

MINUTES
OF A MEETING OF THE
PLANNING COMMITTEE

held on 4 June 2019
Present:

Cllr G G Chrystie (Chairman)
Cllr S Ashall (Vice-Chair)

Cllr T Aziz	Cllr L S Lyons
Cllr A J Boote	Cllr N Martin
Cllr G W Elson	Cllr L M N Morales
Cllr S Hussain	

1. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 9 April 2019 be approved and signed as a true and correct record.

2. APOLOGIES FOR ABSENCE

None.

3. DECLARATIONS OF INTEREST

In accordance with the Officers Procedure Rules, Peter Bryant, Head of Democratic and Legal Services declared a non-pecuniary interest in Item 6a – 2019/0188 – Dukes Court, Duke Street, Woking – arising from his position as a Director of Dukes Court Company. The interest was such that it would not prevent the Officer from advising on that item.

In accordance with Members' Code of Conduct, Councillor L Morales declared a non-pecuniary interest in item 6c – Land Adjacent to 2 – 12 Rydens Way, Woking arising from her position as a Director of a charity that owns the building next door to the proposed development. The interest was such that speaking and voting were permissible.

4. URGENT BUSINESS

Point Of Order

2018/0968 – 7 Tanglewood Close, Pyrford, Woking Borough Council

The Chairman indicated that he had been contacted by several parties involved in Item No. 6f Tanglewood Close, Pyrford concerning the right of objectors to appoint a public speaker to represent them. As a result the Chairman requested the Head of Democratic and Legal Services to enquire into whether or not the objectors had such a right. It was reported that the pre requisite condition of at least 10 persons objecting had not been met and there was no right to speak. The Chairman explained he was unable to permit public speaking in Item No. 6f nor in any other case where the requisite number had not been reached.

2019/0380 – Egley Road, Woking, GU22 ONG

[Note 1: The reason for this item of Urgent Business was that if a decision had not been issued by the Local Planning Authority by 8 June 2019 the proposal would receive deemed consent].

An application for approval of the installation of Phase 5 telecoms street pole, 3 antennas situated within the pole, and equipment cabinets and ancillary development thereto.

Ward Councillor, Councillor Ashall spoke in objection to the application. He further added that the application before the Committee had arisen once Ward Councillors were contacted directly by Harlequin in December last year, to consultant on the proposal of the siting. Major concerns were raised on the proposed site which was deemed unacceptable. This had been due to the site being adjacent to an emerging site for green space which would be a natural separation of between Woking Urban area and the Village of Mayford in the DPD site allocations. The applicant had been advised by Ward Councillors to contact the Mayford Village Society to address any concerns towards the proposed site. It had been highlighted that Ward Councillors were not advised of the outcomes by the applicant.

Some Councillors expressed concerns on the proximity of the proposed mast to both the Hoe Valley and Barnsbury Schools, which was believed to pose health risks.

A query elevated on the distance of maximum intensity of the beam to the nearby schools including health risks. The Planning Officer explained that both schools had been consulted prior to submission and no responses were received and that the proposal complies with the ICNIRP guidelines limiting exposure.

It had been highlighted that the applicant had considered alternative sites, this led to Members expressing their frustrations on the preferred proposed site for the construction of the mast. Discussions ensued on the alternate siting options, health risks and the appearance of mast.

Thomas James, The Development Manager, prompted Committee Members to be mindful whilst considering the application for its own merits which included site and appearance.

Councillor Ashall moved and Councillor Elson seconded the motion to refuse the application on the grounds of the proposed siting and appearance.

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

In favour: Cllrs Ashall, Aziz, Boote, Elson, Hussain, Lyons, Martin and Morales.

TOTAL: 8

Against: None.

TOTAL: 0

Present but not voting: Cllr Chrystie (Chairman)

TOTAL: 1

The application was therefore refused.

RESOLVED

That the planning application be refused.

5. PLANNING AND ENFORCEMENT APPEALS

RESOLVED

That the report be noted.

6. PLANNING APPLICATIONS

6a. 2019/0188 - Dukes Court, Duke Street, Woking

The Committee considered an application for the proposed highway improvement works to a section of Duke Street, Locke Way, Stanley Road and Maybury Road. A new public plaza, new access points to Dukes Court off Stanley Road, with parking rearrangements, new shared footpaths and cycle paths with improvements to existing footpaths, landscape additions, seating areas and cycle parking. A proposed vertical green wall on the central south-western spine of Dukes Court along with a single storey detached kiosk within the existing western courtyard of Dukes Court.

