

MINUTES
OF A MEETING OF THE
PLANNING COMMITTEE

held on 26 February 2019
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 5 February 2019 be approved and signed as a true and correct record.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. URGENT BUSINESS

There were no items of Urgent Business.

5. PLANNING AND ENFORCEMENT APPEALS

The Committee received a report on planning and enforcement appeals. One appeal had been lodged and three appeal decisions had been received.

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. 2018/1114 - Red Car Park, Victoria Way, Woking

The Committee considered an application for the erection of a 12 storey building comprising 10 levels of car parking (totalling 1,332 spaces) and A1 (retail) and/or D2 (assembly and leisure) uses at ground and upper ground floor levels (totalling 8,208 sq.m GIA); the erection of a spiral entrance and egress ramps, provision of pedestrian and vehicular links to Victoria Square development, access, landscaping, and other associated works following demolition of the existing Red Car Park.

The Planning Officer advised that, since the publication of the report, the applicant had provided additional information. As a result, conditions 21 to 24 had been replaced with new conditions 21 and 22 as set out below. It was further noted that one plan number had been omitted in error and would be added to condition 2 to avoid any doubt.

“New Condition 21: Prior to the commencement of the development hereby permitted, a scheme to deal with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority.

(i) The above scheme shall include:-

(a) a remediation action plan based upon the submitted Preliminary Contamination Risk Assessment dated 30/01/2013 and the Generic Quantitative Contamination Risk Assessment dated 29/05/2013;

(b) a "discovery strategy" dealing with unforeseen contamination discovered during construction;

Prior to the commencement of any above-ground works in connection with the development hereby permitted, the following shall be submitted to and approved in writing by the Local Planning Authority:

(c) a "validation strategy" identifying measures to validate the works undertaken as a result of (a) and (b) and

(d) a verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out

Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out and completed wholly in accordance with such details as may be agreed. Point (d) shall be completed prior to first occupation of the development hereby permitted.

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally in accordance with Policies CS9 and CS21 of the Woking Core Strategy 2012

New Condition 22: Contamination not previously identified by the site investigation, but subsequently found to be present at the site shall be reported to the Local Planning Authority as soon as is practicable. If deemed necessary development shall cease on site until an addendum to the remediation method statement, detailing how the unsuspected contamination is to be dealt with, has been submitted to and approved in writing to the Local Planning Authority (including any additional requirements that it may specify). The development shall then be undertaken in accordance with the approved details. Should no further contamination be identified then a brief comment to this effect shall be required to

be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.

Same reason for all conditions:

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment.”

The Committee considered the proposals and discussed the maintenance arrangements for the green ‘living’ wall and the circulation of vehicles within the car park. The proposals overall were welcomed and approval of the application, subject to the changes to the conditions, was agreed nem con.

RESOLVED

That planning permission be grant subject to the amended conditions as set out above.

6b. 2018/0952 - Ridge End, Hook Hill Lane, Mayford, Woking

[Note: In accordance with the procedure for public speaking at Planning Committee, Lucy Mortimer attended the meeting and spoke in objection to the application and Lawrence Evans spoke in support of the application.]

The Committee considered a full planning application for the erection of 2 detached two storey dwellings, 1 four bed and 1 three bed, following the demolition of an existing dwelling and garage, at Ridge End, Hook Hill Lane, Woking.

Councillor Ashall, Ward Councillor, spoke against the application, expressing concern over the narrowing of the site, the access arrangements, sight lines onto the highway and impact on the visual amenity. Councillor Ashall moved the refusal of the application on the grounds that the proposal was contrary to the neighbourhood plan, development management policy DM10 (development on garden land) and Woking Core Strategy CS21 on Design. The motion was seconded by Councillor Martin and was debated by the Committee.

The plot size was discussed and it was noted that the plot was exceptionally large and that it could therefore not be argued that it would become cramped and overdeveloped. Access to the site was raised and it was noted that the site had an existing right of access across land of the neighbouring property. No objections to the proposals had been raised by the Highway Authority. The Committee was advised that the existing site had two mature trees and that consent to remove one of the trees due to its poor condition had been agreed previously. The Planning Officer responded to the points raised by the Objector and advised that a landscaping plan would need to be provided in line with condition 4. The motion was put to a vote and in accordance with Standing Order 22.2, the names of Members voting for and against the motion were recorded.

In favour: Councillors Ashall and Martin.

Total in favour: 2

Against: Councillors Aziz, Boote, Chrystie, Eastwood and Morales.

