

EXECUTIVE UNDERTAKINGS - WOKING FOOTBALL CLUB (PLAN/2019/1176) AND EGLEY ROAD (PLAN/2019/1177) PLANNING APPLICATIONS

[NOTE: DECLARATIONS OF INTEREST

In accordance with the Officer Employment Procedure Rules, the Head of Democratic and Legal Services, Peter Bryant, has declared a disclosable personal interest (non-pecuniary) in this item arising from (i) him being a member of the Cards Trust (the supporters' club for Woking Football Club), (ii) providing occasional unpaid assistance to Woking Football Club, e.g. acting as returning officer at the election of directors and (iii) being a Council-appointed director of Kingfield Community Sports Centre Limited. The interest does not prevent Mr Bryant from advising on this matter.

In accordance with the Officer Employment Procedure Rules, the Finance Director, Leigh Clarke, has declared a disclosable personal interest (non-pecuniary) in this item arising from (i) her husband having a small shareholding in Woking Football Club and (ii) being a Council appointed director of Kingfield Community Sports Centre Limited. The interest does not prevent Mrs Clarke from advising on this matter.]

Executive Summary

This report recommends that the Executive agrees to give effect to certain requirements of the local planning authority if it is minded to grant planning permission for development of land owned by the Council at (i) Woking Football Club and (ii) Egley Road, Woking.

The requirements would normally be contained in Section 106 Agreements between the local planning authority and the landowner. This is not possible in these cases as the Council is both landowner and local planning authority (so cannot enter into an Agreement with itself).

Dealing with the matter as recommended in this report will enable the local planning authority to be certain that the planning obligations are complied with if it decides to grant the planning permissions sought.

Recommendations

The Executive is requested to:

RESOLVE That

- (i) the Council shall procure that the Executive Undertakings in respect of planning applications PLAN/2019/1176 and PLAN/2019/1177 set out in the Appendix to this report are complied with; and
- (ii) authority be delegated to the Chief Executive to give Executive Undertaking(s) if the Planning Committee requires changes to the Executive Undertakings set out in the Appendix to this report.

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Reasons for Decision

Reason: To enable the local planning authority to be certain that its requirements will be met if it is minded to grant the planning permissions sought.

The Executive has the authority to determine the recommendation(s) set out above.

Background Papers: None.

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1.0 Introduction

- 1.1 On 30 January 2019, the Council entered into an Agreement for Lease with GolDev Woking Limited ("Agreement"). The Agreement relates to the development of land at (i) Woking Football Club and (ii) Egley Road, Woking. These developments are the subject of two planning applications that have been submitted to the local planning authority.

2.0 The Planning Applications

- 2.1 The planning application for the Woking Football Club site has been submitted under application number PLAN/2019/1176 and seeks planning permission in the following terms:-

PLAN/2019/1176 | Redevelopment of site following demolition of all existing buildings and structures to provide replacement stadium with ancillary facilities including flexible retail, hospitality and community spaces, independent retail floorspace (Classes A1/A2/A3) and medical centre (Class D1) and vehicle parking plus residential accommodation comprising of 1,048 dwellings (Class C3) within 5 buildings of varying heights of between 3 and 11 storeys (plus lower ground floor and partial basement levels) on the south and west sides of the site together with hard and soft landscaping, highway works, vehicle parking, bin storage, cycle storage, plant and other ancillary works including ancillary structures and fencing/gates and provision of detached residential concierge building (Environmental Statement submitted). | Land South Of Kingfield Road And East Of Westfield Avenue Westfield Avenue Westfield Woking Surrey GU22 9PF.

- 2.2 The planning application for the Egley Road, Woking site has been submitted under application number PLAN/2019/1177 and seeks planning permission in the following terms:-

PLAN/2019/1177 | Redevelopment of site following demolition of existing building to provide health club building (Class D2) also incorporating external swimming pool, spa garden, terrace and tennis courts (including tennis court airdomes), provision of 36 dwelling houses (Class C3) up to a maximum of 3 storeys in height, vehicle parking, hard and soft landscaping, ancillary works including ancillary structures and fencing/gates and new vehicular access from existing road serving Hoe Valley School (Environmental Statement submitted). | Land South Of Hoe Valley School And East Of Railway Tracks Egley Road Woking Surrey GU22 0NH.

- 2.3 It is anticipated that the planning applications will be considered by the Planning Committee at its meeting on 7 April 2020.

3.0 Section 106 Obligations

- 3.1 Normally, if planning permission is granted by the local planning authority for developments of this nature, it would be subject to the prior completion of Section 106 Agreements. These would impose obligations which are not capable of being the subject of conditions attached to planning permissions.

- 3.2 The Council owns the Egley Road site and the majority of the Woking Football Club site (directly and through Kingfield Community Sports Centre Limited). The Council (as landowner) cannot enter into a Section 106 Agreement with itself (as local planning authority). It is, therefore, necessary for the Council (as landowner) to give effect to the requirements of the local planning authority in another way. This can be achieved by the Executive resolving as recommended in this report. Doing so would also be consistent with the Council's obligations to GolDev under the Agreement. These include an obligation on the Council (as landowner) to use reasonable endeavours to assist GolDev in obtaining the planning permissions sought.

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- 3.3 In the event that the Development Manager is minded to recommend that the Planning Committee approves the two planning applications, it is anticipated that it will be on the basis that the planning obligations (Executive Undertakings) set out in the Appendix to this report are given.
- 3.4 It is recommended that the Executive should procure that these obligations are complied with if (i) the local planning authority grants the planning permissions sought and (ii) those permissions are implemented. In the event that the local planning authority requires additional obligations, e.g. ones that are consequential on those set out in this report, it is recommended that the Chief Executive is authorised to give appropriate undertakings.
- 3.5 For the avoidance of doubt, the Executive is not considering the planning merits of the proposed planning applications. These will be considered by the local planning authority.

4.0 Implications

Financial

- 4.1 None.

Human Resource/Training and Development

- 4.2 None.

Community Safety

- 4.3 None.

Risk Management

- 4.4 None.

Sustainability

- 4.5 None.

Equalities

- 4.6 None.

Safeguarding

- 4.7 None.

5.0 Consultations

- 5.1 The Leader of the Council has been consulted.

REPORT ENDS