted and approved independently for each part of the scheme, to enable one part to be brought forward before another. The Planning Officer confirmed that they had no objection to the amendment and would reword the conditions accordingly.]

The Committee considered an application which sought planning permission for:

- the change of use of land from agriculture and commercial (Class B8/ancillary Class B1) to mixed-use comprising the keeping of horses and commercial (Class B8/ancillary Class B1) use;
- the erection of a building comprising six stables, tack room, a store and office;
- removal of existing menage and construction of new menage;
- associated facilities additional hard surfacing, car parking and access drive, access drive to existing stables; and
- removal of condition to of planning permission PLAN/1998/0316 to enable the existing stable building (to the rear of 229 Saunders Lane) to be used for commercial stabling uses including livery or for Class B8/Ancillary B1. Use of Saunders Lane access into the site for emergency vehicles only

Councillor A Azad, Ward Councillor, commented that the site had very little visual impact on the green belt area. It was thought that the proposed scheme would integrate effectively into the site and Councillor A Azad was happy to support the application.

Following a query the Planning Officer advised that the amendments to condition 8 had been made to allow some elements of riding tuition to take place, but prohibit the use of the site as a riding school.

RESOLVED

That planning permission be granted subject to recommended conditions.

5f. 2017/0831 Birch and Pines Public House, 22 Dartmouth Avenue, Sheerwater

The Committee considered an application which sought full planning permission for the demolition of the existing public house building and the change of use of land to use as a car park.

The existing public house building would be demolished and the site would be levelled to enable its use as a car park. The brick boundary wall on the western side of the site which is currently part of the garage would be retained. Any re-surfacing works which may be required to enable the use of the site for parking would be undertaken using a loose bonded 'type 2' material.

In support of the application a Planning Statement, Demolition Method Statement and a Bat Survey report have been submitted.

Councillor T Aziz, Ward Councillor spoke on the application and commented that although it was a shame to lose the only Public House in Sheerwater, in its existing state the site was causing some anti social issues and he would be happy to support the application. Following a comment from the Ward Councillor, The Head of Legal and Democratic Services clarified that the site had not been purchased by Woking Borough Council through a Compulsory Purchase Order and had actually been sold following an approach by the owner on a voluntary basis.

Some Councillors voiced the same concern that it was a shame to lose the only Public House in Sheerwater, although accepted that the site had proved commercially unviable for the Public House to remain open.

RESOLVED

That planning permission be granted subject to recommended conditions.

5g. 2017/0447 Shey Copse Riding Stables, Shey Copse, Woking

[NOTE: The Committee were advised of two additional conditions as detailed below regarding the speed bumps and the tree planting.

'Within 6 months of the date of this planning consent a tree planting scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies species, planting sizes, spaces and numbers of trees to be planted. All planting shall be carried out in accordance with the approved scheme in the first planting season (November-March) after the tree planting details have been agreed. Any retained or newly planted trees, shrubs or hedges which die, become seriously damaged or diseased or are removed or destroyed within a period of 5 years from the date of planting shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with Policies CS21 and CS24 of the Woking Core Strategy 2012.'

'Within 6 months of the date of this planning consent details of the location and dimensions of any existing and proposed speed bumps shall be submitted to and approved in writing by the Local Planning Authority. The speed bumps shall be installed in accordance with the agreed details within 9 months of the date of this planning consent. Once installed the speed bumps shall be permanently retained in that condition unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with Policies CS18 and CS21 of the Woking Core Strategy 2012.']

The Committee considered an application which sought full planning permission for the retention of the greenkeepers' building. The main concerns regarding the development were the failure to discharge the following prior to commencement conditions relating to planning application PLAN/2014/0082: 04 (lighting), 06 (materials), 07 (surfacing materials and surface water drainage), 09 (Tree protection), 10 (boundary treatments) and 11 (hard and soft landscaping).

Following a query regarding the need for speed bumps, the Development Manager clarified that this condition had arisen due to the planning history of the site and had been added to discharge the conditions relating to the planning application PLAN/2014/0082.

The Planning Officer clarified that the premises did not include any living accommodation.

RESOLVED

That planning permission be granted subject to recommended conditions

5h. 2017/0663 48 Cavell Way, Knaphill

The Committee considered a planning application which sought retrospective permission for a detached outbuilding within the rear garden of the property and has been submitted following an enforcement investigation. It has a width of 3 metres, a depth of 4 metres and an overall height of 2.5 metres and would meet the requirements under Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England)

Order 2015 (as amended); however permitted development rights under this Class were removed on the granting of permission for the original development.

The Committee heard that the outbuilding had reduced the usable amenity space in the garden from 99sq. m down to 87sq. m and with the house footprint totalling 105sq.m this was considered unacceptable under the Outlook, Amenity, Privacy and Daylight Supplementary Planning Document (SPD), and this was the proposed reason for refusal. The Development Manager confirmed that it was common practise for permitted development rights to be removed from new build developments.

Following a query the Planning Officer confirmed the front amenity space could not be taken into account as this was used for car parking.

RESOLVED

That planning permission be refused and authorise formal enforcement proceedings.

The meeting commenced at 7.00 pm
and ended at 8.10 pm

Chairman: _____

Date: _____