

MINUTES
OF A MEETING OF THE
PLANNING COMMITTEE

held on 4 September 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 24 July 2018
be approved and signed as a true and correct record.

1a. APOLOGIES FOR ABSENCE

No apologies were received.

2. DECLARATIONS OF INTEREST

In accordance with the Members' Code of Conduct, Councillor T Aziz declared a pecuniary interest in Item No. 5a – 2018/0292 Land Rear of Morrisons Delivery Area, Goldsworth Road, Woking arising from the proximity of his property to the application site. The interest was such that Councillor Aziz left the Chamber during consideration of the item.

In accordance with the Members' Code of Conduct, Councillor N Martin declared a pecuniary interest in Item No. 5e - 2018/0410 The Coign Baptist Church, Nos. 1-5 Church Street West & Nos. 5-19 Oaks Road (odds) inclusive, arising from being a member of the Church. The interest was such that Councillor Martin left the Chamber during consideration of the item.

In accordance with the Officer Procedure Rules, Peter Bryant, Head of Democratic and Legal Services, and Douglas Spinks, Deputy Chief Executive, both declared a non-pecuniary interest in Item No. 5d – 2018/0854 Shoppers Car Park Road, Victoria Way, Woking and Item No. 5e – 2018/0410 The Coign Baptist Church, Nos. 1-5 Church Street West & Nos. 5-19 Oaks Road (odds) arising from their position as Council appointed Directors of Thamesway Energy Limited (and other Thamesway Companies). The interest was such that it would not prevent the Officers from advising on that item.

In accordance with the Members' Code of Conduct, Councillor G Cundy declared a non-pecuniary interest in Item No. 5d – 2018/0854 Shoppers Car Park Road, Victoria Way,

Woking and item No. 5e – 2018/0410 The Coign Baptist Church, Nos. 1-5 Church Street West & Nos. 5-19 Oaks Road (odds) arising from his position as Council appointed Director of the Thameswey Limited, in respect to Brookwood Cemetery and Associated Companies.

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. 2018/0292 Land Rear of Morrisons Delivery Area, Goldsworth Road, Woking

[Note 1: Councillor Aziz left the Chamber during the consideration of this application]

[Note 2: In accordance with the procedure for public speaking at Planning Committee, Mr Ben Whitaker attended the meeting and spoke in objection to the application]

The Committee considered an application for the erection of a freestanding two storey restaurant with a drive-thru, car parking, landscaping, patio, playframe and associated works, plus the installation of two Customer Order Displays with associated canopies.

[Note 3: The Officer advised the Committee of updates to Condition 6 as noted below:

Excluding the Customer Order Displays shown on the approved plans listed within Condition 2 of this notice, no sound reproduction equipment which conveys messages, music and other sound by voice or otherwise which is audible outside the premises shall be installed on the site without prior written consent of the Local Planning Authority.

Reason: To protect the environment and amenities of the occupants of neighbouring properties in accordance with Policy CS21 of the Woking Core Strategy 2012.

The Chairman asked the Planning Officer to address concerns raised by the Public Speaker in regards to the refusal of the KFC application. The Planning Officer advised the Committee that the KFC application was refused and an appeal had been dismissed for the following reasons:

- (i) the loss of public house which would have undermined the availability of such facilities within the Town Centre;
- (ii) the application failed to make effective and efficient use of the site of the Town Centre, undermining the sustainability and economic objectives for this location in the Town Centre; and
- (iii) the application failed to have regard to the key location in the Town Centre.

It was noted that the current application was a vacant site located on the edge of Woking Town Centre. The Woking Town Centre boundary was sited a minimum of approximately 77m to the north of the site. The Woking Core Strategy (2012) glossary defined drive-through restaurants as a Town Centre use. The proposed site was therefore not a preferred location for the proposed use as it fell outside of Woking Town Centre, however provision was made in paragraphs 86 and 87 of the NPPF (2018) to enable considerations of proposal at such locations. Paragraph 86 of the NPPF stated that 'main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or are expected to become available within a reasonable period) should out of centre sites be considered'. The NPPF glossary defined edge of centre 'for all other main town centre uses, a location within 300 metres of a town centre boundary'. The proposed use was a main town centre use and the application site is located within 300m of the town centre boundary.

In regards to the 24 hour opening facility, it was stated in the Hot Food Takeaway SDP (Supplementary Planning Document) that limited operating hours should be applied in order to minimise the impact on neighbouring residents. It was noted that the nearest residential properties would be sited approximately 46m from the application site. In view of the separation distance, it was considered the proposed development would not have a detrimental impact on the amenities of neighbouring properties in terms of loss of daylight, overlooking or overbearing impacts. In respect of traffic and Highway safety, the Highway Authority had been consulted and raised no objections. Condition 11 was recommended to ensure parking was provided prior to first occupation. It was therefore considered that the proposed development would not have an adverse impact on parking provision in the immediate area. The application site was located within walking distance of Woking Town Centre and accessible by both public transport and cycling.

