

MINUTES
OF A MEETING OF THE
PLANNING COMMITTEE

held on 17 March 2020
Present:

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

Cllr T Aziz Cllr L S Lyons
Cllr A J Boote Cllr L M N Morales
Cllr S Hussain

Absent: Councillors G W Elson and N Martin.

1. MINUTES

RESOLVED

That the minutes of the meeting of the Committee held on 25 February 2020 be approved and signed as a true and correct record.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors G Elson and N Martin.

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. 2019/1141 Crown Place, Chertsey Road, Woking and Item 6b. 2019/0611 81 Commercial Way, Woking arising from his position as a Council appointed Director of Thameswey Energy Ltd, who were a consultee on both applications. The interest was such that it would not prevent the Officer from reporting on or advising on the item.

In accordance with the Officer Procedure Rules, Douglas Spinks, Deputy Chief Executive declared a non-pecuniary interest in Item 6a. 2019/1141 Crown Place, Chertsey Road, Woking and Item 6b. 2019/0611 81 Commercial Way, Woking arising from his position as a Council appointed Director of Thameswey Energy Ltd, who were a consultee on both applications. 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. 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. 2019/1141 Crown Place, Chertsey Road, Woking

[NOTE 1: The Planning Officer advised the Committee of a correction to Condition 14 as set out below:

Corrected Condition 14:

The development hereby permitted shall not be first occupied until the proposed modified vehicular access onto Church Street East and new loading bay on Church Street East **shall be have been** constructed and provided in accordance with the approved plans listed in this notice and thereafter shall be permanently maintained and thereafter the visibility splays shall be kept permanently clear of any obstruction over 0.6m high.

Reason: To ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users and in the interests of public safety and amenity.]

[NOTE 2: The Planning Officer advised the Committee of a correction to Condition 2 as set out below:

Corrected Condition 2 (approved plans):

A-P—01-20 Rev.P01 (Proposed Basement Plan) received by the LPA on 21/11/2019

A-P-01-20 Rev.P023 (Proposed 1st Floor Plan) received by the LPA on 02/03/2020

A-E-S1-21 Rev.P012 (Proposed South Bay Elevation – Chertsey Road) received by the LPA on **21/11/2019** 10/03/2020

A-E-S2-21 Rev.P012 (Proposed South Bay Elevation – Chertsey Road) received by the LPA on **21/11/2019** 10/03/2020

Additional Plan:

A-E-E2-20 Rev. P01 (Proposed Courtyard Elevations) received by the LPA on 11/12/2019]

[NOTE 3: The Planning Officer advised the Committee that Network Rail had provided comment since the report had been published and had raised no objections to the application.]

[NOTE 4: In accordance with the procedure for public speaking at Planning Committee, Dr Anthony Fraser attended the meeting and spoke in objection to the application and Mr Sam Brown spoke in support.]

The Committee considered an application for the demolition of all existing buildings including existing footbridge to Victoria Way Car Park and redevelopment of site to provide a new building ranging from 5x to 28x storeys plus basement level comprising up to 366 residential units (Use Class C3), commercial (Use classes A1/A2/A3) and community uses (Use Classes D1/D2) at ground floor and first floor level and associated internal and external amenity spaces, basement level car parking, cycle parking, bin storage, ancillary facilities, plant, new public realm, landscaping and highway works.

Councillor T Aziz, Ward Councillor spoke in objection to the application. He was supportive of a sensible development of this site, however he felt that this application did not represent that. Councillor T Aziz commented that he would not be able to support this application based on the bulk, mass and size, lack of parking and lack of affordable homes provision.

A number of other Councillors commented that there appeared to be a lack of a strategic plan for the town centre with this 28 storey building that would be out of character and have an overbearing effect on the surrounding buildings. The majority were in agreement that this site needed to be developed but they were concerned by the cumulative views impact with regards to the bulk, mass and height. It was noted that the application had been subject to three design panel review meetings with regard to the character, design, mass and height. The Planning Officer advised that great weight should be given to this process.

There were some concerns regarding the loss of H G Wells Conference and Events Centre provision, retail units and other community space assets. The Committee were advised that the application would see a net gain in retail floor space and they were reminded that the Victoria Square development would also provide a brand new conference centre, additional retail units and community space; the Planning officer advised that it was considered that bearing this in mind there would not be an overall loss of facilities.

Regarding the strategic plan for the town centre, the Planning Officer advised the Committee that the Core Strategy policies had been applied to this application.

A major concern raised by Members of the Committee was the lack of affordable housing provided in this application. The Planning Officer advised that a robust viability assessment had been carried out and it had shown that it was not viable to provide onsite affordable housing. The developer had offered a contribution of £987,500 towards affordable housing. As a build to rent scheme, 20% would have been the benchmark for affordable private rent; the £987,500 contributions reflected a 15% monetary contribution, which was considered acceptable by the Planning Authority. However the majority of the Committee did not think that this amount was sufficient and reality did not equate to much affordable housing provision.

A large number of members also were of the view that the character of the area would be significantly compromised by this development.

Concerns around lack of parking had been raised by a number of members. The Planning Officer explained that policy CS18 stated that zero parking for a development in the town centre would be considered, so it was thought that if the Committee were minded to refuse the application then the inclusion of parking as a reason would be hard to defend at appeal. The advice from Planning Officers on this point was strong and Members were content to accept this.

One Member commented that he thought this was a well-designed and thought out scheme. When the Council had undertaken a review of where housing should be built in the Borough there had been an overwhelming response that this should be focussed in the

town centre and not on Green Belt land. The site for proposed development was very low quality and needed to be developed; any housing provision would need to be at a fairly high density in order to make it viable.

Councillor L Lyons proposed and it was duly seconded by Councillor A Boote that the application be refused based on design, scale, height, proportion, mass and bulk being out of character with the area and insufficient affordable housing.

The Development Manager advised that no Section 106 for SPA had been submitted at this time so if the Committee were minded to refuse the application then this should be added as a reason for refusal. The Committee agreed.

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 T Aziz, A J Boote, S Hussain, L Lyons and L Morales.

TOTAL: 5

Against: Cllr S Ashall

TOTAL: 1

Present but not voting: Cllr G Chrystie.

TOTAL: 1

The application was therefore refused.

RESOLVED that the application be refused for the reasons detailed in these minutes.

6b. 2019/0611 81 Commercial Way, Woking

[NOTE 1: The Planning Officer advised the Committee of an addendum to the Planning Obligations as set out below;

Delete 4. Late stage viability review in relation to affordable housing provision and replace with: 4. Provision of a commuted sum of £837,000 towards affordable housing. Add 6. Clauses to ensure the scheme remains a Build to Rent scheme and stipulations relating to tenancies as set out by National Planning Practice Guidance.]

[NOTE 2: The Planning Officer advised the Committee of an amendment to Condition 21 as set out below;

Water management (SuDs); Amend Condition 21;

All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment by AKT II Ltd (dated January 2020) and drawing 'Proposed Drainage Ground Level (4287-AKT-Z0-00-DR-C-21000-P2) by AKT II ensuring discharge rates do not exceed the stated 5 l/s for catchment 1 during the 1 in 100 (1%) AEP plus climate change, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that water management is addressed in accordance with Policies CS9 and CS16 of the Woking Core Strategy (2012) and the provisions of the NPPF.]

[NOTE 3: In accordance with the procedure for public speaking at Planning Committee, Dr Anthony Fraser attended the meeting and spoke in objection to the application and Mr Graham Bates spoke in support.]

The Committee considered an application for the demolition of existing building and erection of a building of varying heights of between 2 and 39 storeys plus ground and basement levels comprising 310 dwellings (Class C3), communal residential and operational spaces, bar (Class A4) and office accommodation (Class B1(A)), together with associated vehicular and pedestrian accesses, vehicle parking, bin and cycle storage, plant space, soft and hard landscaping including public realm works and other ancillary works.

Councillor T Aziz, Ward Councillor, spoke in objection to the application and commented that he would not be able to support this application based on the bulk, mass, height, design, lack of parking and lack of affordable housing provision. The majority of Members supported this view.

Many members of the Committee were very concerned by the emerging character of town centre (particularly the height of buildings) and were worried that this would set a precedent. The proposed development was extremely close to the Grade II listed key historic building, Christ Church, and some members thought that this development would cause harm to the setting of this building.

Members discussed concern around the loss of retail space and the affect this would have on the vitality of the town centre. Officers advised that retail centres were naturally shrinking and this site had not successfully performed for many years. It was thought that if the Committee were minded to refuse the application then the inclusion of this as a reason would be hard to defend at appeal. Members were content to accept this advice.

A major concern raised by Members of the Committee was the lack of affordable housing provided in this application. As updated by the Planning Officer at the beginning of the item, the development was not viable to provide any element of affordable housing provision on site. Since the report had been written the developer had offered to provide a commuted sum of £837,000 towards affordable housing. The majority of the Committee did not think that this amount was sufficient and in reality did not equate to much affordable housing provision within the Borough.

Some concerns were raised regarding outlook, amenity privacy and daylight.

The lack of parking was raised as a concern, however the Committee were reminded that policy CS18 stated that zero parking for a development in the town centre would be considered; therefore this application adhered to the policy.

Councillor T Aziz proposed and it was duly seconded by Councillor L Lyons that the application be refused based on bulk, height, mass, harmful impact on character/heritage; and insufficient affordable housing.

The Development Manager advised that no Section 106 for SPA had been submitted at this time and that there was still an unresolved issues regarding bats, so if the Committee were minded to refuse the application then these two matters should be added as a reason for refusal. The Committee agreed.

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 T Aziz, A J Boote, S Hussain, L Lyons and L Morales.

TOTAL: 5

Against: None

TOTAL: 0

Present but not voting: Cllrs S Ashall and G Chrystie.

TOTAL: 2

The application was therefore refused.

RESOLVED that the application be refused for the reason detailed in these minutes.

6c. 2019/1120 Lion Retail Park, 151 Oriental Road, Woking

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

[NOTE 2: In accordance with the procedure for public speaking at Planning Committee, Mrs Marianne Meinke attended the meeting and spoke in objection to the application and Mr Tom Willshaw spoke in support.]

The Committee considered an application which sought permission to use the land in the centre of the car park for the siting of up to four kiosk units, and to use land on the eastern boundary for the siting of a car wash facility. The proposed kiosks would provide ancillary A1, A3 and A5 uses and their design and appearance – as well as that of the car wash – would not be fixed, so that different operators could come and go without the need for further permission.

Councillor L Lyons, Ward Councillor, commented that residents who lived close to this site were concerned about this application. It was anticipated that it would result in loss of parking, an increase of vehicles and people to the area and there was concerns that the conditions set out would not be adhered to i.e. delivery/opening hours etc. Councillor L Lyons commented that this was a very small site and he did not think it was an appropriate location for a car wash and additional food units. Councillor L Lyons said that after hearing the Committee debate, he was likely to encourage refusal on the grounds of reduction in car parking, impact on local residents and inappropriate use of the site.

Members were concerned about pedestrian safety between the proposed kiosks as there were no demarcated path ways apart from those across the length of the car park. Potential kiosk users would have to cross the car park where there were moving vehicles and some members thought that this would result in pedestrian accidents. It was noted that Surrey County Council highways had not commented on this, but this was because the application was on private land.

There was also concern regarding the loss of car parking spaces as these were needed for the existing retail units; the kiosk would take up some of the existing parking but also attract more cars.

Some Members were concerned that the application only showed an indicative design for the kiosks. The Development Manager reminded the Committee that the application before them was for the use of space, not the design of the kiosks.

A Councillor raised concern regarding the potential for the kiosks to take business away from the town centre. The Planning Officer advised that the kiosks were considered ancillary to the retail park as a whole and so would not attract significant extra business.

Councillor L Morales proposed and it was duly seconded by Councillor S Hussain that the application be refused based on loss of parking and pedestrian safety; design; and does not support retail in town centre.

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 T Aziz, A J Boote, S Hussain, L Lyons and L Morales.

TOTAL: 5

Against: None

TOTAL: 0

Present but not voting: Cllrs S Ashall and G Chrystie.

TOTAL: 2

The application was therefore refused.

RESOLVED that the application be refused for the reason detailed in these minutes.

6d. 2019/1084 International School of London, 182 Old School, Woking

[NOTE 1: The Planning Officer advised the Committee of an update to condition 21 as detailed below;

Condition 21

Before the proposed vehicular access to Old Woking Road is brought into permanent use, a signage plan shall be submitted showing exit only/no entry signs and carriageway markings within the limits of the application site which shall be submitted to and approved in writing by the Local Planning Authority and thereafter shall be kept permanently maintained.

Reason:

To ensure the development should not prejudice highway safety nor cause inconvenience to other highway users.]

[NOTE 2: The Planning officer advised the Committee that the Woking Borough Council Drainage Officer had now responded and had asked for four additional conditions to be added as set out below;

All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment by Jubb (dated March 2020) and drawing 'Below Ground Ground Strategy (19274-500-P5) by Jubb ensuring discharge rates do not exceed the stated 30 l/s for the entire site during the 1 in 100 (1%) AEP plus climate change as set out in the FRA, unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and policy CS9 of the Woking Core Strategy 2012 and the policies in the NPPF.”

No development shall commence until a detailed construction method statement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be constructed in accordance with the approved drawings, method statement, Flood Risk Assessment and Micro drainage calculations prior to the first use of the development hereby approved. No alteration to the approved drainage scheme shall occur without prior written approval of the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with Policies CS9 and CS16 of the Woking Core Strategy 2012 and the policies in the NPPF.”

Prior to first use of the development hereby approved details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- I. a timetable for its implementation,
- II. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect
- III. a table to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues; and
- IV. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure that the development achieves a high standard of sustainability continues to be maintained as agreed for the lifetime of the development and to comply with Policies CS9 and CS16 of the Woking Core Strategy 2012 and policies in the NPPF.”

Prior to first use of the development hereby approved a verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), has been submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include photographs of excavations and soil profiles/horizons, any installation of any surface water structure and Control mechanism.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with Policies CS9 and CS16 of the Woking Core Strategy 2012 and the policies in the NPPF.”]

[NOTE 3: The Planning Officer advised the Committee that a further two letters of objection had been received since the report had been published regarding external elevation treatments and external lighting. It was noted that these elements had already been addressed in the report.]

The Committee considered an application for the erection of a two storey building linked to the existing school via corridors to provide additional educational space (D1 Use Class) (maximum 2,352 sq.m) with specialist facilities including a sports hall and additional classrooms. Proposed new outdoor sports facilities including; 1no floodlit Multiple Use Games Area and 2no 7-a-side football pitches with new landscaping and play spaces to accommodate nature and social activities; 1no tag rugby pitch, 2no floodlit netball courts, 1no floodlit Multiple Use Games Area and 2no 7-a-side football pitches with new landscaping and play spaces to accommodate nature and social activities.

Following a Member comment on the objections received regarding the external elevation treatment and external lighting, the Planning Officer advised that this was covered by the report and conditions in detail. Members requested that Condition 11 and 12 be reworded to state when the courts and lighting could be used, rather than when it could not. It was thought that this would make it clearer. It was agreed that the conditions would be updated.

Following a query regarding any future requests to install sound making equipment, Planning Officers advised that any such request would be reviewed with the Environmental Health Team. It was noted that condition 17 covered this and it was not thought that this restriction was likely to be lifted.

RESOLVED that planning permission be granted subject to conditions and amendments and additions to conditions as set out in these minutes.

6e. 2020/0034 Woking College, Rydens Way, Old Woking

The Committee considered and application of the erection of a part two storey, part single storey teaching block to the front of the site, a new car park to replace a tarmac surfaced tennis court at rear of site and the reconfiguration of the car park to the front of the site.

RESOLVED that planning permission be granted subject to conditions.

6f. 2020/0178 Jubilee House and Southern House, Guildford Road and Station Approach, Woking

[NOTE: The Planning Officer advised the Committee that Surrey Wildlife Trust had provided comment since the report had been published and had raised no objections to the application.]

The Committee considered an application for the prior approval for the demolition of Southern House and Jubilee House.

RESOLVED that prior approval not required.

6g. 2020/0049 Walnut Cottage, Horsell Rise Close, Horsell, Woking

[NOTE: The Planning Officer advised the committee that one additional letter of objection had been received siting concerns regarding health and safety of construction workers and damage to the road. The Planning Officer advised that these were not material planning considerations.]

The Committee considered an application for the erection of a replacement dwelling.

RESOLVED that planning permission be granted subject to conditions.

6h. 2019/0822 19 Sanway Road, Byfleet

The Committee considered a retrospective application for the proposed change of use from a garage to habitable room (for family use) office space, games room (table tennis) recreational summer house, extra TV room.

RESOLVED that planning permission be refused and formal enforcement proceedings be authorised.

The meeting commenced at 7.00 pm
and ended at 10.25 pm

Chairman: _____

Date: _____