

NOTICE OF MOTION – CLLR T AZIZ – REVIEW OF THE OPERATION OF WOKING BOROUGH COUNCIL’S PLANNING DEPARTMENT

Executive Summary

At its meeting on 8 April 2021, the Council referred the following Notice of Motion to the Executive.

Councillor T Aziz

“In recent times, Woking Borough Council’s Planning Department has recommended a number of mega-development planning applications despite having major failures against Woking policy.

While many of the recommendations given were subsequently voted down by the Planning Committee, it should not fall to them to uphold council policy. Decisions such as the football club, Goldsworth Road plans and numerous others which contravene planning policy have resulted in public calling into question the impartiality and independence of the department. It is also not clear what advice was given to developers and if they were given to believe that they had realistic chances of success despite major breaches. Clarity is needed on how these decisions were made by planning department and the extent of contact of those heading the department with developers.

Thus, this council calls for a review of the operation of the planning department of Woking Borough Council, including the steps taken by planning officers to come to decisions where plans which contravened Woking Planning Policy were recommended, advice given to developers and an independent investigation into correspondence and links between LPA and developers.”

Officer Comment

“Planning is a complex process involving balancing Development Plan policies and material considerations which are often pulling in different directions. It is the responsibility of professional officers to provide advice and recommendations to the Planning Committee for their decision. Professional officers who are members of the Royal Town Planning Institute are bound by their code of conduct which requires them, amongst other things, to exercise fearlessly and impartially their professional judgement to the best of their skill and understanding. It is a requirement for members of the Royal Town Planning Institute to exercise their judgement independently and provide advice in a professional manner. A Planning Committee can follow or disregard this advice as they choose.

It is not clear what is meant by “mega-development planning applications” as this is not terminology used in planning. However, with reference to the 2 developments mentioned, the Goldsworth Road plans were refused at Planning Committee on a narrow vote (5 in favour of refusal, 3 not supportive of refusal and 1 abstention). The football club scheme is currently at appeal and has been recovered by the Secretary of State for his determination. The Secretary of State would then determine whether the proposal is contrary to the Development Plan policies and whether there are any other material considerations. Each planning application is accompanied by a detailed report which sets out the justification for the recommendation and provides discussion when assessing the proposal against Development Plan policies. Where the development is not in full compliance with planning policy, this is acknowledged, and discussed in a planning balance exercise at the end of the report. The Planning Committee is entitled to give different weight to the benefits and issues raised by officers and come to a different conclusion. If officers are recommending an application should be approved and the Planning Committee takes a different view, this does not mean that officers have “links” with developers. Officers are exercising their professional judgement impartially and independently. On all the large scale developments which come before the Planning Committee, officers arrange for a drop-in session just before committee

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to give all Members the opportunity to ask any questions and obtain more information about the proposal. It should be noted that the large scale proposal at Sheer House in West Byfleet was approved unanimously by the Planning Committee in April this year. It should also be noted the large developments which have come forward within the town centre are generally reflective of the scale of development outlined in the successful HIF bid which needs to be delivered.

No evidence has been provided to show the public has called into question the impartiality and independence of the planning department. In addition, no evidence has been provided to show there are any links between the local planning authority and developers. If there is any evidence, this should have been forthcoming to support these allegations which are unsubstantiated and factually incorrect. The National Planning Policy Framework (NPPF) at paragraph 38 requires local planning authorities to *“approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision makers at every level should seek to approve applications for sustainable development where possible.”* As such, officers need to work proactively with applicants to resolve issues and need to approve applications where possible. This may have the perception of links between officers and developers, particularly when discussions are taking place over a long period, normally at least a year, however officers are fulfilling their requirements as indicated in the NPPF to work proactively with applicants.”

Background Papers: None.

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