

MINUTES
OF A MEETING OF THE
PLANNING COMMITTEE

held on 27 February 2018
Present:

Cllr M A Whitehand (Vice-Chair)

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

Absent: Councillors G G Chrystie, A Azad and I Eastwood.

1. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 6 February 2018 be approved and signed as a true and correct record.

1a. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A Azad, I Eastwood and G G Chrystie.

2. DECLARATIONS OF INTEREST

In accordance with the Members' Code of Conduct, Councillor S Hussain declared a non-pecuniary interest in minute item 5b. 2017/0121- Land between Royal Mail Depot and Allotments Sites, Kestral Way, Woking arising from his close working relationship with Royal Mail. The interest was such that speaking and voting were permissible.

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. 2016/1204 Britannia Wharf, Monument Road, Woking

[NOTE 1: During the consideration of this item the following interests were declared;

In accordance with the Officer Procedure Rules, Peter Bryant, Head of Democratic and Legal Services declared a non-pecuniary interest in item 5a. 2016/1204 – Britannia Wharf, Monument Road, Woking – arising from his position as a Council appointed Director of the Thamesway Housing. The interest was such that it would not prevent the Officer from advising on the item.

In accordance with the Officer Procedure Rules, Douglas Spinks, Deputy Chief Executive declared a non-pecuniary interest in item 5a. 2016/1204 – Britannia Wharf, Monument Road, Woking – arising from his position as a Council appointed Director to some of the Thamesway Group of Companies, however not Thamesway Housing. The interest was such that it would not prevent the Officer from advising on the item.]

[NOTE 2: The Planning Officer advised the Committee of a proposed change to the recommendation as listed below;

It was recommended that the Planning Committee grants Delegated Authority to the Development Manager to grant planning permission for the application subject to:

- i) the receipt of a revised drainage scheme, the receipt of a further consultation response to the revised drainage scheme from the Council's Drainage and Flood Risk Engineer raising no objections and consequent changes as necessary to the recommended drainage conditions (16,17 & 18);
- ii) the prior completion of a S106 Legal Agreement to secure the use of the informal car park for public use on the same terms as the existing (which shall cease if the application under PLAN/2017/1185 is granted planning permission), an affordable housing contribution and overage clause and the required SAMM financial contribution; and
- iii) the following planning conditions:

(conditions as agenda subject to any changes to drainage conditions as maybe required)]

The Committee considered an application for full planning permission for the partial demolition, rebuild and extension of existing B1 office building to create a 4/5 storey building for Class C3 use including fifty-two (Forty-Seven two-bedroom and five one-bedroom) apartments and associated works. Existing access roads/car parking to be retained.

Following a query regarding the concerns raised by Historic England, the Planning Officer advised the Committee that although some of this site was in a conservation area the Council's Conservation Consultant had been consulted and had raised no objections. It was also noted that Condition 4 required a detailed landscaping scheme to be submitted and approved in writing by the Local Planning Authority.

On the matter of car parking on the site, the Planning Officer explained that the recommendation was to grant planning permission subject to a S106 agreement to secure the use of the informal car park for public use on the same terms as the existing. In the event that the subsequent application PLAN/2017/1185 was approved the obligation would be extinguished.

A number of Committee Members felt that the affordable housing contribution was too low and also queried why it was proposed that this contribution be taken as an off-site contribution rather than the on-site contribution of three units. The Planning Officer explained that the financial viability assessment had been carried out and that the proposed contribution was acceptable. The Council's Housing and Enabling Officer had also advised that a registered provider was unlikely to consider managing any less than ten units on a site. As such the Officer recommendation had been to seek the off-site contribution.

RESOLVED

That the Planning Committee granted Delegated Authority to the Development Manager to grant planning permission for the application subject to:

- i) the receipt of a revised drainage scheme, the receipt of a further consultation response to the revised drainage scheme from the Council's Drainage and Flood Risk Engineer raising no objections and consequent changes as necessary to the recommended drainage conditions (16,17 &18);
- ii) the prior completion of a S106 Legal Agreement to secure the use of the informal car park for public use on the same terms as the existing (which shall cease if the application under PLAN/2017/1185 is granted planning permission), an affordable housing contribution and overage clause and the required SAMM financial contribution; and
- iii) planning conditions.

