

MINUTES
OF A MEETING OF THE
PLANNING COMMITTEE

held on 19 March 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 G G Chrystie	Cllr L M N Morales

Absent: Councillor A J Boote

1. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 19 March 2019 be approved and signed as a true and correct record.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor A Boote.

3. DECLARATIONS OF INTEREST

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. 6b – 9-13 Poole Road & Sections of Poole Road, Goldsworth Road & Church Street West arising from their positions as Council appointed Directors of Thameswey Energy Limited (and other Thameswey Companies). The interest was such that it would not prevent the Officers from advising on that item.

4. URGENT BUSINESS

There were no items of Urgent Business.

5. PLANNING AND ENFORCEMENT APPEALS

The Committee received a report on the planning appeals lodged and the appeal decisions.

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. 2018/1362 - 9-13 Poole Road & Sections of Poole Road, Goldsworth Road & Church Street West

The Committee considered an application for the erection of a building containing 2658 sq.m GIA energy centre installation of three thermal store vessels and ancillary infrastructure structures, including the ground pipework. The associated installation of subterranean district heating main and private wire electricity cables beneath Poole Road, Goldsworth Road and Church Street West.

[Note 1: The Planning Officer advised the committee of an update to the amendment of Conditions 25,26,27, 28 on contamination as detailed below:

Condition 25: Prior to the commencement of development (except any site enabling works) a comprehensive, written environmental desktop study shall be submitted to and approved in writing by the Local Planning Authority.

Condition 26: Prior to the commencement of development and any contaminated land site investigations on site (except any site enabling works) and in follow-up to the environmental desktop study report a contaminated land site investigation proposal.

Condition 27: Prior to the commencement of the development (except any site enabling works) a contaminated land site investigation and risk assessment.

Condition 28: Prior to the commencement of the development (except any site enabling works) a detailed remediation method statement].

[Note 2: The Committee was advised of an update to an informative as follows:

For the purpose of construing the planning conditions set out within this notice “site enabling works” shall include operations in connection with demolition, site clearance, the erection of means of enclosure for the purposes of site security, marking out, surveying, and the provision of contractors facilities].

Councillor Morales commented positively on the amended reduction in height in comparison to the previous application which had been refused. Clarification was sought on Class B1 and B2 usage. The Planning Officer explained that Class B1 usage was for light industrial which had been considered appropriate for the current purpose of usage.

RESOLVED

That planning permission be granted subject to conditions and any minor amendments to those conditions be delegated to the Development Manager.

6b. 2018/0810 - Land of Rear Of Invermark House. Oakcroft Road, West Byfleet

The Committee considered an application for the erection of a two storey detached dwelling comprising of 4 bedrooms on land to the rear of Invermark House and formation of associated vehicular access onto Oakcroft Road.

[Note 1: The Planning Officer advised the Committee that one additional letter of objection had been received which reiterated the concerns summarised within the representations section of the report].

The Planning Officer noted that the planning application before the Committee had been previously refused in August 2017, subsequently an appeal decision had been dismissed in May 2018. The current application was a revised proposal addressing concerns raised by the Appeal's Inspector.

[Note 2: In accordance with the procedure for public speaking at Planning Committee, Mr Andy Grimshaw attended the meeting and spoke in objection to the application and Ms. Janet Long spoke in support].

At the request of the Chairman, the Planning Officer addressed queries raised by the objector including the height of the building, waste and drainage. The Planning Officer advised the Committee that the height had been addressed in the amended proposal. It had been reported that waste and sewage would not be a material planning issue and would need to be addressed under the building regulations. In terms of surface drainage, no concerns had been raised by the Drainage Officer.

The Planning Officer advised the Committee that the Appeal's Inspector had a number of combination concerns which resulted in the previous application being considered unacceptable. The current amended proposal had been considered to have sufficiently overcome the previous refused application. This resulted in a visually acceptable form of development and ensured a positive impact to the character of the surrounding area and amenities.

Councillor Chrystie, Ward Councillor, spoke against the application, expressing concerns including the access to Orchard Close, highway safety and breaching of polices BE1 and BE2 of the West Byfleet Neighbourhood Development Plan.

Discussions ensued on the poor visibility of the entrance and the adverse impact it would pose to highway safety. It had been noted that the site entrance had suitable visibility splays which were considered acceptable by Surrey County Council Highways.

