

MINUTES
OF A MEETING OF THE
PLANNING COMMITTEE

held on 25 February 2020
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 4 February 2020 be approved and signed as a true and correct record.

2. APOLOGIES FOR ABSENCE

No apologies for absence were received.

3. DECLARATIONS OF INTEREST

In accordance with the Officer Procedure Rules, Peter Bryant, Head of Democratic and Legal Services declared a non-pecuniary interest in Item 6a. 2018/0337 - Modification to S106 Legal Agreement and Executive Undertaking relating to the affordable housing provisions at Sheerwater Estate, Albert Drive, Sheerwater and Item 6b. 2018/0374 & 2015/1260 - Modification to S106 Legal Agreement and Executive Undertakings relating to the affordable housing provisions at Sheerwater Estate, Albert Drive, Sheerwater arising from his position as a Council appointed Director of Thameswey Developments Ltd and Thameswey Housing Ltd, who were the applicants. The interest was such that it would not prevent the Officer from reporting on or advising on the 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. VARIATION OF LEGAL AGREEMENTS

6a. 2018/0337 - Modification to S106 Legal Agreement and Executive Undertaking relating to the affordable housing provisions at Sheerwater Estate, Albert Drive, Sheerwater

The Committee considered the proposal which sought to modify the provisions of the S106 Legal Agreement and Executive Undertaking associated with the Sheerwater Regeneration planning permission granted under PLAN/2018/0337. In summary;

- To alter the tenure of the proposed affordable housing units from all being equivalent of 'Social Rent' (Kingsmoor) to being a mix of equivalent 'Social Rent' (Kingsmoor) and Affordable rent: and
- To alter the mix of affordable housing units by unit size.

There was no change to the overall amount of affordable housing to be delivered by the scheme and there was no change to any other provision of the S106 Legal Agreement and Executive Undertaking unless specified in the report.

Some Members were worried about the number of affordable one-bedroom flats that would be delivered compared to the number of two-bedroom and three-bedroom family homes. The Committee asked for reassurance that the number of affordable family homes would not reduce further.

In accordance with Standing Order 22.2, the Chairman deemed that a division should be taken and the votes for and against approval of the modifications to the S106 Legal Agreement and Executive Undertakings were recorded as follows.

In favour: Cllrs S Ashall, G Elson, S Hussain, L Lyons, N Martin and L Morales.

TOTAL: 6

Against: Cllr T Aziz.

TOTAL: 1

Present but not voting: Cllrs A Boote and G Chrystie (Chairman).

TOTAL: 2

The modification was therefore approved.

RESOLVED that to secure the modifications to the S106 Legal Agreement and Executive Undertakings as set out in the report, the Planning Committee approved the modifications to the S106 Legal Agreement and Executive Undertaking in relation to planning permission PLAN/2018/0337. Subject to

- i) Thamesway Housing Ltd and Thamesway Developments Ltd entering into a Deed of Variation; and
- ii) Woking Borough Council providing amended Executive undertaking.

6b. 2018/0374 & 2015/1260 - Modification to S106 Legal Agreement and Executive Undertakings relating to the affordable housing provisions at Sheerwater Estate, Albert Drive, Sheerwater

The Committee considered a proposal which sought to modify the provisions of the S106 Legal Agreement and Executive Undertaking associated with the Sheerwater Regeneration planning permission granted under PLAN/2018/0374 and to modify the provisions of the Executive Undertaking associated with the Sheerwater Regeneration planning permission granted under PLAN/2015/1260. In summary;

- To remove all references to the 44no. units which were to be transferred back to the Registered Provider; and
- To alter the number of Affordable Housing Units to be let at a social Rent Level to 280 and to alter the number of Affordable Housing Units to be let at an Affordable Rent level to 182 to account for the 44 no.units which would not now be transferred back to the registered provider.

RESOLVED that to secure the modifications to the S106 Legal Agreement and Executive Undertakings as set out in the report, the Planning Committee approved the modifications to the S106 Legal Agreement and Executive Undertaking in relation to planning permission PLAN/2018/0374 and planning permission PLAN/2015/1260. Subject to

- i) Thamesway Housing Ltd and Thamesway Developments Ltd entering into a Deed of Variation; and
- ii) Woking Borough Council providing amended Executive undertaking.

7. 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.

7a. 2019/0904 12-16, 25-31 Portugal Road, Woking

The Committee considered an application for the erection of 3 x 3-4 storey blocks comprising a total of 72 x self-contained flats including; 2 x 3-4 storey buildings comprising a total of 51 x self-contained flats (25 x one-bedroom, 24 x two-bedroom, and 2 x three-bedroom) following demolition of existing buildings including Nos 25-31 Portugal Road and Lok N Store building on Marlborough Road and erection of a 3-4 storey building comprising 21 x self-contained flats (6x one-bedroom, 14 x two-bedroom and 1 x three-bedroom) following demolition of existing buildings including Nos 12-16 Portugal Road and provision of associated car parking, landscaping, bin and cycle storage.

