

MINUTES  
OF A MEETING OF THE  
**PLANNING COMMITTEE**

held on 24 July 2018  
Present:

Cllr G S Cundy (Chairman)  
Cllr M A Whitehand (Vice-Chair)

Cllr S Ashall	Cllr I Eastwood
Cllr T Aziz	Cllr N Martin
Cllr A J Boote	Cllr L M N Morales
Cllr G G Chrystie	

**1. MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 26 June 2018 be approved and signed as a true and correct record.

**1a. Apologies for Absence**

Apologies for absence were received from Peter Bryant, Head of Legal and Democratic Services.

**2. DECLARATIONS OF INTEREST**

In accordance with the Members' Code of Conduct, Councillor G Cundy declared a non pecuniary interest in item 5d. 2017/1063 – Ten Acre Farm, Smarts Heath Road, Woking arising from a close relation being a member of the Woking Gymnastics Club. The interest was such that speaking and voting were permissible.

**3. URGENT BUSINESS**

No items of Urgent Business had been received.

Chris Dale, Development Manager, notified the Committee that the revised National Planning Policy Framework (NPPF) had been published earlier in the day and that Officers had not had sufficient time to comprehensively review the Framework's contents. It was noted that, whilst an initial review of the Framework indicated that the provisions within the document were similar to the previously drafted version, limited changes have been made to the NPPF.

In view of this, the Committee was requested to note the publication of the revised NPPF and to delegate authority to the Development Manager to review whether the changes to

the NPPF had any material bearing on the recommendations before the Committee. If so, the affected applications would be referred back to the Committee for determination in the light of changes to the NPPF.

RESOLVED

- That (i) the publication of the revised NPPF be noted; and
- (ii) authority be delegated to the Development Manager to review whether the changes to the NPPF had any material bearing on the resolutions of the Committee and, if so, to bring the affected applications back to the Committee for determination.

#### **4. PLANNING AND ENFORCEMENT APPEALS**

RESOLVED

That the report be noted subject to the following amendments:

- 2017/0515 – “refused by delegated powers” to read “refused by Planning Committee”, on 5 September 2017.
- 2017/1072 – “refused by delegated powers” to read “refused by Planning Committee”, on 15 December 2017.
- 2017/0735 – “refused by delegated powers” to read “refused by Planning Committee”, on 3 January 2018.

#### **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. 2017/0930 Lees Farm Cottages, Pyrford Road, Woking**

The Committee considered a retrospective application for installation of external timber cladding and replacement of existing metal windows with UPVC windows to an existing dwelling.

The Committee was advised that the dwelling had originally been a semi-detached property attached to No.2 Lees Farm Cottages. However the neighbouring dwelling has been demolished and rebuilt as a detached property as part of the partial implementation of planning permission which existed to redevelop the cottages. As a result of the demolition of the attached neighbour and other issues within the property, the Council’s Housing Standards Team had issued the owner and landlord of the property with an ‘Improvement Notice’ under the Housing Act (2004) requiring the landlord to make a number of improvements to the property. These had included the installation of external wall insulation and replacement windows.

The Committee noted that the Landlord had undertaken the work despite the Improvement Notice Order having stipulated that any works, especially external works, had to have been agreed with the Planning Department before being carried out. Councillor Chrystie raised

concerns over the visual impact of the cladding on the character of the property as well as surrounding areas, contrary to Policy BE1 of the Pyrford Neighbourhood Plan (2016). and considered the work unacceptable in the Green Belt. Councillor Chrystie added that the windows were out-of-character with the dwelling and surrounding area.

The Officer stated that the National Planning Policy Framework (NPPF) defined appropriate development in the Green Belt as including the extension or alteration of a building provided that did not result in disproportionate additions over and above the size of the original building. The proposal did not involve extensions or result in an uplift in bulk or volume and therefore did not impact on the openness of the Green Belt. The weatherboarding was considered visually acceptable to the rural context of the proposal site and was considered to preserve the character of the Green Belt. In view of the questions around the Neighbourhood Policy, the Committee Members were reminded that the following planning policies were relevant:

Pyrford Neighbourhood Plan (2016):

- BE1 - Maintaining the Character of the Village
- BE3 - Spatial Character
- OS1 – Community Character
- OS4 - Biodiversity

Councillor Chrystie proposed and Councillor Boote seconded a proposal to refuse the application on the grounds of conflict with policy BE1 of the Pyrford Neighbourhood Plan (2016) as well as the breach of Green Belt Rules.