Some Councillors felt that the orientation had not been addressed in the amended proposal, which had been one of the reasons for the previous refusal. The Planning Officer acknowledged that though the orientation remained unchanged, significant amendments had resulted in the Appeal's Inspector considering the application to be acceptable.

Clarification was sought on provisions for sewage and tree protection orders. It had been noted that according to the Arboriculture Impact Assessment no works or demolition would take place until the tree protection measures were implemented. Sewage and waste were not considered to be a planning material matter and would be determined under the building regulations.

Some Members argued that it had been clear according to the Appeals Inspector's report that concerns raised in the previously refused proposal had been addressed sufficiently in the current application before the Committee.

Councillor Chrystie moved and Councillor Ashall seconded the motion to refuse the application on the grounds of contrary to policies CS21, BE1, sewage, contrived, and backland.

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

In favour: Cllrs Ashall and Chrystie

TOTAL: 2

Against: Cllrs Aziz, Eastwood, Martin and Morales

TOTAL: 4

Present but not voting: Cllrs Cundy (Chairman) and Whitehand

TOTAL: 2

The application was therefore not refused.

The Chairman moved the motion to vote on approval of the application:

The votes for and against approval of the application were recorded as follows:

In favour: Cllrs Aziz, Eastwood, Martin and Morales

TOTAL: 4

Against: Cllr Chrystie

TOTAL: 1

Present but not voting: Cllrs Ashall, Cundy (Chairman) and Whitehand

TOTAL: 3

The application was therefore approved.

RESOLVED

That the application be granted subject to conditions and Section 106 Agreement to secure a SAMM contribution.

6c. 2018/1161 - Land Adjacent to 19 Evelyn Close, Woking

The Committee considered an application for the retention of an existing house within a reduced curtilage and erection of a 3 bedroom detached house which included a new dropped kerb.

[NOTE 1: The Planning Officer advised the Committee of an update to Condition 3 as follows:

Prior to the commencement of the development hereby permitted, details, including samples, of all external materials to be used in the construction of the dwelling and any hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and in accordance with Policy CS21 of the Woking Core Strategy 2012.

Prior to the commencement of the development hereby permitted, details, including samples of bricks and roof tiles to match those of No. 19 Evelyn Close, of all external materials to be used in the construction of the dwelling and any hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and in accordance with Policy CS21 of the Woking Core Strategy 2012].

[NOTE 2: In accordance with the procedure for public speaking at Planning Committee, Mr Len Walker attended the meeting and spoke in objection to the application].

It was noted that the objector thought the proposal would not be compatible with existing dwellings in Evelyn Close and would present as cramped and contrived. It was believed that the proposal would contravene policies 2027 of the Woking Development Plan and CS21 of the Woking Core Strategy

Councillor Ashall, Ward Councillor, welcomed the objector's comments and spoke against the application, commenting that the proposed layout would not be in proportion to the already well established area of existing dwellings along Evelyn Close and considered the sub-division to be unacceptable.

Councillor Ashall proposed and Councillor Chrystie seconded a motion to refuse the application on the grounds that the proposal was thought to be contrived, an inappropriate sub-division of land, contrary to Policies CS21 and CS24 of the Woking Core Strategy 2012 and the Development Management Policy DM10.

Councillor Morales spoke in support of the application and welcomed the design of the dwelling and thought it was a good use of site and complied with Policy CS10 of the Woking Core Strategy.

After clarification had been sought on the difference between dwelling and amenity space, the Planning Officer confirmed that whilst the proposal would reduce the size of the

amenity space to No. 19, it had been considered that the subdivision and resulting curtilages would not be substantially below that prevailing in the area.

In accordance with Standing Order 2.22, votes for and against of the motion were recorded as follows:

In favour: Cllrs Ashall, Chrystie and Whitehand

TOTAL: 3

Against: Cllrs Aziz, Eastwood and Morales

TOTAL: 3

Present but not voting: Cllrs Cundy (Chairman) and Martin

TOTAL: 2

The motion was therefore not refused.

Peter Bryant, Head of Legal and Democratic Service, deemed the vote to be split. The Chairman was informed that under the Constitution he would not be allowed to use his casting vote as he did not partake in the first vote.

