

MINUTES
OF A MEETING OF THE
PLANNING COMMITTEE

held on 12 December 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

Also Present: Councillors P Graves.

1. APOLOGIES FOR ABSENCE

No apologies for absence were received.

2. DECLARATIONS OF INTEREST

In accordance with the Members' Code of Conduct, Councillor C Martin declared a pecuniary interest in minute item 6d. 2023/0599 13 Petersham Avenue, West Byfleet – arising from the Councillor being the applicant. The interest was such that speaking and voting were not permissible and Councillor C Martin would leave the chamber during consideration of the application.

3. URGENT BUSINESS

There were no items of Urgent Business.

4. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 7 November 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. 2023/0779 Qaro, Pyford Heath, Pyford

[NOTE 1: The Planning Officer updated the Committee that since the report had been published an email had been received from Mr A Grimshaw regarding Planning Policy, but this had not changed anything as set out in the report. An email had also been received from the Applicant, the comments made within the email did not change anything set out within the report.]

[NOTE 2: In accordance with the procedure for public speaking at Planning Committee, Mr Andrew Grimshaw attended the meeting and spoke in objection to the application. The applicant did not attend to speak in support.]

The Committee considered an application for the enlargement of a dwellinghouse by construction of an additional storey and alterations to fenestration.

Councillor P Graves, Ward Councillor, spoke in objection to the application and commented that the application failed to respect the host dwelling and the street scene of Pyrford, with its height mass and bulk; a reason it was previously refused on. The Councillor commented that there seemed to be a fall back to the 2020/0894 application, however there was a condition on this application that the work must be completed by March 2024, which seemed impossible when the work had not even commenced. Councillor P Graves commented that the only representations in favour of this application were from people outside of the Pyrford area. Comments were also made by the Ward Councillor regarding the trees on site and the protection of these.

The Planning Officer confirmed that a condition was included that would require all tree information to be submitted, prior to work commencing on site.

With regard to the comments made on the 2020/0894 application and the deadline date of March 2024, the Development Manager, Thomas James confirmed that this was correct. Mr James confirmed that should the applicant come back with the same application (2020/0894) it was not unreasonable to assume that this would be approved again if there was no material amendment.

Some members of the Committee commented that much of the argument around approval of this application, was based on prior approval given in 2021 and questioned why the fenestration element was subject to the a full planning application. The Planning Officer explained that there were restrictions on window openings and therefore this had to come back for approval just for amendments to the fenestrations.

Councillor S Dorsett proposed, and it was duly seconded by Councillor C Martin that the application be refused on the grounds that it was contrary to policies BE1 and BE3 of the

Pyrford Neighbourhood Plan and also in contrary to Policy CS2, effecting the street scene and property to the East.

Some Members felt that the policies within the Pyrford Neighbourhood Plan had not been given the appropriate consideration or relevant weight. The Planning Officer confirmed that Policies BE1 and BE3 had been considered and the details of this was set out in paragraph 4 of the report, along with Policy CS2 in paragraph 3 and Woking Design SPD in paragraph 5. The Planning Officer went on to explain that where prior approval was in place and still valid, that must be given considerable weight, which would also be the case on appeal. The existing prior approval was a legitimate fall back in this case as it could be built out with immediate effect.

Following a question regarding obscure windows and loss of privacy, the Planning Officer confirmed that condition 5 confirmed that these windows must be obscured and that they must be permanently retained as such. If this was breached, it would be a matter for Planning Enforcement.

It was questioned whether the trees would be protected. The Planning Officer confirmed that all the trees on site were subject to a TPO (Tree Protection Order).

Some Members commented that the application in front of the Committee was only regarding the amendments to the fenestrations and whether they considered these changes to be reasonable. The prior approval in place gave the Committee little grounds on which to refuse this application.

In accordance with the Standing Order set out in the Constitution, the Chairman deemed that a division should be taken on the motion to refuse. The votes for and against refusal of the application were recorded as follows.

In favour: Cllrs S Dorsett, D Jordan, C Martin and S Oades.

TOTAL: 4

Against: Cllrs T Aziz, G Cosnahan, S Greentree, S Mukherjee and T Spenser.

TOTAL: 5

Present but not voting: Cllr L Morales (Chairman)

TOTAL: 1

The application was therefore not refused.

The Chairman moved to the substantive Officer recommendation to approve the application. It was agreed a further named vote was not needed.

RESOLVED

That planning permission be GRANTED.

6b. 2023/0500 26 Eve Road, Woking

The Committee considered an application for subdivision of existing dwelling into 2 dwellings and erection of a part two storey, part single storey rear extension, rear dormer, front canopy, insertion of front rooflights and installation of external rendered insulation.