5b. 2017/121 Land between Royal Mail Depot and Allotments Site, Kestrel Way, Woking

[NOTE: The Planning Officer advised the Committee of amendments to Conditions 16, 17 and 20 as detailed below

Condition 16 (refuse) - Substitute - *Prior to the first occupation of the development hereby permitted, the refuse and recycling facilities shown on the approved plans shall be made available and shall thereafter be retained for use at all times.*

Condition 17 (use of premises) – Amend - Notwithstanding the provisions of Article 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) and the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking and re-enacting that Order with or without modification) the building hereby approved shall only be used as a brewery (Class B2 general industrial use) and for no other purposes ~~whatsoever~~ *Class B2 use unless the prior written approval for that use is first given* ~~planning permission is first granted~~ by the Local Planning Authority.

Condition 20 – (emissions) – Amend - *Prior to the first occupation of the building for the brewery use (Class B2) commencement of the development hereby permitted, an extract/ventilation system shall be installed within the building in accordance with fully specified details of a scheme for the installation of equipment to control emissions from the premises including, an extract / ventilation system, to include make-up air should be designed and installed to manage emissions associated with the brewing process, e.g. steam, gas appliance and odours which shall have first shall been submitted to and*

approved in writing by the Local Planning Authority. These approved measures shall be implemented fully in accordance with the approved scheme prior to the occupation of the *brewery use (Class B2) development* (or commencement of the use hereby approved). The outlet from the ventilation / extraction flue must finish at least one metre from openings such as doors and windows and be at least one metre above eaves level, to ensure the dispersal of fumes and odours away from neighbouring properties. The flue ductwork must be supported using mountings fixed to the structure of the building in such a way that any vibration or noise associated with mechanical ventilation/extraction is reduced to a level which does not cause a nuisance to neighbours. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the approved details and retained as such thereafter.]

The Committee considered an application for the erection of one detached industrial unit for Class B2 (General Industrial use) (327sqm GIFA) with ancillary shop and external storage and bottle wash areas and associated vehicular access, parking, refuse store and fencing.

Following a query regarding the acoustic fence the Planning Officer advised that Condition 26 required that the details of its acoustic composition/specification, height, position on the site and colour would need to be submitted and approved in writing by the Local Planning Authority.

Some Members of the Committee were concerned by the loss of parking on the site for the Royal Mail Woking Rural Delivery Office and Vehicles Operation Centre. The Planning Officer explained that the Committee could not consider the loss of parking in determination of the application as the land was under private ownership and that the applicant had already advised the Council of their intention to serve notice terminating the licence to park on this land. It was noted in the report that Royal Mail was only able to utilise part of the application site for parking under licence and that the landowner was entitled to give notice at any time. There were no local planning policies which sought to protect existing car parks in private use.

Some Members of the Committee were concerned that the use of table top bottling could be discriminatory to disabled workers. It was explained that 'Table Top' just referred to the type of equipment and it was not an indication of the height of the equipment; it referred to the method of bottling rather than mechanical. The Committee asked that 'Table Top' be marked in inverted commas so that it was clearer this was not prescriptive of height.

RESOLVED

That planning permission be granted subject to the prior completion of an Undertaking of the Chief Executive to secure the off-site ecological mitigation and conditions.

5c. 2017/1336 43a Chertsey Road, Woking

This item is being withdrawn in order to give the applicant time to address soundproofing concerns which had been raised by Environmental Health.