Concerns had been raised over litter. The Planning Officer noted that the submitted Planning Statement stated that 'it is company policy to conduct a minimum of three daily litter patrols, whereby employees pick up not only McDonald's packaging, but also any other litter that would have been discarded in the vicinity of a restaurant' and 'litter bins are provided outside all restaurants'. Condition 10 was recommended to secure details of litter bins.

Some Members had raised concerns that the operation would be the only 24 hour opening restaurant facility within Woking. This would possibly attract large numbers of public, especially once the majority of facilities within the Town Centre had closed. Members felt sympathy for the local residents, stating that the 24 hour opening facility would have a detrimental impact and that it would only be reasonable if the trading hours of the restaurant would be in line with the local Morrison's.

Some Councillors expressed concern that there would be insufficient bike parking spaces. The Planning Officer noted that six bike parking spaces on site had been provided and added that additional spaces could be added to the recommendations if supported by the Committee. Councillor Morales suggested that a minimum of twelve bike parking spaces would suffice, members were in agreement with this.

Chris Dale, Development Manager, expressed his view on the trading hours, explaining that restaurant and supermarket use would be totally different and felt that it would be overly restrictive of the Committee to restrict the restaurant operating trading hours inline with Morrison's.

Councillor Whitehand moved and Councillor L M N Morales seconded that the recommended opening and closing operational trading times should be agreed as follows:

Monday – Saturday 06:00am – 11:00pm

Sundays 08:00am – 10:00pm

RESOLVED

That planning permission be granted subject to the conditions and additional amendments as follows:

- (i) twelve bike parking spaces to be added;
- (ii) operating trading hours as noted in minutes; and
- (iii) exclude the Customer Order Display (COD).

5b. 2018/0166 35 Eve Road, Woking

[Note: In accordance with the procedure for public speaking at Planning Committee, Mr Anthony Roberts attended the meeting and spoke in objection to the application and Mr Paul Uttley spoke in support of the application].

The Committee considered an application for the subdivision of existing dwelling into two three bedroom dwellings and erection of a part two storey, part single storey rear extension and rear dormer roof extension plus associated external alterations and formation of parking area to the rear.

Councillor Aziz, Ward Councillor, spoke in favour of the proposed construction of the dwellings, though raised concerns on ongoing parking issues on Eve Road and Arnold Road. Councillor Aziz added that some residents had recently drawn up a petition requesting for these roads to become a CPZ (Controlled Parking Zone), whilst a parallel petition had been submitted against it. Neither petition had been received by the Council. Councillor Aziz felt that the enforcement of a CPZ would be the only way forward to alleviate parking issues within these areas. The Chairman confirmed that CPZ was outside the remit of the Planning Committee.

Councillor Boote raised referred to previous applications 2013/0326 and 2014/0165 which had been both refused for reasons being “cramped and contrived representing an overdevelopment of the site”. Councillor Boote felt that the proposed application was not different in that it had been considered to be cramped and contrived. It was noted that 26 objections had been received from residents. The Planning Officer acknowledged that the previous applications had been refused on conditions outlined in the report. He explained that the new proposal had been for a subdivision of two conventional dwellings with their own amenity space and acceptable boundaries which had been granted in 2015.

RESOLVED

That planning permission be granted subject to conditions in the report and a Section 106 Agreement.

5c. 2018/0444 Land at Victoria Way & Church Street West. Church Street West, Woking

The Committee considered a Section 73 application which was to amend the approved plans of the consented Victoria Square development (PLAN/2014/0014). The plans

included most of the amendments previously approved under PLAN/2017/0006. The proposed amendments are summarised below:

- Provision of thirty seven additional residential units
- Associated alteration to housing mix resulting in a higher proportion of studio (twenty seven additional) and one bedroom apartments (twenty nine additional) and a lower proportion of two bedroom flats (nineteen fewer).
- Provision of an additional escape stairwell on the eastern elevation of both residential Towers 1 and 2
- Provision of three hundred and thirteen net additional parking spaces, which is sixty three fewer than the originally consented scheme but seventy nine more than the previously consented Section 73 application (PLAN/2017/0006)
- Provision of larger full-deck extension to the Red Car Park
- Decrease in height of the lift cores of Towers 1 and 2 by 1.3m and an increase in height of the main body of each tower by 0.8m
- Increase in height of energy centre by 1.125m
- Alterations to hotel including the provision of one fewer bedroom internal reconfigurations and external alterations to fenestration
- Re-location of residents' internal amenity space and creation of combined concierge and management facility
- Re-location of cycle storage to single combined space at basement level with dedicated lift access