Total against: 5

Present not voting: Councillors Cundy (Chairman) and Whitehand.

Total present not voting: 2

The motion was therefore lost by 2 votes in favour to 5 votes against.

Councillor Ashall referred the Committee to Condition 12 which would require the applicant to submit a Method of Construction Statement for approval under delegated authority. Councillor Ashall asked for the Statement to be brought before the Councillors before being agreed. Councillor Ashall further enquired after Informative 7 which dealt with the noise from the construction and Informative 8 which referred to the protection of bats under the Wildlife and Countryside Act 1981, asking whether a survey of bats had been undertaken for the site.

The Planning Officer advised that construction noise from the site was enforced by Environmental Health and was controlled by separate legislation. Informative 8 was an item of information for the applicant and did not require a site survey. In respect of Condition 12, the Committee agreed that the applicant's Method of Construction Statement would be presented to the Chairman for agreement.

The Committee was asked to agree the recommendation subject to the addition of the authority delegated to the Chairman to agree the applicant's Method of Construction Statement.

RESOLVED

- That (i) planning permission be granted subject to conditions and Section 106 Agreement to secure a SAMM (Strategic Access Management and Monitoring) contribution; and
- (ii) authority be delegated to the Development Manager, in consultation with the Chairman of the Committee to approve the applicant's Method of Construction Statement in accordance with Condition 12.

6c. 2018/1072 - Land South of Murrays Lane, Murrays Lane, Byfleet

The Committee considered a section 73 application for the removal of condition 01 and variation of condition 02 to make permanent planning permission PLAN/2016/0164, awarded on 12 May 2016. The existing planning permission allowed for a three year temporary change of use of land to four pitches for an extended Romany Gypsy family with associated works, including 4 day rooms, 4 mobile homes, 4 touring caravans, hardstanding, and cesspit. The application had been referred to the Committee for determination at the request of Councillor Boote due to the location of the site within the Green Belt.

Councillor Bond had asked to speak on the item as a Ward Councillor. It was noted that Councillor Boote represented the Ward on the Committee itself. However, the Chairman ruled that he would allow Councillor Bond to speak for three minutes on this occasion, noting that no members of public had registered to speak. Councillor Bond spoke against the application, stating that the site lay within the Green Belt and should therefore not be built upon, and enquired whether a climate change assessment had been undertaken to

gauge the future flood risk for the site. In addition, Councillor Bond expressed concern over the noise levels for the residents in view of the close proximity to the M25.

The Planning Officer addressed the points raised, noting that whilst the application did represent harm to the Green Belt and the openness of the site, the Council also had to take into account the best interests of the families, in particular the children. In terms of noise from the M25, the matter was addressed in the report and had not been identified as a concern by those living on the site.

Councillor Boote reiterated a number of points made by Councillor Bond, including the impact on the Green Belt, and considered that the Site Allocation DPD should not be pre-judged whilst it was being considered by the Secretary of State. There were concerns that the site would become liable to flooding through climate change and the Officers were asked whether the Council's Drainage and Flood Risk Engineer had assessed the site.

The Committee debated the proposals and noted that the original conditions had been discharged by the Applicant. However, it was noted that a flood risk assessment had not been completed as part of the planning process and the Deputy Chief Executive suggested that Officers should be delegated authority to approve the application subject to the positive outcome of a flood risk assessment by the Council's Drainage and Flood Risk Engineer. In the event that the Engineer was not satisfied with the proposals for the site, the application would be brought back to the Committee for determination.

RESOLVED

- That (i) authority be delegated to the Development Manager to approve the application subject to a satisfactory flood risk assessment to be undertaken by the Council's Drainage and Flood Risk Engineer; and
- (ii) in the event the Council's Drainage and Flood Risk Engineer is not satisfied with the proposals for the site, the application be brought back to the Committee for determination.

6d. 2018/0983 - Tall Trees, Wych Hill Lane, Woking

The Committee considered an application for the demolition of an existing bungalow dwelling and the erection of a two storey 4 bedroom dwelling and detached garage at Tall trees, Wych Hill Lane, Woking.

Councillor Ashall, Ward Councillor, spoke on behalf of local residents and raised a number of points. The residents would have been happier if the proposal had included an integrated garage rather than a detached garage, though had welcomed the change from a gable roof to a flat roof for the garage. Furthermore, the residents believed that they had not been consulted Certificate of Proposed Lawful Development.

