

MINUTES
OF A MEETING OF THE
PLANNING COMMITTEE

held on 25 July 2023

Present:

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

Cllr G Cosnahan	Cllr D Jordan
Cllr S Dorsett	Cllr S Mukherjee
Cllr S Greentree	Cllr S Oades

Also Present: Councillors J Brown, L Lyons and I Johnson.

Absent: Councillors C Martin and T Spenser

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Tom Spenser.

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 27 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. 2023/0271 The Mascot Harven School of English

The Committee considered an application for the installation of a new area of hardstanding to rear of school building (part retrospective).

Councillor L Lyons, Ward Councillor, spoke against the application and commented that he had received a number of representations from residents in the vicinity. Residents had raised concern regarding the noise from the hard standing and also the ecology and water run-off. Councillor L Lyons asked that the Committee consider refusing the application based on the noise it would generate and the ecological impact of the water run-off.

The Planning Officer commented that the site was not in a flood zone or a surface water flood risk area. Water run-off had been addressed in the report and was not a concern.

Following a question, the Planning Officer explained that the application was retrospective as there had been a complaint from a neighbour regarding some works that were being carried out on site. The site was visited, and it was confirmed that a planning application would be needed for the hardstanding area.

The Chairman referred the Committee to Condition 3 regarding usage times of the hardstanding area. The Chairman proposed and it was duly seconded by Councillor S Dorsett that the usage times could be changed three times a year so that school fetes, sports day etc could be held on a weekend. The Committee supported the proposal.

RESOLVED

That planning permission be GRANTED subject to conditions and amendment to Condition 3 as noted.

6b. 2021/1104 Manor House, Mill Lane, Byfleet

[NOTE: The Planning Officer advised of an update to the report, which was an error on page 39, paragraph 12 where the word 'not' was missing. The sentence should read "The 9-bay garage would **not** be used for storing cars owned by the applicant and, as such, does fall under an agricultural or forestry use either"]

The Committee considered an application construction of a 9-bay garage building and a 6 bay estate management building and hardstanding yard area with associated fencing and landscaping, following demolition of an existing stables building.

Councillor J Brown, Ward Councillor spoke in support of the application and commented that the main consideration was whether it was appropriate development, whether it was materially larger (as some structures had been previously knocked down) and whether it could be considered storage for agricultural purposes. He commented that the current site looked awful and that this would be an improvement.

The Planning Officer commented that the applicant had advised that they intended to store some of their own cars in these buildings, which was detailed in paragraph 43, however they had not provided any detail or information about how many cars. The Planning Officer confirmed that the storage of cars would not fall under the definition of agricultural or forestry use.

Councillor D Jordan, Ward Councillor, had visited the site and thought that exceptional circumstances should be applied to the application due to the works that had been carried out on the Manor House. The Councillor was reminded that the Manor House was not relevant to this application. Councillor D Jordan commented that the site was an eyesore and any work carried out would be an improvement. The Councillor also commented that the hardstanding of the demolished buildings remained and that this had been an error of judgement for the applicant to demolish these prior, and that they should be including in the calculations when consideration was given to whether the proposed structure was materially larger. Councillor D Jordan also stated that the perimeter of the site would be improved, and it would have a positive impact on the trees.

The Planning Officer commented that the state of the site was not considered a special circumstance as this could lead to any poorly maintained site in the greenbelt being allowed for development. The Planning Officer also commented that the percentage uplift on the site, should only take account of buildings that were currently on the site.

Dan Freeland, Deputy Development Manager, commented that the Committee needed to be convinced by the very special circumstance and their effect on the openness of the greenbelt. The Committee had discussed the high quality of the works carried out on the Manor House in the relation to the application before them. These high-quality works were commendable, but Mr Freeland reminded the Committee that this was a legal requirement when restoring a heritage asset. Discussion continued around enabling development on the outskirts of a main heritage asset; the Planning Officer confirmed that this was not relevant in this case.