Councillor Morales asked whether the proposed additional bedsit and one bedroom flats size would meet the recommended minimum dwelling size space by the National Technical Housing Standards. Councillor Morales also raised concerns on whether the newly adopted SPD Parking Standards of a minimum of two parking spaces per residential dwelling would be implemented, given that parking would not be provided for the vast majority of dwellings. It was suggested that this would increase the demand for parking spaces for bikes. Originally one cycle parking space had been allocated per flat. Councillor Morales emphasised the importance of providing additional bike spaces for residents who did not have access to a vehicle. Whilst acknowledging the new minimum parking standards, the Planning Officer stated that allowance for reduced parking provision in the Town Centre was acceptable in certain circumstances. An adequate space of 500sq meters had been proposed for allocated parking space.

The Planning Officer suggested that the Committee could add an additional informative which would be to advise the applicant to comply with the Council's new minimum Parking Standards as set out in the Council's new Parking Standards and Supplementary Planning Document. The Committee was supportive of the informative for the cycle parking spaces.

Some concern over the visual impact of the newly amended proposed balconies was raised. Members also felt that the amended proposed plan had not been robust enough to pass criteria of being of an exceptional standard to support approval of the application.

The Planning Officer clarified that the additional balconies would not materially harm the appearance of the building and would provide additional amenity space for the dwellings.

Chris Dale reminded Members that refusal of the application had to be based on unreasonable grounds of an approved scheme. Chris Dale added that the most significant major change would be the additional dwellings. Douglas Spinks endorsed Chris Dale's comments and also prompted Members on the importance of the proposed inclusion of the stairwells in each of the towers. Douglas Spinks urged Members to support the application.

RESOLVED

That planning permission be granted subject to:

- (i) Amend wording of Conditions 50 & 51 as per Officers update; and
- (ii) Add an informative advising in discharging condition 32, the LPA would expect the application to comply with Council's cycle parking standards as set out in the Parking Standards and Supplementary Planning Document.

5d. 2018/0854 Shoppers Car Park Road, Victoria Way, Woking

The Planning Committee considered an application seeking Prior Approval for the demolition of the car park and ground floor uses under the provisions of, Class B (demolition of buildings) Part 11, Article 3, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

RESOLVED

That prior approval not required.

5e. 2018/0410 The Coign Baptist Church, Nos. 1-5 Church Street West & Nos. 5-19 Oaks Road (odds) Inclusive

[Note 1: Councillor N Martin left the Chamber during the consideration of this application]

The Committee considered an application for the erection of a new Church auditorium following the demolition of Nos 5-19 Oaks Road (odds) inclusive, an extension church auditorium and alternations to fenestration and external materials. Reconfiguration of car parking including new vehicular access from Oaks Road. Soft and hard landscaping including fencing.

Councillor Aziz, Ward Councillor, commented that it had been pleasing that a state of the art building had been brought forward to the Committee after a sequence of historic proposals for this site. He added that local residents had been included in a series of consultations which had a positive outcome. Residents had no objections to the proposal. However, it had been noted that the area in discussion had been a CPZ. Councillor Aziz raised concerns on the impact of parking issues which would affect the residents in neighbouring streets on Sundays during Church Services. Councillor Aziz also commented on the need for co-ordination of building works within the area to ensure minimal disruption to local residents. The Planning Officer reported that parking matters had been addressed comprehensively within the report on Page 133, Paragraph 108 – 133.

Councillor Morales had not been convinced by the proposed two designated Disabled Parking spaces, adding that according to the new SPD the minimum recommend disabled parking bays were three for the scale of the proposal. Councillor Morales queried if an additional disabled parking space would be added.

Most Members were supportive of the proposed application, suggesting that the Coign Church would need to manage their own parking during Services.

RESOLVED

That planning permission be granted subject to amendment of conditions 3, 21 & 30 and an additional informative.

5f. 2018/0574 Dormy Cottage, Jackmans Lane, St Johns, Woking

[Planning Officer advised the Committee that two representation letters had been received from neighbouring residents following submission of the original proposal. One resident stated they had been content with the proposed reduced size garage from that in the original proposal, however concerns were raised of the width of accessing the new dwelling from Jackmans Lane. The other representation did not raise any points over and above the previous application.]

The Planning Committee considered an application for the erection of a new 5 bedroom detached dwelling at Dormy Cottage, a new garage at Dinnet Cottage, a new carport at Dormy Cottage and associated improved access and relocated boundaries following demolition of two existing garages and two outbuildings at Dinnet Cottage and Dormy Cottage (amended drawings).

