

MINUTES
OF A MEETING OF THE
PLANNING COMMITTEE

held on 17 October 2017
Present:

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 I Eastwood	

Also Present: Councillors D J Bittleston, J Kingsbury and A E Murray.

Absent: Councillor D Harlow.

1. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 26 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 S Hussain declared a pecuniary interest in minute item 4d. 2017/0821 5 Staveley Way, Knaphill, Woking, GU21 2NS arising from being named on the mortgage and the property belonging to his daughter. The interest was such that speaking and voting were not permissible and Councillor S Hussain left the Chamber during consideration of the item.

In accordance with the Members' Code of Conduct, Councillor I Eastwood declared a non-pecuniary interest in minute item 4d. 2017/0821 5 Staveley Way, Knaphill, Woking, GU21 2NS arising from the proximity of the property to his house. The interest was such that speaking and voting were not permissible and Councillor I Eastwood left the Chamber during consideration of the item.

3. PLANNING AND ENFORCEMENT APPEALS

RESOLVED

That the report be noted.

4. 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.

4a. 2017/0378 Kenwood, Bracken Close, Woking

[NOTE: In accordance with the procedure for public speaking at Planning Committee, Mr David Jones attended the meeting and spoke in objection to the application and Mr Andy Stellan spoke in support.]

The Committee considered an application for the erection of a two storey four bedroom detached dwelling with new access on land at Kenwood, Bracken Close.

Councillor D Bittleston, Ward Councillor, was concerned by the proximity of the proposed development to the rear boundary as there were a number of windows that would look directly into Kenwood. Councillor D Bittleston felt that this was an overdevelopment of the plot, which would be too close to the boundary and was of a contrived design/orientation that did not fit into the existing building line on Heathside Road. The Planning Officer advised that permission had recently been granted for a subdivision of White Walls, a plot of a similar size sited further to the north. As the plot widths and sizes were generally consistent with the grain and pattern of development in the surrounding area, officers considered the proposed plot sub-division to be acceptable. It was confirmed that the proposed development complied with the Council's Outlook, Amenity, Privacy and Daylight SPD and that the separation distance was not considered to have an overbearing or loss of daylight impact on the neighbouring property.

The Committee discussed the lowering of the hedges/ fence which was a requirement of the County Highway Authority to allow a clear line of visibility so as not to prejudice highway safety. Following a query it was confirmed that Condition 4 required landscaping details to be submitted to and approved by the Planning Authority prior to commencement of the development.

The Committee were sympathetic to some of the concerns raised but supported the Planning Officer's view that this proposal complied with the Council's planning policy.

RESOLVED

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

4b. 2017/0726 Patches of Horsell, 80 High Street, Horsell

[NOTE 1: The Planning Officer advised the Committee that five additional letters of objection had been received, which reiterated the concerns summarised within the representations section of the report.]

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

'Condition 8: Notwithstanding any indication otherwise given by this permission, no play equipment or associated structures shall be installed on the site without planning permission first being obtained from the Local Planning Authority.

Reason: In the interests of the amenities of the occupants of neighbouring properties in accordance with Policy CS21 of the Woking Core Strategy 2012.']

The Committee considered an application for the proposed variation of Condition 5 (restriction on outdoor seating) and Condition 4 (opening hours) of permission ref: PLAN/2015/1384 for the erection of two storey side and rear extension and change of use from Class A1 (retail) to Class A3 (restaurant/café).

The approved opening hours of the existing café were as follows; Monday to Friday 7:30am to 18:00pm, Saturday 8:00am to 17:30pm and Sunday 9:00am to 16:00pm. The applicant proposed to vary the opening hours as follows; Monday to Friday 7:30am to 23:00pm, Saturday 8:00am to 23:30pm and Sunday 9:00am to 16:00pm.

The Committee heard that the external rear courtyard area had been landscaped, tables and chairs had been placed to the side and rear of the premises and it was understood that the seating area had been used since May 2017, which was in breach of Condition 5. The Council's Environmental Health Department had raised no objections to the use of the seating area from a statutory noise nuisance perspective, although the general amenity impact of the development was also a consideration. The variation to Condition 5 proposed that for a 12 month trial period, the use of the outdoor external seating area would be restricted to the existing opening hours.

Councillor Mrs A E Murray, Ward Councillor, commented that she had received differing views from residents, some of who did not want the courtyard area used and those that saw it as a valuable amenity space. Councillor Mrs A E Murray asked how the loss of amenity would be measured over the 12 month trial period and Planning Officers clarified this would be through the public complaints lodged through the Environmental Health team which would be reviewed at the end of the trial period. It was thought that a 7.30am start time for the use of the outdoor seating area was unreasonable and Councillor Mrs A E Murray asked the Committee to consider restricting these hours.

Councillor S Hussain proposed and it was duly seconded that the opening times for the outside seating area be limited from 8.30am on Monday – Saturday. The Committee supported this amendment.

RESOLVED

That planning permission be granted subject to recommended conditions and amendment to Condition 5 as noted above.

4c. 2017/1017 Westfield Common Land, Westfield Common, Westfield

[NOTE: The Committee were informed of an additional informative as detailed below;

'The applicant was advised that they should consider providing safety signage at each pond to advise users of the common in relation to the depth(s) of the ponds on the site.']

The Committee considered an application for the full planning permission for the creation of five ponds and extension of an existing pond (habitat improvement for Great Crested Newts).