Councillor T Aziz, Ward Councillor, commented that the application would provide a significant amount of affordable housing, including parking, which was very positive for Woking. Councillor T Aziz raised some concerns regarding the overbearing nature of the development and overlooking on the two neighbouring semi-detached properties – Hindover and Ramsey. The Planning Officer commented that the existing building wrapped around the garden of Hindover, it was also located immediately on the boundary and had windows that overlooked. The new building would be one storey taller than the existing, but would be located further away from the boundary with a window separation distance of 24m, which was considered an acceptable impact. Following a query regarding the impact of the side fenestration on Block B, it was noted that there was only one window planned which would only serve a corridor, with a condition in place for it to be obscurely glazed with restricted opening.

A number of Members commented that the affordable housing provision was very positive, although queried whether this would be reserved for Woking residents. The Planning Officer explained that there would be a legal nominations agreement in place where the Local Authority could nominate applicants from the Housing register.

Discussion ensued on the parking provision and some Members queried whether it was possible to prevent new residents acquiring CPZ on-street parking permits as there was sufficient parking provided as part of the development. Councillor T Aziz proposed, and it was duly seconded by Councillor S Hussain, that a condition be added to prevent residents applying for on-street parking permits. The Planning Officer commented that this additional condition would not be needed and advised that as the application had met the Parking Standards SPD (2018) then this additional condition would be considered unacceptable. A number of Members thought that the Parking Task Group would be the better route to consider whether any conditions regarding on-street parking permits were necessary for the site. Councillor T Aziz accepted the Planning Officer's advice and withdrew his proposal to add an additional condition.

RESOLVED that planning permission be granted subject to conditions and S106 Agreement.

7b. 2019/1028 Land South of Ivydene, Knaphill, Woking

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

[NOTE 2: The Planning Officer advised the Committee that the applicant would no longer be applying for a CIL self-build exemption so if the application was approved it would be subject to CIL payments.]

[NOTE 3: In accordance with the procedure for public speaking at Planning Committee, Ms Anne Moore attended the meeting and spoke in objection to the application and Mr Russell Hedges spoke in support.]

The Committee considered an application which sought permission to erect a detached 1 ½ storey four-bedroom dwelling on rear garden land of Burley which fronts onto Bagshot Road with access point over amenity land at Garvan and associated landscaping to the west of the cul-de-sac within Ivydene.

Councillor S Hussain, Ward Councillor, commented that he thought that there was a flooding issue at Ivydene that had not been addressed sufficiently in the report; another

Councillor noted that there was currently a temporary flood sign displayed on the road. Councillor S Hussain did not support the application.

The Planning Officer commented that the flooding issue had been addressed in paragraph 33 and condition 11 in the report.

Following concerns raised by Members about the overbearing impact on Cherley, the neighbouring property, the Planning Officer commented that this had been addressed in paragraph 21 of the report. The Planning Officer commented that the amended application had addressed the concerns that had been noted on the recent appeal decision. Members thought that concerns regarding the height had been addressed in this new application, but the proximity and spread across the rear boundary of Cherley had not.

Some Members did not think the application satisfied CS21 with regards to how the design compared to other properties in the area. They noted that it was an odd shaped section of land and that it may not be possible to design a satisfactory dwelling for this area that did not impose on the surrounding properties.

It was noted that a large number of representations from residents had been received regarding this application. The Committee queried whether the applicant had access rights over the amenity land to access the development site. The Planning Officer advised that the submitted application had red lined this area, although ownership of the land was not a planning matter and approval of the application did not give any entitlement to this.

Councillor S Hussain proposed and it was duly seconded by Councillor L Lyons, that the application be refused on the grounds that it would have an unacceptable impact on neighbouring properties and that the design was contrived and not in keeping with the surrounding area.

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

In favour: Cllrs S Ashall, T Aziz, A J Boote, G Elson, S Hussain, L Lyons , N Martin and L Morales.

TOTAL: 8

Against: None

TOTAL: 0

Present but not voting: Cllr G Chrystie (Chairman).

TOTAL: 1

The application was therefore refused.

7c. 2019/0722 Rear of 151-152 Maybury Road, Woking

[NOTE: The Planning Officer advised the Committee that since the report had been published an Arboricultural report had been submitted. The Council's Arborist considered the application acceptable and no condition was recommended.]

The Committee considered an application which sought permission to demolish the existing buildings on the site and to erect a block of six flats with associated parking and amenity space.

Although the applicant had proposed to obscure glaze the upper storey windows on the north elevation of the easterly part of the 'L', Councillor L Lyons proposed and Cllr Aziz duly seconded, to add a condition to ensure that this was the case. This additional condition was unanimously agreed by the Committee.

RESOLVED that planning permission be granted subject to conditions set out in the report, the extra condition as detailed in these minutes and S106 legal agreement.

7d. 2019/0814 112 Connaught Road, Brookwood, Woking

The Committee considered an application which sought retrospective permission for the partial change of use of the ground floor commercial unit to residential (Class C3) and the erection of a first floor rear extension and alterations to the roof to provide 1 x two-bedroom flat at the first floor level with access off Connaught Road with alterations to the front elevations and a proposed bin store to the rear.

The Committee were disappointed the application had been submitted retrospectively, as although everything was in order with the application the applicant should have applied for full planning permission before any work commenced.

Following a query about the representation received regarding the bin storage location and its proximity to the entrance of flat 3, the Planning Officer advised that this had been addressed in Condition 3 as set out in the report.

RESOLVED that planning permission be granted subject to conditions.

The meeting commenced at 7.00 pm
and ended at 9.00 pm

Chairman: _____

Date: _____