The Chairman returned to the motion for approval and the votes were recorded as follows:

In favour: Cllrs Aziz, Eastwood and Morales

TOTAL: 3

Against: Cllrs Ashall, Chrystie, Martin and Whitehand

TOTAL: 4

Present but not voting: Cllr G Cundy (Chairman)

TOTAL: 1

The application was therefore not approved.

Peter Bryant, Head of Legal and Democratic Services, acknowledged that Members had different views on applications, however he reminded Members that in order to function as a Committee, decisions would need to be determined at Planning Committee meetings.

The Chairman decided to proceed with the original motion of refusal.

Councillor Ashall again proposed and Councillor Chrystie seconded a motion to refuse the application.

In accordance with Standing Order 2.22, votes for and against of the motion of refusal were recorded as follows:

In favour: Cllrs Ashall, Chrystie, Martin and Whitehand

TOTAL: 4

Against: Cllrs Aziz, Eastwood and Morales

TOTAL: 3

Present but not voting: Cllr Cundy (Chairman)

TOTAL: 1

The application was therefore refused.

RESOLVED

That planning permission be refused.

6d. 2018/0456 - 212 Goldsworth Road, Woking

The Committee considered an application for the erection of a 2.5 storey building which would provide one 1 bedroom flat and four 2 bedroom flats, including the provision of five parking spaces and refuse/recycling, following the demolition of an existing house.

[Note 1: The Planning Officer advised the Committee of an update to:

Condition 2 (Plans)

Substitute the following drawings:

- P171289/S-L01, Existing Site/Block Plan, dated May 2018
- 17069/PLL02, Site Location Plan, dated February 2019

With the plans below:

- P171280/S-L01, Existing Site/Block Plan, dated March 2019
- 17069/PLL02, Rev A, Site Location Plan, dated February 2019].

The Chairman queried on the impact of overbearing and overlooking on the bungalow. The Planning Officer advised the Committee that the proposal had been sufficiently set away from the front elevation of No. 89 ensuring that there would be no significant adverse impact on the bungalow.

RESOLVED

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

6e. 2018/1371 - 25 High Street, Woking

The Committee considered an application for the erection of one rear dormer and two front dormers together with the conversion of an existing roof space to form a one bedroom flat.

RESOLVED

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

6f. 2018/1304 - 4 Melbury Close, West Byfleet

The Committee considered an application for the demolition of an existing bungalow, comprising of a garage and car port and to include the construction of a new detached two bedroom bungalow with an integral garage.

[Note 1: The Planning Officer advised the Committee that one additional letter of objection had been received which reiterated the concerns summarised within the representations section of the report].

Councillor Chrystie, Ward Councillor raised concerns on the separation distance of the boundary including the impact of overlooking. Whilst acknowledging that the level of development would increase along the boundary, the Planning Officer explained the replacement dwelling would be sited along a similar side building which would reduce the level of bulk and height from the perspective of Tarrant and Foxholt. The separation distances, existing boundary treatment of 2 meter high timber fencing and recently pruned trees along with the reduced height of 3.8 meters, the proposal would not have a significant detrimental impact on overlooking

RESOLVED

That planning permission be granted subject to conditions.

6g. 2019/0052 - Peterport, Lavender Road, Woking

The Committee considered an application that sought full planning permission for the alterations of a front elevation at ground floor level, including alterations to a fenestration, front porch extension and conversion from a four bedroom dwelling to 2 three bedroom dwellings.

RESOLVED

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

6h. 2018/1295 - Y-Pod Building, Hollywood House, 1st & 2nd Floor, Church Street East, Woking

The Committee considered an application that sought full planning permission for the change of use of the first and second floors of a Youth drop in Centre to a non-residential institution including the installation of one rooflight.

RESOLVED

That planning permission be granted subject to conditions.

6i. 2018/1144 - 112 Maybury Road, Woking

The Committee considered an application for a single storey side and rear extension, single storey rear extension and rear dormer to the existing roofspace with two velux windows to the front elevation.

RESOLVED

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

6j. 2018/0611 - 111 Maybury Road, Woking

The Committee considered an application for a loft conversion with two Velux windows to the front elevation and single storey side and rear extension.

RESOLVED

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

6k. 2018/1313 - Greenbriar, Firbank Lane, St Johns, Woking

The Committee considered an application for the erection of a four bedroom detached house with detached double garage following the demolition of the existing chalet bungalow and detached double garage.