[Note 1: the Planning Officer advised of an additional informative which read as follows: "The applicant would be advised to engage with Woking Community Transport to promote the accessibility to and use of the proposed public plaza."

The Chairman queried if the roundabout highway works would be proposed in a separate planning application. The Planning Officer confirmed some road works had been included in the proposed application before the Committee.

Discussions ensued on the maintenance of the green wall and soft landscaping.

Concerns were raised on the loss to parking spaces in the proposed area. It had been highlighted that Surrey Highways had no concerns regarding loss to car parking spaces.

RESOLVED

That the planning permission be granted subject to recommended conditions.

6b. 2019/0290 - The Gatehouse, Warbury Lane, Knaphill, Woking

The Planning Committee considered a full application for the erection of a replacement residential dwelling and the demolition of the existing residential dwelling after the replacement dwelling had been constructed.

Ward Councillor, Councillor Hussain said he would have opposed the application on the basis of the site being within the Green Belt. However, he felt he would have no grounds to oppose the application as there was an existing dwelling on the site.

Councillor Hussain queried timescales for demolition of the existing dwelling. The Planning Officer clarified that recommended condition 13 required the applicant to demolish the existing dwelling within two months of first occupation of the replacement dwelling. A concern was raised regarding permitted development rights. The Planning Officer confirmed that recommended condition 12 removed those permitted development rights which it had been considered reasonable and necessary to do so.

Some Councillors welcomed the proposal and thought the proposed development was an improvement to the existing dwelling. Members agreed to support the application.

RESOLVED

That planning permission be granted subject to conditions.

6c. 2018/1343 - Land Adjacent to 2-12 Rydens Way, Old Woking, Woking

The Committee considered an application for the erection of an extension to 2-12 Rydens Way to contain four flats 2 two bedroom and 2 one bedroom as well as an associated access, stairwell with bike storage and amenity space.

Ward Councillor, Councillor Morales spoke in support of the application, mentioning that the proposal would have a positive impact to the considerable need for social housing in the Borough whilst acknowledging that the proposal did not comply with the SPD Parking Standards regarding parking provision.

Councillor Lyons expressed his concerns on the lack of parking spaces available for the development. He added that the proposal did not meet the SPD Parking Standards guidelines.

The Planning Officer explained that a consultation response from the County Highway Authority (SCC) requested a car parking accumulation survey. A survey from a previous application had been submitted by the applicant. The County Highway Authority reviewed this information and then added the potential displacement of cars onto the highway and trip generation that the development would create and deemed it acceptable. A further consultation response received no objections, subject to compliance with a submitted Construction Management Plan.

Whilst recognising the essential need for social housing, Members were adamant the proposal did not meet the SPD Parking Standards for this reason they were not inclined to approve the application. Some Members felt the Committee ought to set precedence by following the guidelines as set out in the SPD.

Attention was drawn to similar proposals brought before the Committee which were thought did not conform with the SPD Parking Standards, resulting in the applications being refused by the Committee. Some Members believed the Committee should be consistent when considering applications.

Councillor Morales reminded Members the proposal had been targeted for social housing. It was thought that tenants bidding for the properties would be well aware that the development had no parking provision.

Peter Bryant, Head of Legal and Democratic Services, reminded Members to consider a decision on either moving the motion on grounds of refusal of parking or to defer the application. He did not consider that there were grounds for deferral.

Thomas James, Development Manager, cautioned the Committee on considering the deferral of the application. It was thought that the Committee had no clear sustainable evidence as why the application should be deferred. This would mean that the decision would be almost be impossible to defend on Appeal and that it was likely that costs would be levied to the Council if their decision had been overturned.

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

In favour: Cllrs Ashall and Morales

TOTAL: 2

Against Cllrs Aziz, Boote, Elson, Hussain, Lyons and Martin

TOTAL: 6

Present but not Voting: Cllr Chrystie (Chairman)

TOTAL: 1

The application was not approved.

Peter Bryant, Head of Legal and Democratic Services, again cautioned the Committee, reiterating on Surrey County Highways acceptable evaluation reflected in the report.

Councillor Lyons moved and Councillor Boote seconded the motion to refuse the application on the grounds of insufficiency car parking space.

In accordance with Standing Order 22.2 the votes for and against refusal were recorded as follows:

In favour: Cllrs Aziz, Boote, Elson, Hussain, Lyons and Martin.

TOTAL: 6

Against: None

TOTAL: 0

Present but not voting: Cllrs Ashall, Chrystie (Chairman) and Morales.