The Committee expressed concern over the colour of the replacement windows, noting that other properties in the surrounding area with a similar cladding did not have white windows and that a variety of colours in frames was commonly available. The Officer stated that the replacement windows were considered to have an acceptable impact on the character of the host building and surrounding area. Such windows would not normally have required planning permission, though in this case the new windows were materially different to the original ones and were therefore subject to planning legislation.

Chris Dale, Development Manager advised the Committee that a split decision would be inappropriate.. Furthermore, if the Committee was minded to refuse the application, consideration would have to be given to appropriate enforcement action.

Chris Dale referred to the comments in respect of the impact on the Green Belt and drew attention to the provisions within the new NPPF which stated that "extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building is appropriate development in the green belt". Chris Dale explained that impact on the Green Belt would therefore not be an appropriate reason for refusal which could be sustained in an appeal.

The Committee was referred to the amendment before them, namely to refuse the application on the grounds that the materials used (cladding and windows) would result in a visually discordant appearance contrary to Policy BE1 of the Pyrford Neighbourhood Plan. In accordance with Standing Order 22.2, the Chairman deemed that a vote should be taken on the motion above. The names of those voting for and against refusal of the application were recorded as follows.

In favour: Councillors T Aziz, A Boote, G Chrystie and M Whitehand.

Total in favour: 4

Against: Councillors I Eastwood and N Martin.  
Total against: 2

Present not voting: Councillors S Ashall, G Cundy (Chairman) and L Morales.  
Total present not voting: 3

The application was therefore refused by 4 votes to 2.

**RESOLVED**

That planning permission be refused and formal enforcement proceedings be authorised with a compliance period of six months.

**5b. 2018/0359 Broadoaks, Parvis Road, West Byfleet**

[NOTE 1: The Planning Officer advised the Committee that one additional letter had been received from a member public in support of the application and that an email had been received from West Byfleet Neighbourhood Forum with no objections to the application].

[Note 2: The Planning Officer advised the Committee that a summary of the responses submitted during a public consultation held on 5 March 2018 had been received. The Agent had also submitted a copy of a letter from United Learning addressed to Octogan Development Limited].

The Committee was advised that Agenda Item 5b and 5c – Broadoaks, Parvis Road, West Byfleet, would be taken together and the Planning Officer referred the Committee to the following points within the report, clarifying the positions:

- Paragraph 5, Page 38 – The creation of 145 jobs referred to within the report reflected those positions to be created through the development as a whole, not just the proposals before the Committee.
- Paragraph 177, Page 70 - The Officer explained that, despite the affordable housing provision being below the 40% figure required in Policy CS12 of the Core Strategy, a viability report had been submitted. The viability report had been evaluated by the Council's external viability assessors to be acceptable and accordingly was to be taken into consideration in determining the application.

The Committee considered an application for the demolition of the vacant Sherwood House office building and the removal of all former MOD buildings, hardstanding and structures across the site. The proposals included 115 new market dwellings and garages, 54 affordable dwellings, the part demolition; restoration and conversion of Broadoaks House to create 2 new market dwellings and the part demolition, restoration and reuse of the 2 Lodge Houses as new independent market dwellings. The Motor House would be restored to create 6 new market dwellings, the Model Dairy would be restored and the 2 summer houses would also be restored. Assisted living accommodation of 75 beds was included in the application, together with a 80-bed care home and a new office building.

The application had been amended with additional information since its original submission which included the following:

- Financial viability information
- Updated travel plan

- The carport to the rear of plot 77 had been repositioned, minor fence changes had been made to the rear of Plots 73 & 78 and a Scots Pine was to be removed.

Councillor A Boote, Ward Councillor, spoke on the application commenting on the hard work spent by the developer Octogan in consulting with the Borough's Planning Department and local residents of West Byfleet. Councillor Boote drew attention to the positive benefits of the much desired development for the residents of West Byfleet, including the level of investment, the creation of jobs and the regeneration of the area; the application offered a sustainable development within West Byfleet and was considered a positive use of the site by residents. Further benefits for the area including the construction of affordable housing, the office space for small to medium enterprises (SMEs) and the assisted living care.

Councillor Boote proposed and Councillor Chrystie seconded that the application should be supported and referred to the Secretary of State for determination in view of the special circumstances that existed, namely the benefits to the local area. It was further proposed that authority should be delegated to the Development Manager to draw up the list of conditions, informatives and Section 106 Heads of Terms. The Section 106 Agreement would include an overage clause which would apply in the event the anticipated profits from the development were higher than predicted.