It was noted that planning permission had been granted previously under delegated powers as a householder application for extensions to the existing bungalow

The Chairman queried on the impact to neighbouring Heatherside The Planning Officer explained that it had been noticed that the existing property had been plotted incorrectly on the submitted plans. However, the original approval was in the identical location to the current proposal before the Committee, which was thought not to have an impact to Heatherside. The proposed dwelling would retain a separation distance of approximately 3 meters to the side boundary with Heatherside which had been considered acceptable.

RESOLVED

That planning permission be granted subject to conditions.

61. 2018/1217 - 13 The Riding, Woodham, Woking

The Committee considered an application for the erection of a single storey front extension.

Councillor Aziz, Ward Councillor, sought clarification on the roof light and side windows which he thought would have an overlooking impact to the neighbouring property. The Planning Officer confirmed that the roof light would be oblique and set in the ceiling, whilst the proposed side non opening obscured glazed window would be set at a high level to prevent overlooking. The separation distance exceeded the required guidelines and was thought not to fringe with Outlook, Amenity, Privacy and Daylight policy.

Councillor Whitehand advised the Committee that a resident had raised concerns on the proposed extension contravening one of the restrictive covenants of the original plans. Whilst acknowledging that covenants were a civil issue, Councillor Whitehand suggested that the application should be deferred for further investigation on the restrictive covenants or a refusal on grounds of breaching of CS21 of the Woking Core Strategy.

Peter Bryant reminded the Committee that the application could not be deferred on the basis of restrictive covenants as this would not be considered a material planning matter.

In light of the questions received by Councillor Whitehand from the resident, the Planning Officer explained that the proposal had an acceptable impact on character, neighbouring amenity and the proposal complied with Policies CS21 of the Woking Core Strategy, DM2 of The Development Management Policies Development Plan Document, Supplementary Planning Documents, Outlook Amenity, Privacy and Daylight and was therefore deemed to be acceptable.

Some Members thought that Committee should consider the application for its own merits and that the Committee had no valid reason for refusing the application.

In accordance with standing Order 22.2 the votes for and against approval of the application were recorded as follows:

In favour: Cllr Aziz, Chrystie, Eastwood, Martin and Morales

TOTAL: 5

Against: Cllr Ashall and Whitehand

TOTAL 2

Present and not voting: Cllr Cundy (Chairman)

TOTAL: 1

The application was there approved.

RESOLVED

That planning permission be granted subject to conditions.

6m. 2018/1207 - 146 & 148 Robin Hood Road, Knaphill, Woking

The Committee considered an application that sought full planning permission for the erection of a part two storey and part single storey rear extension which included rear dormer roof extensions with sub-divisions of two dwelling houses with 2 bedrooms into four flats comprising of 3 one bedroom and 1 two bedroom, which included associated parking and new vehicular crossover.

Members spoke in support of the Officer's recommendations reflected in the report and were in agreement to refuse the planning application.

RESOLVED

That planning permission be refused and formal enforcement proceedings be authorised.

6n. 2018/1034 - Oaklands, 521 Woodham Lane, Woking

The Committee considered an application for a single storey rear extension which included a raised rear patio.

Councillor Aziz, Ward Councillor, expressed empathy towards the applicant's personal circumstances and explained that the building which had been built was a bungalow with accessibility adaptations suited for applicant's needs. Councillor Aziz requested Members to be sympathetic in considering the application.

The Chairman reminded Members to consider the application on planning merits.

Councillor Chrystie suggested to extend the period of enforcement, to provide opportunity for the applicant to work together with the Planning Officer to address issues highlighted.

Whilst acknowledging that the extension was incongruous and out of context with the surrounding dwellings, most Members expressed sympathy towards the applicant's personal circumstances and were in agreement to extending the enforcement period to 12 months.

RESOLVED

That formal enforcement proceedings to be extended for a twelve month period in order for the applicant to work in collaboration with the Officer in undertaking recommendations set out in the report.

6o. 2018/1163 - 37 Eden Grove Road, Byfleet

The Committee considered an application for retrospective consent on a raised platform along with a log cabin and shed in the rear garden.

RESOLVED

That planning permission be refused and authorise formal enforcement proceedings.

The meeting commenced at 7.00 pm
and ended at 10.00 pm

Chairman: _____

Date: _____