Following concern raised around the maintenance of the ponds it was agreed that an additional informative would be added encouraging the applicant to give consideration to the ongoing maintenance of the ponds to ensure biodiversity was maintained.

RESOLVED

That planning permission be granted subject to recommended conditions and additional informative noted above.

4d. 2017/0821 5 Staveley Way, Knaphill

[NOTE: The Committee were informed of an additional informative as detailed below;

‘The applicant is reminded that the host dwelling house formed part of the Goldsworth Park development, in which ‘permitted development’ rights were removed via planning condition at original construction. Therefore any potential future extensions, or potential future provision of outbuildings within the residential curtilage, would require planning permission.’]

The Committee considered an application which sought planning permission for the erection of a single storey rear extension following removal of the existing conservatory and insertion of one rear roof light.

RESOLVED

That planning permission be granted subject to recommended conditions and additional informative as noted above.

4e. 2017/0877 Buckinghams, Albert House, Albert Drive, Sheerwater

The Committee considered an application which sought permission to erect a mono-pitched roof, pre-fabricated, grey steel outbuilding at the southern end of the raised parking area. It was proposed to be 18m long and 6m wide. The roof was proposed to slope down from north west to south east and from a height of 3.1m to 2.6m. A large roller shutter door was proposed in its south west elevation and a smaller roller shutter door was proposed in its north east elevation.

Following a query the Planning Officer confirmed that advice from the County Highway Authority was that there were no concerns regarding highway safety and that there was considered to be sufficient parking provision on site.

Following concern raised regarding drainage it was agreed that an additional informative would be added to encourage the applicant to incorporate SUDS within the development.

RESOLVED

That planning permission be granted subject to recommended conditions and additional informative as noted above.

4f. 2017/0857 82 Devonshire Avenue, Sheerwater

[NOTE: The Planning Officer advised the Committee that one additional letter of support had been received from 78 Devonshire Avenue.]

The Committee considered an application for the erection of a two storey front extension to project 3.4 metres forward with a width of 4.3 metres adjoined by a single storey porch addition projecting 1.5 metres with an overhanging canopy projecting a further 0.6 metres and measuring 3.2 metres in width covering the entirety of the front elevation.

There was an anomaly in the street scene at number 76 and 78 where both properties had a two storey front extensions approved in 1988 and 2010 respectively. Some members of the Committee commented that the proposed extension was one of six properties which were set back from the general building line of the street (which included numbers 76 and 78), and although they did not want this to set a precedent for the wider area, they thought an extension would be in keeping within this block of houses. The Development Officer advised the Committee that in addition to the building line, they must also consider the balance between the two semi-detached properties and whether the front extension would have an overbearing nature on the remaining semi-detached property.

Some Members of the Committee thought that the remaining semi-detached properties in this block were likely to follow the same example if this application was approved and submit an application for a front extension. The Planning Officer cautioned the Committee on considering potential development that might come forward in the future and advised them to consider the application as it was in front of them.

Councillor L M N Morales proposed and it was duly seconded that the application be approved on the grounds that the staggered building line of this part of Devonshire Avenue and the existence of two storey front extensions at numbers 76 and 78 Devonshire Avenue, meant that exceptional circumstances existed which justified departing from the normal policy approach indicated in Policy CS21 of the Core Strategy. Given the view that the proposal was considered to meet the relevant policy requirements in all other respects it was considered acceptable.

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 approval of the application were recorded as follows.

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

TOTAL: 4

Against: Cllrs G G Chrystie (Chairman), I Eastwood and M A Whitehand.

TOTAL: 3

Present but not voting: Cllr A Azad and S Hussain

TOTAL: 2

The application was therefore approved.

RESOLVED

- That
- (i) Planning permission be granted for the reasons detailed in these minutes;
 - (ii) A draft list of Conditions would be produced for approval by the Development Manager; and
 - (iii) The reason for granting planning permission be added as an informative – ‘In view of the staggered building line of this part of Devonshire Avenue and the existence of two storey front extensions at numbers 76 and 78 Devonshire Avenue, it is considered that exceptional circumstances exist which justify departing from the normal policy approach indicated in Policy CS21 of the Core Strategy. Moreover, in view of the fact that the proposal is considered to meet the relevant policy requirements in all other respects, the proposal is considered, on balance, acceptable.’

4g. 2017/0164 66 Beaufort Road, Maybury

The Committee considered an application which sought the retention of a part two storey, part single storey side and rear extension.

Some members of the Committee had sympathy for the applicant, but agreed with the Planning Officers that the extension looked nothing like the approved scheme. The Committee members were regretful it had come to this stage and wished that there had been a more pro-active approach from the applicant during the building phase to seek advice. Planning Officers assured the Committee that if the applicant approached them within the 12 month enforcement period with suggested solutions, they would be happy to work with them to achieve an acceptable outcome.

Following a query, the Head of Democratic and Legal Services advised that it would not be recommended to delay commencement of enforcement proceedings if the application was refused. If no enforcement proceedings were initiated the applicant would have no incentive to come forward with amended plans and if this continued for too long the property extension would become immune to enforcement proceedings. It was also noted that due to the appeals process it would be in the interest of the Council and the applicant for the Committee to refuse, if they were minded to do so, and authorise formal enforcement proceedings at the same time.

RESOLVED

That planning permission be refused and authorise formal enforcement proceedings.

The meeting commenced at 7.00 pm
and ended at 9.00 pm

Chairman: _____

Date: _____