

MINUTES
OF A MEETING OF THE
PLANNING COMMITTEE

held on 27 June 2023

Present:

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

Cllr G Cosnahan	Cllr C Martin
Cllr S Dorsett	Cllr S Mukherjee
Cllr S Greentree	Cllr S Oades
Cllr D Jordan	Cllr T Spenser

1. APOLOGIES FOR ABSENCE

No apologies for absence were received.

2. DECLARATIONS OF INTEREST

No declarations of interest were received.

3. URGENT BUSINESS

There were no items of Urgent Business.

4. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 6 June 2023 be approved and signed as a true and correct record.

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. 2023/0395 Grey Oriental Foods, 25 High Street

This application was withdrawn.

6b. 2023/0483 Land adjacent to 7 Emperor Avenue

[NOTE: The Planning Officer updated the Committee that since the report had been published, the Highways Authority had confirmed they had no highways requirements.]

The Committee considered installation of 1no. new OSCP cabinet and 2No. Light feeder pillars (cabinets) (existing OSCP cabinet to be removed).

RESOLVED

That authority be delegated to the Development Manager (including any other Authorised Officer) to Grant planning permission subject to:

- (i) no letters of objection being received from the current consultation period which expires on 29.06.2023; and
- (ii) the planning conditions set out in this report.

6c. TPO/0010/2023 Land to the front of Maybury Wood Cottage

The Committee considered the Tree Preservation Order that sought to protect three Lime trees on land to the front of Maybury Wood Cottage, The Ridge, Woking, GU22 7EG.

RESOLVED

That the Tree Preservation Order Ref. TPO/0010/2023 be confirmed without modification.

6d. 2023/0463 14 Martinsyde

The Committee considered a retrospective application for change of use from amenity land to private residential and associated removal of existing close board timber fence and construction of new close board timber fence.

Councillor S Oades commented that the Committee had received an email that day, that stated that the land inside of the fence belonged to the property owner. Following some clarification the Planning Officer commented that he had seen this letter, but clarified that land ownership was irrelevant and that the lawful use of this land was as amenity space, not as part of the private garden.

RESOLVED

That planning permission be REFUSED and authorise enforcement action.

6e. 2023/0404 1 Randolph Close

[NOTE: The Planning Officer updated the Committee that since the report had been published, one further letter of support had been received although because this letter had been submitted via the applicant, and made no reference to the planning application,

Officers considered it inappropriate for this to be logged as a letter of representation. It was however for the Committee to note.]

The Committee considered a retrospective application for new 1.8m tall boundary fencing and change of use from amenity land to private residential.

Following a query, the Planning Officer explained that this retrospective application had come about following an enforcement complaint that was subsequently investigated.

Following a question regarding the proximity of the bus shelter, littering and dog fouling, the Planning Officer advised the Committee that this point had been addressed under paragraph 25 of the report. Littering and dog fouling was not specific to this piece of land, and if the application was granted on that basis, then that could be used as a reason to enclose other areas of land that currently provided significant visual amenity.

Some Members agreed that the motive of the applicant was to increase their garden area, however did not think the fence looked bad or caused visual harm. Some Members thought that this could be the start of gradual encroachment on the visual amenity space in the area.

Councillor S Mukherjee commented that there were many letters of support and that she did not think the fence caused visual harm. Councillor S Mukherjee proposed and it was duly seconded by Councillor S Dorsett that the application be approved.

The Planning Officer commented that if Members were minded to approve the application, they should address Policy CS17, which the proposal was in contrary to. The Planning Officer cautioned against approval as the application did not provide alternative amenity space of equal value, which was required by Policy CS17.

Following a question, the Planning Officer clarified again that the ownership of the land was irrelevant. This land was allocated as amenity land, not private garden.

Members mentioned other fences that were adjacent to the highway on the same road. The Planning Officer commented that this had been addressed in detail in the report regarding the character of the area. There was only one example found where amenity land had been taken which had been allowed on appeal in 1977. Planning Policy had changed since this time and it was not considered that this was comparable circumstance.

Some Councillors thought that it was important that we did not let amenity land be taken in this way. It was suggested that having this space round the bus stop made it safer and easier to spread out.

In accordance with Standing Orders, 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 S Dorsett, S Greentree, S Mukherjee and S Oades.

TOTAL: 4

Against: Cllrs T Aziz, G Cosnahan, C Martin and L Morales (Chairman).

TOTAL: 4

Present but not voting: Cllrs D Jordan and T Spenser.

TOTAL: 2

Due to the equality of votes in favour and against approval of this application, the Chairman exercised a second and casting vote in accordance with standing orders to not approve the application.

The application was therefore not approved.

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

In favour: Cllrs T Aziz, G Cosnahan, C Martin and L Morales (Chairman).

TOTAL: 4

Against: Cllrs S Dorsett, S Greentree, S Mukherjee and S Oades.

TOTAL: 4

Present but not voting: Cllrs D Jordan and T Spenser.

TOTAL: 2

Due to the equality of votes in favour and against refusal of this application, the Chairman exercised a second and casting vote in accordance with standing orders to refuse the application.

The application was therefore refused.

RESOLVED

That planning permission be REFUSED and authorise enforcement action.

The meeting commenced at 7.00 pm
and ended at 8.05 pm

Chairman: _____

Date: _____