5d. 2017/1410 86 Orchard Drive, Horsell

[NOTE: The Planning Officer advised the Committee of an amendment to Condition 2 as detailed below;

In Condition 2 (Plans), substitute plan:

- RCAL/1711-104C – Details of New Works (Sheet 1 of 2), received 14.02.2018

With the following plan:

- RCAL/1711-104E – Details of New Works (Sheet 1 of 12), received 26.02.2018]

The Committee considered an application for the demolition of the existing dwelling and garage and the erection of a two storey replacement dwelling with accommodation in the roof space.

RESOLVED

That planning permission be granted subject to conditions.

5e. 2017/1001 183 Boundary Road, Woking

The Committee considered an application for the change of use and subdivision of the existing property, including a ground floor shop unit, into three self-contained flats (one two-bedroom and two one-bedroom). This would be facilitated by the erection of a two storey rear extension and external alterations following the demolition of existing single storey structures. Off-street parking for two vehicles would be provided to the rear accessed from Delta Road.

Following a query the Planning Officer confirmed that the proposal would form an acceptable relationship with neighbouring properties, including any loss of light. It was confirmed that no further representations had been received in regard to the amended plans.

Following a concern regarding parking the Planning Officer commented that it was considered the proposed parking provision was considered appropriate due to the sustainable location.

RESOLVED

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

5f. 2017/0761 3 Claremont Road, West Byfleet

[NOTE: The Planning Officer tabled an additional plan (which had been missed off the presentation slide) for information.]

The Committee considered an application for the change of use and sub-division of the existing two storey Victorian building in office use (B1a) into three one-bedroom dwellings. This would be facilitated by the erection of single storey bay window extensions, alterations to fenestration and insertion of new window openings. The proposal also included the erection of a terrace of three one-bedroom dwellings in a two storey building to the rear of the site following the demolition of an existing garage. Parking for six cars would be provided within the site and the existing vehicular crossover onto Claremont Road would be retained.

Following a query the Planning Officer confirmed that access to the third party garage had been addressed on the re-submitted plans.

The Committee were generally happy with the application.

RESOLVED

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

5g. 2017/1364 Land at Pumping Station, Bonners Close, Westfield

The Committee considered an application for the erection of a four-bedroom detached two storey dwelling following removal of two sheds on land adjacent to a pumping station at Bonners Close.

Some concerns were raised regarding flooding and Members queried why the Local Planning Authority had not consulted with the Council's Drainage Engineer on the application. The Planning Officer explained that the Drainage Engineer was only consulted on applications that were within a flood risk zone or were at a high risk of flooding; this site did not fall within either of these areas and relied on building regulations to deal with any minor drainage issues. It was considered that it would be unreasonable to consult the Drainage Officer on every application.

RESOLVED

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

5h. 2017/1009 75 Walton Road, Woking

[NOTE: The Planning Officer advised the Committee that the applicant had submitted revised plans yesterday. It was noted that due to the amended plans No. 2 reason for refusal detailed on page 121 of the report had been overcome. As a result of this the Planning Officer detailed the amended reasons for refusal as detailed below;

1. The proposed single storey side extension and bin store would by reason of its design result in an extension that does not pay due regard to the design of the host building which would be detrimental to the appearance of the building and street scene. The proposal is therefore contrary to Policy CS21 of the Woking Core Strategy, Supplementary Planning Document 'Woking Design' (2015) and the policies of the National Planning Policy Framework.
2. In the absence of a Legal Agreement or other appropriate mechanism to secure contributions towards mitigation measures, it cannot be determined that the additional dwelling would not have a significant impact on the Thames Basin Heaths Special Protection Area, contrary to Core Strategy (2012) policy CS8 'Thames Basin Heaths Special Protection Areas', the Thames Basin Heaths Avoidance Strategy (2010 - 2015) and saved policy NRM6 of the South East Plan (2009) and the Conservation of Habitats and Species Regulations 2010 (SI No. 490 - the "Habitats Regulations").]

The Committee considered an application for the change of use of part of a ground floor retail (A1) unit to One one-bedroom self contained flat (C3) and erection of single storey side extension at No.75 Walton Road. In addition bin and cycle storage was proposed to serve all three units.

Councillor T Aziz, Ward Councillor, spoke in support of the application. It was thought that No.2 reason for refusal regarding the absence of a legal agreement could be overcome. Planning officers confirmed that this reason for refusal could be overcome if the requisite SAMM payment was secured through an appropriate planning obligation.

The Committee compared the similarities with this application and a previous application on the agenda and queried why this one was recommended for refusal. Planning Officers reminded the Committee that each application must be considered on its own merit and there was no benefit in drawing comparisons between the two applications.

Following a query the Planning Officer clarified that the resubmitted plans had only addressed the internal layout of the application and no changes had been made to the external appearance.

Some of the Committee were minded to support the application as they thought that the application was acceptable. Councillor T Aziz proposed and it was duly seconded that the application be approved.

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, D Harlow, S Hussain and C Rana.

TOTAL: 5

Against: None

TOTAL: 0

Present but not voting: Cllrs L M N Morales and M A Whitehand (Vice-Chairman in the chair)

TOTAL: 2

The application was therefore approved.

RESOLVED

That planning permission be approved subject to

- i) Planning Committee granting Delegated Authority to the Development Manager to attach a list of conditions and informatives to the planning permission; and
- ii) Completion of a S106 Agreement to secure SAMM contribution.

5i. 2017/1376 4 Summerhayes Close, Horsell, Woking

[NOTE: The Planning Officer advised the Committee of an additional informative as detailed below:

- The applicants are advised that the permission hereby granted is for the use of the outbuilding for purposes incidental to the use of the main dwelling house. Any use

of the outbuilding for commercial purposes could constitute a change of use requiring planning permission.

- The Council's Environmental Health Service is obliged to investigate any complaints about noise nuisance under the Environmental Protection Act 1990. The penalties for failure to comply with any noise abatement notice are a lump sum fine set by the Court and further fines for each further day of non-compliance. The potential to seize and confiscate equipment or apply for a High Court injunction are also open to Councils.
- The applicants are consequently strongly recommended to ensure that appropriate sound proofing is installed in the event that the outbuilding is used for potentially noisy hobbies such as music practice.]

The Committee considered an application for the erection of a detached outbuilding. The outbuilding would be used as a music room, with a dual pitched roof with one gable end and one hipped end.

It was noted that a number of the representations received would be addressed by legislation outside of Planning such as Environmental Health and Building Control. It was hoped that the proposed additional informative would address some of the concerns raised.

Following a query it was clarified that the proposed outbuilding could be used for the same uses as the house as it was incidental to the main dwelling.

Following a query from members the Planning Officer confirmed that the recent extension of 'Dovetail' had been taken into account when assessing the application.

At the request of the Committee it was agreed that the additional informative proposed above be amended to include advice to keep doors closed to contain noise generated from sources within the outbuilding.

RESOLVED

That planning permission be granted subject to conditions and additional informative as detailed in these minutes.

5j. 2017/1291 7 Tanglewood Close, Pyrford

The Committee considered an application for the erection of a part single storey, part two storey rear extension. The two storey addition would have a pitched roof with sliding patio doors on the ground floor.

The application had been referred to the Committee at the request of Councillor G G Chrystie due to concerns regarding;

- Possible breach of CS21 of the Core Strategy: An imbalance between the semi-detached houses; and
- Possible breach of policy BE1 of the Pyrford Neighbourhood Plan 2016-2027.

Planning Officers did not consider there to be an issue of imbalance between the properties and therefore did not think the policies sited were relevant. It was noted that the

amended plans had addressed some of the concerns and that there would be very limited views of the property from the street scene.

RESOLVED

That planning permission be granted subject to conditions.

5k. 1 Elm Close, Horsell (Enforcement)

This item has been withdrawn in order to update the report following a recent officer site visit and pending the consideration of a new planning application which had been received this week.

The meeting commenced at 7.00 pm
and ended at 9.00 pm

Chairman: _____

Date: _____