Councillor T Aziz, Ward Councillor, commented that he had called this application to be considered by the Committee due to there being no other issues other than the flooding risk. Councillor T Aziz commented that in the report the Local Lead Flood Authority did not object to the application and just asked that conditions be attached. The Councillor also commented that due to the nature of the application, he did not think there was justification to require the subsequential test.

Councillor T Aziz proposed, and it was duly seconded by Councillor S Greentree that the application be approved.

If the application was approved, delegated authority would need to be given to Thomas James, Development Manager, to apply the appropriate conditions.

The Committee agreed that the footprint of the building was not changing and they did not therefore think this application would result in an increased flood risk.

In accordance with the Standing Order set out in the Constitution, 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 T Aziz, G Cosnahan, S Dorsett, S Greentree, D Jordan, C Martin, S Mukherjee, S Oades and T Spenser.

TOTAL: 9

Against: None.

TOTAL: 0

Present but not voting: Cllr L Morales (Chairman)

TOTAL: 1

The application was therefore approved.

RESOLVED

That planning permission be GRANTED, subject to S106 and delegated authority be given to the Development Manager to set the appropriate conditions.

6c. 2022/0349 2 Eastgate Cottages, Heath House Road, woking

The Committee considered an application for the erection of a first floor rear extension with balcony, single storey rear extension, insertion of front rooflights and external alterations. Erection of front gates and brick piers.

The Committee agreed with the Planning Officers summary that this application would be harmful to the Green Belt.

RESOLVED

That planning permission be REFUSED.

6d. 2023/0599 13 Petersham Avenue, West Byfleet

The Committee considered an application for the erection of a first floor side extension and single storey rear extension. Conversion of garage into habitable room and insertion of 2No front rooflights.

Councillor C Martin left the Chamber during the consideration of this item.

RESOLVED

That planning permission be GRANTED.

6e. TPO/0017/2023 Land adjacent to Hertford Park

The Committee considered a recommendation that a Tree Preservation Order be confirmed following the receipt of one letter of objection to the making of the Order. The Tree Preservation Order protects trees on Land Adjacent To Hertford Park Sited To The East Of Burdenshott Road, Worplesdon, Guildford, Surrey GU3 3RJ.

RESOLVED

That Tree Preservation Order Ref. TPO/0017/2023 be confirmed without modification.

6f. TPO/0018/2023 Land at Midhope Close, Woking

The Committee considered a recommendation that a Tree Preservation Order be confirmed following the receipt of one letter of objection to the making of the Order. The Tree Preservation Order protects four trees including one Lime and three False Acacia on Land at Midhope Close, Woking.

RESOLVED

That tree Preservation Order Ref. TPO/0018/2023 be confirmed without modification.

6g. ENF/2018/00108 Land to the South of Brookwood Lye Road

The Committee considered proposed enforcement action for an unauthorised material change of use of the land to residential comprising a caravan site for gypsies/travellers and associated ancillary storage.

The Committee requested that if delegated authority was given, they receive updates on what happened with this site. Thomas James, Development Manager agreed that when

there was something material to update, he would be happy to circulate this to the Planning Committee Members.

RESOLVED That

1. An Enforcement Notice be issued in respect of the above land requiring the following within two (2) years of the notice taking effect:
 - a) Permanently cease the unauthorised residential use of the land edged red on the attached location plan (comprising a caravan site and associated ancillary storage).
 - b) Permanently remove all caravans and mobile homes, any structures/vehicles capable of human habitation, other vehicles/trailers, walls/fences that demarcate pitches, building materials, and any other paraphernalia associated with the unauthorised use from the land edged red on the attached location plan.
2. That the Director of Democratic and Legal Services be instructed to issue an Enforcement Notice under Section 172 of the Town & Country Planning Act 1990 as amended, and officers be authorised in the event of non-compliance to prosecute under Section 179 of the Town & Country Planning Act 1990 or appropriate power and/or take direct action under Section 178.
3. Due to the nature of the use of the land edged red on the attached location plan, the situation can and will likely rapidly change. It is therefore further recommended that the Planning Committee delegate authority to the Head of Planning to pursue such enforcement action as was necessary in respect of any additional and future breaches of planning control at the site and to instruct the Director of Legal & Democratic Services to issue further Enforcement Notices. Any prosecutions would be authorised by the Director of Legal & Democratic Services under this standing delegation.

The meeting commenced at 7.00 pm
and ended at 8.50 pm

Chairman: _____

Date: _____