TOTAL: 3

The application was therefore refused.

RESOLVED

That planning permission be refused.

6d. 2019/0233 - The Barn, Egley Road, Woking

The application had been withdrawn from the agenda.

6e. 2018/1265 - 5 Henage Lane, Old Woking, Woking

The Planning Committee considered a retrospective planning application for the retention of a rear conservatory.

Ward Councillor, Councillor Morales raised concerns regarding the subsequent level of private amenity space and a loss of privacy to No.4 Henage Lane. In addition, it had been apparent that the resulting garden area was significantly less than the footprint of the extended dwelling, which did not accord with SPD Outlook, Amenity, Privacy and Daylight (2008).

It was thought that the conservatory had been built without the necessary planning permission because condition 07 of the original planning permission for the wider development removed permitted development rights.

Whilst acknowledging that the footprint-to-garden ratio was less than the recommendations within the SPD, it was noted that a similar footprint-to-garden ratio had been permitted within the wider development. Although recognising some Members frustrations on the retrospective nature of the application, the Planning Officer reminded the Committee to consider the application in the normal manner.

Having regard to previous appeal decisions within the Borough it was thought that any conflict with SPD Outlook, Amenity, Privacy and Daylight (2008), and the provisions of the NPPF, in terms of amenity space provision, would not be such as to unacceptably harm the living conditions for existing and future occupiers as regards the adequacy of the rear garden amenity space.

In terms of the opening-windows facing towards the shared boundary with No.4 Councillor Lyons proposed, and Councillor Aziz seconded, that a suitable condition be added to require the opening windows facing towards No.4 to be replaced with non-opening windows to preserve the residential amenity of No.4.

The Planning Officer advised that any such condition was not considered to meet the relevant tests for planning conditions although this was a matter of planning judgement for Members. Members agreed for a suitable condition to be added if the application was to be approved.

It had been noted that Councillor Morales was not in agreement to the proposed suggestion.

RESOLVED

That planning permission be granted subject to:

- Additional condition relating to the windows facing towards No.4 and;
- Delegated authority be granted to the Development Manager to draft and add such a condition and grant planning permission

6f. 2018/0968 - 7 Tanglewood Close, Pyrford, Woking

The Committee considered a retrospective application for a proposed part single part two storey rear extension with a rear dormer.

[Note 1: The Officer updated Members on the removal of Condition 2 regarding the tree protection].

It was noted that the proposal was under construction during application stage which now had been completed. The Enforcement and Planning Officer visited the site and measured the completed development against the proposed plan.

The Planning Officer confirmed that proposed dormer had similarities to the dormer previously approved in height, depth and width, adjoining to the part two story rear extension.

Ward Councillor, Councillor Elson spoke in objection to the application commenting on the size, scale, bulk and height. It was thought that the extension was overbearing and impacted to surrounding neighbours, noting that the proposal did not comply in accordance with the previously approved plans and breached Policies CS21 of the Woking Core Strategy.

Councillor Boote spoke in support of the application explaining the applicant had adhered to all recommended conditions and following planning procedures during the construction of the conservatory.

Following a query, the Planning Officer clarified that 2.7 metres had been previously approved, however, a 2.95 had been erected.

Some Members were perplexed as to why the dormer had been built with an increased height which did not have approved in the previous application. It was believed that the Committee should set precedents, making it difficult in supporting the application before the Committee.

Thomas James cautioned the Committee that a similar application had been approved on similar grounds by the Committee. Members were reminder that clear sustainable evidence would be needed to justify refusal of the application.

Councillor Elson moved and Councillor Martin seconded the motion to refuse the application on the grounds of bulk, height, and mass.

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

In favour: Cllrs Ashall, Elson and Martin

TOTAL: 3

Against: Cllrs Aziz, Boote, Hussain, Lyons and Morales

TOTAL: 5

Present but not voting: Cllr Chrystie (Chairman)

TOTAL: 1

The application was not refused.

In accordance with Standing Order 22.2 votes for and against approval were recorded as follows:

In favour: Cllrs Aziz, Boote, Hussain, Lyons and Morales

TOTAL: 5

Against: Cllrs Elson and Martin

TOTAL: 2

Present but not voting: Cllr Ashall and Chrystie (Chairman)

TOTAL: 2

The application was therefore approved.

RESOLVED

That planning permission be granted subjected to conditions.

The meeting commenced at 7.00 pm
and ended at 9.55 pm

Chairman: _____

Date: _____