Some Councillors commented on a different application where a site had been taken out of the greenbelt for housing development. The Planning Officer confirmed that this application was not for new housing and there was no comparison on this basis. The Chairman clarified that removing this site from the greenbelt was not under consideration.

Councillor S Dorsett proposed, and it was duly seconded by Councillor D Jordan that the application be approved as appropriate development in the greenbelt.

Dan Freeland, Deputy Development Manager, raised his concern about suggesting this was appropriate, as the use of the land was unclear. This was a stable building so was not the same use and the building was materially larger than what was currently on site. Councillor S Dorsett confirmed he was happy with his proposal to approve the application as often stables were not used for housing livestock and the opinion of some Councillors was that the recently demolished buildings should be included in the percentage uplift.

Councillor T Aziz, Vice-Chairman asked that if the application was approved a condition be added restricting it from residential status. The Planning Officer confirmed that this would be a good idea to ensure appropriate use and that any further development would need further planning application.

Some Councillor raised concern about the proposal to approve the application as they considered the proposed building to be too big, would harm the openness of the greenbelt and did not consider it to be appropriate or for there to be a very special circumstance.

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 T Aziz, S Dorsett, D Jordan and S Oades.

TOTAL: 4

Against: Cllrs S Greentree and S Mukherjee.

TOTAL: 2

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

TOTAL: 2

The application was therefore approved.

RESOLVED

That planning permission be GRANTED with authority delegated to the Development Manager to impose the relevant conditions.

6c. 2021/1110 Manor House, Mill Lane, Byfleet

The Committee considered an application for the erection of an outbuilding including an indoor swimming pool and gym and associated landscaping works and pergolas, following demolition of existing outbuilding.

It was noted that even though the application had overcome some of the previous reasons for refusal, the Planning Officer considered it to be inappropriate development in the green belt. It was thought that it would cause harm to the listed wall and it failed to demonstrate that it would have an acceptable impact on the openness and character of the area.

Councillor J Brown, Ward Councillor, commented that the Committee needed to consider the very special circumstances of the application and the improvements made to mitigate the risk of flooding and to protect wildlife. The Councillor commented that the application reduced the height of the previous design by 48% and he suggested that it would enhance the heritage asset. It was clarified by the Chairman that the volume reduction referenced by Councillor J Brown was in comparison to the previous exceptional design.

Councillor A Boote, Ward Councillor, commented that permission had been given in the past for a swimming pool to be built on this site, albeit of a different design, however this application should be considered on its merit. The Councillor commented that the site was not green belt in the purest sense. The Chairman clarified that green belt was a designation of land, not of a green field site.

Some Members of the Committee did not think you would be able to see the building once built, as it would be obscured by the wall. The Planning Officer referred Members to paragraph 37 on page 65 of the report, which detailed the building would project 0.5m – 2.2m above the wall in different places.

Some Members of the Committee thought that this was inappropriate development and the very special circumstances put forward by the applicant were not acceptable. The previous approved design had been exceptional and something special, this design was not. Councillor D Jordan, Ward Councillor said that he thought that this design was exceptional. The Planning Officer confirmed that the previously approved 'glass house' design had the support of the heritage consultant and Historic England; The design in front of the Committee had no such support.

In accordance with Standing Orders, 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: Cllrs G Cosnahan, S Dorsett, S Greentree, L Morales (Chairman) and S Mukherjee.

TOTAL: 5

Against: Cllrs T Aziz, D Jordan and S Oades.

TOTAL: 3

Present but not voting: None

TOTAL: 0

The application was therefore refused.

RESOLVED

That planning permission be REFUSED.

6d. 2023/0296 14a High Street, Knaphill

The Committee considered an application for prior Approval under Part 3, Class M of the Town and County Planning (General Permitted Development) (England) Order 2015 for the Change of use of first floor from E(g)(i) Offices to C3 residential to allow for two two-bedroom flats and associated alterations to fenestration.

RESOLVED

That prior approval be GRANTED subject to conditions.

The meeting commenced at 7.00 pm
and ended at 8.30 pm

Chairman: _____

Date: _____