In accordance with Standing Order 10.8, the Chairman deemed that a vote should be taken on the amendment, namely that the application should be supported and referred to the Secretary of State for approval on the following grounds:

- That the Local Planning authority considered that very special circumstances exist as set out in paragraphs 23 to 31 of the planning officer's report which outweigh the development plan presumption to otherwise refuse such development within the Green Belt; and
- That the proposals otherwise comply with the provisions of the development plan so far as material to the application and any other material considerations including the derelict nature of the site, the provision of employment generating uses and the provision of assisted living dwellings and care home accommodation.

The names of those voting for and against approval of the application were recorded as follows:

In favour: Councillors S Ashall, T Aziz, A Boote, G Chrystie, I Eastwood, N Martin, L Morales and M A Whitehand.

Total in favour: 8

Against: None.

Present not voting: Councillor G Cundy (Chairman)

Total present not voting: 1

The application was therefore approved by 8 votes to none.

RESOLVED

That (i) the application be supported and referred to the Secretary of State for determination on the grounds set out below:

- That the Local Planning authority considered that very special circumstances exist as set out in paragraphs 23 to 31 of the planning officer's report which outweigh the development plan presumption to otherwise refuse such development within the Green Belt; and
- That the proposals otherwise comply with the provisions of the development plan so far as material to the application and any other material considerations including the derelict nature of the site, the provision of employment generating uses and the provision of assisted living dwellings and care home accommodation.

(ii) authority should be delegated to the Development Manager to draw up the list of conditions, informatives and Section 106 Heads of Terms.

**5c. 2018/0360 Broadoaks, Parvis Road, West Byfleet**

The Committee considered an application for listed building consent for the partial demolition, restoration and conversion of Broadoaks House to create two dwellings. The application further related to the partial demolition, restoration and extension of the Coach House to create six dwellings, the restoration and reuse of the two Lodge Houses as independent dwellings, the restoration of the Model Dairy and the restoration of two summer houses.

This application was considered in conjunction with Item 5c and was supported on the same grounds.

RESOLVED

That (i) the application be supported and referred to the Secretary of State for determination on the grounds set out below:

- That the Local Planning authority considered that very special circumstances existed as set out in paragraphs 23 to 31 of the report outweigh the development plan presumption to otherwise refuse such a development within the Green Belt; and
- That the proposals otherwise complied with the provisions of the development plan so far as material to the application and any other material considerations including the derelict nature of the site the provision of employment generating uses and the provision of assisted living dwellings and care homes

(ii) authority should be delegated to the Development Manager to draw up the list conditions, informatives and Section 106 Heads of Terms.

**5d. 2017/1063 Ten Acre Farm, Smarts Heath Road, Woking**

[NOTE 1: The Planning Officer advised the Committee that one additional representation had been received though had not raised any new issues.]

[Note 2: The Planning Officer advised the Committee that Thameswater had confirmed that they had no objections to the application though had requested that an informative be added in respect of the sewerage infrastructure.]

The Committee considered a full application for the redevelopment of the former travellers' site at Ten Acres Farm which was to provide a new club building for Woking Gymnastics Club with new public access open space, cafe, car parking, vehicular access. The application included natural landscaping which incorporated flood alleviation measures adding to flood resilience in the Hoe Valley.

The Officer advised that the Members of the Committee had to be satisfied that special circumstances existed in respect of the application as the proposed development was deemed inappropriate in the Green Belt in view of the harm that would result in terms of the loss of openness. The proposed development would result in significant planning benefits which would contribute to the provision of sustainable development. Local Planning Authorities were also required to positively plan to provide opportunities for outdoor sport and recreation in the Green Belt (NPPF paragraph 81), provide access to the Green Belt and improve damaged or derelict land.

The proposal would also contribute to these requirements and the special circumstances included the fact that no other suitable site had been found, the benefits to flood resilience and the need to meet the growing demands for gymnastics facilities. The report detailed the special circumstances that existed and concluded that the very special circumstances in this case outweighed the harm to the Green Belt and any other harm, to justify planning permission being granted. It was considered that the use of the building, excluding the café, should be restricted to Woking Gymnastics Club as the overall need for the facility derived directly from the unique needs of the Club rather than any other leisure use or club.