The Planning Officer explained that comments received included concern over the fire engine access to the dwelling and that turning facilities were limited. The Planning Officer informed that the Council's Chief Building Control Surveyor had been consulted and it was reported that the current application plans did not comply with B5, Paragraph 11.2 due to vehicle access for the dwelling house exceeding 45m. The plan had not been in accordance with paragraph 11.5 as turning facilities that were more than 20m long were not present. The advice given from the Chief Building Control Surveyor would be to consider installing a water suppression system in accordance Surrey Fire Brigade recommendations.

The Chairman referred to the two roof lights and obscured windows which were thought to have an overlooking impact on the neighbours. The Planning Officer clarified that the windows were not obscured and glazed and had an acceptable sill height of 1.7m requirement in condition 5.

RESOLVED

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

5g. 2018/0300 164 Hermitage Road, St Johns, Woking

The Committee considered an application for the erection of a first floor extension, two-storey rear extension, single-storey front extension and fenestration alterations to an existing bungalow.

[Note1: The Planning Officer responded to queries raised by the applicant in an email addressed to the planning Committee. The applicant had raised the following queries:

- The applicant stated that within the proposal the description was defined incorrectly. The Planning Officer commented that the description given within the proposal had been a true consideration of the proposed application.
- The applicant claimed he had addressed all matters raised during the application stage. The Planning Officer commented on two changes from the recommendations that were raised which had not been addressed, these included; to reduce the depth of the rear extension by at least 0.3m and to hip the rear gable.
- Applicant claimed hedging was part of the required boundaries which were deemed to be acceptable. The Planning Officer stated that hedging would not constitute development in planning terms.

A Member stated that it had not been within the Council's Policy to accept front extensions. Whilst acknowledging this, the Planning Officer explained that the application for the front extensions was assessed as a whole and not a two-storey, which would have made it unacceptable according to the SPD Policy.

Some Members were supportive of the application stating that the proposal had presented its own distinct identity which would have an acceptable impact of character in view of the surrounding dwellings.

Members raised concerns on some of the issues within the scheme which included the extension would have a ridge height of 9.1m, a depth of 13.25m (which is actually 0.3m deeper than that of the refused application PLAN/2017/1256) and a width of 9.95m. This would create a large bulk and massing which would be considered cramped and overdeveloped within the plot and not in keeping with the form of neighbouring houses on Hermitage Road. Arguments were put forward by some Councillors that the application should be refused and that approval may undermine future argument against future front extension proposals.

In accordance to Standing Order 22.2, the votes for and against refusal of the application were recorded as follows:

In favour: Cllrs S Ashall, I Eastwood, N Martin, M Whitehand

TOTAL: 4

Against: Cllrs T Aziz, A Boote, G Chrystie, L M N Morales

TOTAL: 4

Present but not voting: Cllr G Cundy (Chairman)

TOTAL: 1

The application was therefore not refused.

Councillor Aziz proposed and Councillor Boote seconded a motion to approve the application. In accordance with the Standing Order 22.2, the votes for and against approval of the application were recorded as follows:

In favour:	Cllrs T Aziz, A Boote, G Chrystie, L M N Morales
	TOTAL: 4
Against:	Cllrs S Ashall, I Eastwood, N Martin, M Whitehand
	TOTAL: 4
Present not voting:	Cllr G Cundy (Chairman)
	TOTAL: 1

The application was therefore not approved.

Peter Bryant, Head of Legal and Democratic Services, reminded the Committee of a similar application recently considered and on which he had reported on earlier under the Appeal Decisions. The particular application was subject to judicial review at the High Court. Peter Bryant acknowledged that Members had different views on applications, however he informed Members that in order to function as a Committee, decisions would need to be determined at Planning Committee meetings.

Councillor Eastwood proposed and Councillor Whitehand seconded a motion to refuse the application. In accordance with standing Order 22.2 the votes for and against refusal of the application were recorded as follows:

In favour:	Cllrs S Ashall, G Cundy, I Eastwood, N Martin, M Whitehand
	TOTAL: 5
Against:	Cllrs T Aziz, A Boote, G Chrystie
	TOTAL: 3
Present and not voting:	Cllr L M N Morales
	TOTAL 1

The application was therefore refused for the reasons set out in the Officer's report.

RESOLVED

That that planning permission be refused.

5h. 2016/1332 11 Brookwood Farm Drive, Woking

The Committee considered a retrospective application for the erection of a summer house and shed in the rear garden of 11 Brookwood Farm Drive, Woking.

Councillor Eastwood informed Members that all properties within the area had been provided with garden sheds when dwellings were constructed.

It was noted that the summerhouse and shed, size and position on the site, resulted in an unacceptable loss of private amenity space and division of the garden into two separate areas in addition to the unauthorised hardstanding.

RESOLVED

That planning permission be refused and formal enforcement proceedings be authorised in accordance with the officer recommendation.

The meeting commenced at 7.00 pm
and ended at 9.39 pm

Chairman:

Date:
