

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 Director of Legal and Democratic 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 Director of Finance, 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

On 22 June 2020, the Executive resolved to give effect to certain requirements of the local planning authority if it was minded to grant planning permission for development of land owned by the Council at (i) Woking Football Club and (ii) Egley Road, Woking, i.e. the GolDev Woking Football Club development.

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

The local planning authority (i.e. the Planning Committee) refused permission for the proposed development on 23 June 2020. This meant that the Executive Undertakings, given on 22 June 2020, ceased to have effect.

GolDev Woking Limited has appealed against the refusal of planning permission. The appeal will be determined by the Secretary of State, following a public inquiry which is due to start on 10 May 2021.

This report recommends that the Executive resolves that the Executive Undertakings it gave previously shall apply if the Secretary of State grants planning permission for the proposed development.

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(PLAN/2019/1177) Planning Applications**

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 (existing and designate) to give Executive Undertaking(s) if the Secretary of State requires changes to the Executive Undertakings set out in the Appendix to this report.

Reasons for Decision

Reason: To enable the Secretary of State to be certain that planning obligations will be secured if he 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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Date Published:	19 March 2021

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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/Appeal

- 2.1 A planning application for the Woking Football Club site was submitted under application number PLAN/2019/1176 and sought 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 A planning application for the Egley Road, Woking site was submitted under application number PLAN/2019/1177 and sought 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 On 22 June 2020, the Executive resolved to give effect to certain requirements of the local planning authority if it was minded to grant planning permission for the proposed development. These requirements would normally have been contained in Section 106 Agreements between the local planning authority and the landowner. This was not possible in this case as the Council was, and remains, both landowner and local planning authority (so cannot enter into an Agreement with itself). In particular, the Council owns the Egley Road site and the majority of the Woking Football Club site (directly and through Kingfield Community Sports Centre Limited).
- 2.4 The local planning authority (i.e. the Planning Committee) refused permission for the proposed development on 23 June 2020. This meant that the Executive Undertakings, given on 22 June 2020, ceased to have effect.
- 2.5 GolDev Woking Limited has appealed against the refusal of planning permission. The appeal will be determined by the Secretary of State, following a public inquiry which is due to start on 10 May 2021.
- 2.6 This report recommends that the Executive resolves that the Executive Undertakings it gave previously shall apply if the Secretary of State grants planning permission for the proposed development. This will be consistent with the Council’s obligations to GolDev Woking Limited

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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, both from the local planning authority and on appeal.

- 2.7 The proposed Executive Undertakings are set out in the appendix to this report. They are identical to those given by the Executive on 22 June 2020.
- 2.8 For the avoidance of doubt, the Executive is not considering the planning merits of the proposed planning applications or appeal. These will be considered by the Secretary of State.

3.0 Implications

Financial

- 3.1 None.

Human Resource/Training and Development

- 3.2 None.

Community Safety

- 3.3 None.

Risk Management

- 3.4 None.

Sustainability

- 3.5 None.

Equalities

- 3.6 None.

Safeguarding

- 3.7 None.

4.0 Consultations

- 4.1 The Leader of the Council has been consulted.

REPORT ENDS