Other than the conflict with Policies CS6, CS20 and CS24 of the Woking Core Strategy, which were addressed by the very special circumstances, the proposed development was considered to comply with the other relevant Core Strategy policies, the relevant policies in the DM Policies DPD, the relevant supplementary planning documents and the policies in the NPPF and the NPPG.

Councillor Ashall, Ward Councillor, spoke positively on the application, welcoming the report and its recommendations, and supporting the very special circumstances outlined within the document. The Committee was supportive of the application and commented on the positive impact of the new development.

In accordance with Standing Order 22.2, the Chairman deemed that a vote should be taken on the motion above. The names of those voting for and against approval of the application were recorded as follows.

In favour: Councillors S Ashall, T Aziz, A Boote, G Chrystie, I Eastwood, N Martin, L Morales and M Whitehand

Total in favour: 8

Against: None

Present not voting: Councillor G Cundy (Chairman)  
Total present not voting: 1

The application was therefore approved.

**RESOLVED**

- That (i) subject to the referral of the application to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2009 and failing any direction from the Secretary of State for Communities and Local Government
- (ii) subject to the prior resolution of the Council's Executive to give effect to the following measures:
- (a) (Participation in Great Crested Newt District Licence scheme including a financial contribution of £7,200.
- (iii) the Development Manager be authorised to grant planning permission subject to conditions (and any minor amendments or additions to those conditions)

**5d. 2017/1063 Ten Acre Farm, Smarts Heath Road, Woking**

[NOTE 1: The Planning Officer advised the Committee that one additional representation had been received though had not raised any new issues.]

[Note 2: The Planning Officer advised the Committee that Thameswater had confirmed that they had no objections to the application though had requested that an informative be added in respect of the sewerage infrastructure.]

The Committee considered a full application for the redevelopment of the former travellers site at Ten Acres Farm which was to provide a new club building for Woking Gymnastics Club with new public access open space, cafe, car parking, vehicular access. The application included natural landscaping which incorporated flood alleviation measures adding to flood resilience in the Hoe Valley.

The Officer advised that the Members of the Committee had to be satisfied that special circumstances existed in respect of the application as the proposed development was deemed inappropriate in the Green Belt in view of the harm that would result in terms of the loss of openness. The proposed development would result in significant planning benefits which would contribute to the provision of sustainable development. Local Planning Authorities were also required to positively plan to provide opportunities for outdoor sport and recreation in the Green Belt (NPPF paragraph 81), provide access to the Green Belt and improve damaged or derelict land.

The proposal would also contribute to these requirements and the special circumstances included the fact that no other suitable site had been found, the benefits to flood resilience and the need to meet the growing demands for gymnastics facilities. The report detailed the special circumstances that existed and concluded that the very special circumstances in this case outweighed the harm to the Green Belt and any other harm, to justify planning permission being granted. It was considered that the use of the building, excluding the



café, should be restricted to Woking Gymnastics Club as the overall need for the facility derived directly from the unique needs of the Club rather than any other leisure use or club.

Other than the conflict with Policies CS6, CS20 and CS24 of the Woking Core Strategy, which were addressed by the very special circumstances, the proposed development was considered to comply with the other relevant Core Strategy policies, the relevant policies in the DM Policies DPD, the relevant supplementary planning documents and the policies in the NPPF and the NPPG.

Councillor Ashall, Ward Councillor, spoke positively on the application, welcoming the report and its recommendations, and supporting the very special circumstances outlined within the document. The Committee was supportive of the application and commented on the positive impact of the new development.

In accordance with Standing Order 22.2, the Chairman deemed that a vote should be taken on the motion above. The names of those voting for and against approval of the application were recorded as follows.

In favour: Councillors S Ashall, T Aziz, A Boote, G Chrystie, I Eastwood,  
N Martin, L Morales and M Whitehand

Total in favour: 8

Against: None

Present not voting: Councillor G Cundy (Chairman)

Total present not voting: 1

The application was therefore approved.

#### RESOLVED

- That (i) subject to the referral of the application to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2009 and failing any direction from the Secretary of State for Communities and Local Government
- (ii) subject to the prior resolution of the Council's Executive to give effect to the following measures:
- (a) (Participation in Great Crested Newt District Licence scheme including a financial contribution of £7,200.
- (iii) the Development Manager be authorised to grant planning permission subject to conditions (and any minor amendments or additions to those conditions)

#### **5e. 2018/0477 Land Adjacent To Civic Offices, Gloucester Square, Woking**

The Committee considered an application for the installation of a pole with a swift and bat habitat including directional signs. The proposal would consist of eight nesting

compartments for swifts, two nesting chambers for bats, three directional and distance signs to Woking's Twin Towns, and landscaping at the base of the pole.

Concerns were raised on the removal of the bike racks and the impact it could have for bike parking. The Officer clarified that the bike racks would be repositioned to a new site and agreed to add an additional condition to ensure the bike racks were replaced within the vicinity of the current location.

RESOLVED

That planning permission be granted subject to the conditions set out in the report and the additional condition in respect of the bike racks.

**5f. 2018/0478 Existing Coach Park At, Woking Park, Kingfield Road, Woking**

The Committee received an application which sought planning permission for the retention of existing modular Secondary School buildings and outdoor play area on the existing car and coach park. The facilities were required for a further temporary period until 15 November 2018, with school occupation of the buildings to cease by 10 August 2018.

RESOLVED

That planning permission be granted subject to the conditions.

**5g. 2018/0311 Natural Flames Ltd, 17 Brewery Lane, Byfleet**

The Committee considered an application for the conversion of a two-bedroom upper floor flat to 2 one-bedroom flats, including the insertion of a new first floor door in the rear elevation and the implementation of a dormer window previously approved.

Councillor Boote, Ward Councillor, spoke in objection to the application raising a number of concerns which included the impact on the local area character, over development, impact on parking and lack of amenity space, arguing that the proposal was cramped and contrived. The Officer noted that the proposed dwelling would not be family accommodation and referred to the provisions in the Borough's Supplementary Planning Document Outlook, Amenity, Privacy & Daylight (2008) which stated that dwellings designed not to be used for family accommodation did not require a specific area for residential amenity space.

The Officer advised that there would be no increase in overlooking towards the rear garden of house no.15 or the side access of house no.2. The proposed dormer window would be the same as that approved as part of PLAN/2017/0727 and it was therefore not considered that it would create unacceptable overlooking. The enlarged side window would be at ground floor level and again Officers did not feel that it would lead to unacceptable overlooking.

Parking provision was discussed and the Officer explained that the Council's Parking Standards provided that one bedroom flats should have a minimum of 0.5 car spaces per flat. The proposed parking provision in the application would be compatible with the guidelines.

Following the discussion, Councillor Boote proposed and Councillor Aziz seconded a motion to refuse the application on the grounds that it would result in over development and overlooking and was a cramped and contrived proposal.

In accordance with Standing Order 22.2, the Chairman deemed that a vote should be taken on the motion above. The votes for and against refusal of the application were recorded as follows.

In favour: Councillors S Ashall, T Aziz, A Boote, G Chrystie, I Eastwood and M Whitehand,

Total in favour: 6

Against: None

Present not voting: Councillors G Cundy (Chairman), N Martin and L Morales.

Total present not voting: 3

The application was therefore refused.

#### RESOLVED

That planning permission be refused for the reasons detailed in these minutes.

#### **5h. 2018/0416 41 Lambourne Crescent, Sheerwater, Woking**

The Committee considered an application for the erection of a two storey, two bedroom dwelling attached to No. 41 Lambourne Crescent, the widening of the existing dropped kerb and construction of an additional dropped kerb. The report before the Committee recommended that the application should be refused.

Councillor Aziz, Ward Councillor, spoke in support of the application, arguing that the proposed two bed end of terrace was a perfect use of space with adequate parking and amenity garden space. In regards to the boundary, Councillor Aziz considered that the proposed gap of 1.35m between the dwelling and the site boundary was acceptable and referred to two similar planning applications within the area which had been approved.

Councillor Aziz moved and Councillor Boote seconded that the application should be approved and authority delegated to Officers to draft the necessary conditions and Section 106 agreement. In accordance with Standing Order 22.2, the Chairman deemed that a vote should be taken on the motion above. The votes for and against approval of the application were recorded as follows.

In favour: Councillors T Aziz, A Boote and L Morales.

Total in favour: 3

Against: Councillors S Ashall, G Chrystie, I Eastwood and N Martin.

Total against: 4

Present not Voting: Councillors G Cundy (Chairman) and M Whitehand.

Total present not voting: 2

The motion to grant planning permission was therefore not agreed. The Chairman invited the Members to refuse planning permission in accordance with the report before the Committee and it was

RESOLVED

That planning permission be refused for the reasons outlined in the report.

The meeting commenced at 7.00 pm  
and ended at 9.17 pm

Chairman: \_\_\_\_\_

Date: \_\_\_\_\_