Councillor Ashall asked for the tree protection plan, required under Condition 8, to be determined under authority delegated to the Chairman once received to enable him to have sight of it. The last point was supported by the Committee and the Planning Officer advised that neighbouring properties were not required to be consulted on a Certificate of Proposed Lawful Development.

RESOLVED

- That (i) planning permission be granted subject to the conditions;
and
- (ii) authority be delegated to the Development Manager in consultation with the Chairman of the Committee to approve the applicant's tree protection plan in accordance with Condition 8.

6e. 2018/1047 - 27 Westfield Avenue, Westfield, Woking

A full planning application was considered by the Committee for the erection of a two storey replacement dwelling following the demolition of an existing dwelling at 27 Westfield Avenue, Westfield, Woking.

RESOLVED

That planning permission be granted subject to conditions.

6f. 2018/1323 - Junction with Holly Bank Road & Mile Path (West), Woking

The Committee considered an application for the erection of two white painted timber gates on verges either side of Mile Path West, adjacent to the junction with Holly Bank Road.

RESOLVED

That planning permission be granted subject to conditions.

2016/1204 - Britannia Wharf, Monument Road, Woking

A full application was considered by the Committee for the partial demolition, rebuild including an extension of existing B1 office building to create a 4/5 storey building for Class C3 use including 52 (forty seven 2 bed and five 1 bed) apartments, and associated works, with existing access roads/car parking to be retained.

The Committee sought clarification in regard to parking provision, noting the inclusion of a layby which would be available for coach parking, school buses and vehicle drop-offs.

RESOLVED

That planning permission be granted subject to:

- (i) the prior completion of a S106 Legal Agreement to secure:
- (a) an affordable housing contribution of £242,528 and overage clause; and
- (b) the required SAMM financial contribution (currently £34,569 and any increase which may be required if the agreement is signed after 31st March 2019); and

- (ii) the originally recommended planning conditions (1-31 including update to Condition 2 and revised drainage conditions 16 and 17 as they appear in the update report) and recommended planning condition 32 as it appears in the update report.

6h. 2018/1190 - West Byfleet Golf Club, Sheerwater Road, West Byfleet

The Committee considered an application for the removal of three storage containers and the erection of a single storey buggy and trolley storage shed.

RESOLVED

That planning permission be granted subject to conditions.

6i. 2018/1199 - 34 Monument Road, Woking

The Committee considered an application for the retention of change of use from office to residential at ground floor including the retention of a single storey rear extension and rear roof dormer to facilitate an extension to existing flat and proposed new front dormer window to facilitate the creation of 1 additional flat totalling to 2 two bedroom flats, which included the submission of details pursuant to conditions 04, 05, 06 and 09 of PLAN/2017/1212.

The Planning Officer advised that the front dormer had been omitted from the present application through submission of amended plans on 22 and 25 February 2019. The Committee was therefore advised to delete “proposed new front dormer window” from the description of development and delete recommended reason for refusal 01 – relating to the front dormer. Reasons 02 and 03 remained unaffected and the Members were advised to update the plan list accordingly.

Following a further site visit undertaken on 25 February 2019, it was apparent that the rear dormer was now substantially complete. Furthermore, the following points in contradiction to the amended plans were noted:

- the ‘L-shape’ element of rear dormer was wider, and contained a larger, and clear-glazed, window, than shown on the submitted plans; and
- a rooflight not shown on the submitted plans had been inserted into the front roof slope.

Five letters expressing support for the application had been received.

Councillor Aziz, Ward Councillor, spoke in support of the application, arguing that the applicant had only made very minor changes to the agreed plans which had no impact on the street scene. In view of this, Councillor Aziz moved that the application should be approved as an acceptable development subject to the introduction of obscured glazing. The motion was seconded by Councillor Boote and debated by the Committee, which considered the encroachment of the rear dormer on the neighbouring property, the height of the dormer, its impact on the street scene and the addition of a rooflight.

In accordance with Standing Order 22.2, the names of Members voting for and against the motion were recorded.

In favour: Councillors Aziz, Boote and Morales.
Total in favour: 3
Against: Councillors Ashall, Chrystie, Eastwood, and Martin.
Total against: 4
Present not voting: Councillors Cundy (Chairman) and Whitehand.
Total present not voting: 2

The motion was therefore lost by 3 votes in favour to 4 votes against. The Committee was asked to agree the recommendation subject to the amendments reported by the Officer.

RESOLVED

That planning permission be refused and formal enforcement proceedings be authorised, subject to the amendments set out above.

The meeting commenced at 7.00 pm
and ended at 9.24 pm

Chairman: _____

Date: _____