

MINUTES  
OF A MEETING OF THE  
**PLANNING COMMITTEE**

held on 5 September 2023

Present:

Cllr L Morales (Chairman)  
Cllr T Aziz (Vice-Chair)

Cllr S Dorsett	Cllr C Martin
Cllr S Greentree	Cllr S Oades
Cllr D Jordan	Cllr T Spenser

Also Present: Councillors S Hussain and R Leach.

Absent: Councillors G Cosnahan and S Mukherjee

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors G Cosnahan and S Mukherjee.

**2. DECLARATIONS OF INTEREST**

No declarations of interest were received.

**3. URGENT BUSINESS**

There were no items of Urgent Business.

**4. MINUTES**

RESOLVED

That the minutes of the meeting of the Committee held on 25 July 2023 be approved and signed as a true and correct record.

**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. 2023/0440 - Goldsworth Road Industrial Estate

[NOTE 1: The Planning Officer advised the Committee that two further letters of objection had been received. One mainly reiterated the comments already summarised within the representations section of the report and the second was regarding the removal of class B2 from the site.]

[NOTE 2: In accordance with the procedure for public speaking at Planning Committee, Mrs Karen Cronan attended the meeting and spoke in objection to the application. The applicant chose not to speak in support.]

The Committee considered an application for the demolition of all existing buildings and structures and construction of a new commercial/industrial estate of 12 units together with parking, hard and soft landscaping and associated ancillary works. Units 1, 4 and 5 within Use Class E(g) (Commercial, Business and Service) only, Units 2, 3, 6, 7, 8, 9, 10, 11 and 12 within Use Class E(g) (Commercial, Business and Service) or Use Class B8 (Storage or distribution) (description amended 18.07.2023 to remove Use Class B2 from Units 11 and 12 and amended plans and 17.08.2023).

Councillor R Leach, Ward Councillor, commented that the residents were happy with the principal of the industrial site being developed, but had raised objections regarding the increased traffic on Mabel Street and he thought these objections were justified. There was a school at the opposite end of Mabel Street which already caused severe congestion in the road, and the addition of the new developed units gaining access from Mabel Street, would exacerbate issues. Councillor R Leach suggested that if an entrance was located on Mabel Street the times of access should be restricted, he also suggested that consideration be given to lowering the height of the units near to residential homes. Councillor R Leach queried whether units 11 and 12 could be reorientated so that their access was from Goldsworth Road; if this was not possible then the maximum acoustic protection be added, along with restrictions on access to the site.

Following a question from the Committee, the Planning Officer confirmed that there was already access from Mabel Street to the units, however the units were currently vacant. If leased in the current condition, this access from Mabel Street could recommence at any time and therefore the Planning Officers' view was that continued use of this access was acceptable in the application.

Some members of the Committee did not understand why the applicant had kept the Mabel Street entrance as part of the plans when there was a very good access from Goldsworth Road. The Planning Officer commented that the entrance had been previously used and its use could recommence at any time, and that slide 38 showed the swept path analysis of the average delivery vehicle using this entrance. This was considered acceptable in Planning terms and the Highway Authority had raised no objection.

Some Members raised concern that the class B2 use had been removed from the site, which would effectively put a local company out of business if the application was

approved. It was thought that the B2 use would have proved an issue if located in units 11 & 12 as the noise would have been an issue for nearby residents. Consultation with Environmental Health had seen B2 use removed from the application when they objected on the grounds of noise. Some Members argued that the B2 use should have returned to the main units on the site (away from Mabel Street), not removed from the application completely. Members noted that B2 use was currently allowed on the site.

The Planning Officer commented that the site was constrained heavily on three sides by residential properties. The decision to remove B2 use had been done to make it a better site for nearby residents. The noise analysis showed that removal of B2 use would greatly reduce the decibels from the site. There were other sites in the area that could accommodate a B2 use business, should it have to move from this site.

Some Members of the Committee were confused by the timing of this application and Woking Borough Council (the applicant) would not be able to invest in this site at the moment. The Committee were reminded that it was irrelevant who owned the site and whether they had the funds to progress the development if the application was approved.

Some Councillors commented that if the application was refused and it was subsequently approved on appeal, then the Committee would have lost their chance to add conditions to the application. Some thought that the Committee should take the opportunity now to make the application more acceptable such as the size of vans that could use the site, times of use and specified access via Goldsworth Road and Mabel Street.

The Planning Officer followed up on this and said the conditions could be used to restrict hours of use and to avoid deliveries etc. conflicting with school traffic.

Councillor S Dorsett proposed, and it was duly seconded by Councillor S Oades that the application be refused on the grounds increased traffic, noise and loss of car repair businesses.

The Planning Officers commented that these could be difficult reasons to defend on Appeal. Noise was subjective and as there had been no objections from the Highway Authority regarding traffic issues, the Planning Officer's professional view was that neither of these reasons were sustainable.

In regards to the loss of the car repair businesses relating to the removal of B2 use, the Planning Officer thought that this reason would also be challenging to defend.

Councillor S Dorsett commented that traffic was not a current issue, but this was due to the fact that the units were not in use.

With regards to the B2 use, it was questioned whether this could be applied to the other units as the Committee considered that it was only units 11/12 that were in close enough proximity to residential properties for this to be an issue. The Committee were reminded that they had to consider the application as it was and it could not be materially altered.

Thomas James strongly advised against refusing the application on Highway matters as this would be very difficult to defend on appeal and the Local Planning authority would need to find a highway consultant to defend this. Councillor S Dorsett confirmed that he was happy to withdraw this reason for refusal.

The Committee were reminded that the site could currently operate 24 hours a day, 7 days a week, there was no control over hours of use on the site. If this application went to

appeal and was lost, the conditions applied would be the decision of the planning inspector. If this site was sold with the current units and current hours of use, there would be nothing that could be done to amend these unless it was extended or developed.

Councillor S Dorsett commented that the residents and businesses had made their views clear about this application and asked that discussion continued on his motion to refuse.

Councillor S Dorsett confirmed he was happy to withdraw noise as a reason for refusal.

It was noted that there was no planning policy that specifically protected B2 use. Councillor S Dorsett confirmed he would like to proceed with his motion to refuse specifically on the grounds that the car repair businesses on the site would be lost.

In accordance with Standing Orders, 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 Dorsett, S Greentree, D Jordan, C Martin, S Oades and T Spenser.

TOTAL: 6

Against: None.

TOTAL: 0

Present but not voting: Cllrs T Aziz and L Morales (Chairman).

TOTAL: 2

The application was therefore refused.

RESOLVED

That planning permission be REFUSED.

#### **6b. 2023/0407 - Globe House, Lavender Park Road**

The Committee considered an application for proposed three storey extension with accommodation in the roof served by dormers and rooflights to create 7no self-contained flats with associated landscaping works, refuse and parking.

Some concerns regarding parking were raised, however the Planning Officer advised that these concerns had been addressed in the report and that there was capacity on site. The parking provision in the application met the Parking Standards SPD.

RESOLVED

That planning permission be GRANTED subject to conditions and S106 Legal Agreement.

**6c. ENF/2020/00063 - 5 Barton Close, Knaphill**

The Committee considered enforcement action for the unauthorised construction of an aviary/enclosure in the rear garden.

Councillor S Hussain, Ward Councillor, commented that it was not possible to see the structure from the street and that he did not support the enforcement action. One of the previous reasons for refusal of this application had been based on the loss of amenity space. Councillor Hussain stated that it was clear from the photos provided that the resident did still use the area as an amenity space, as chairs and a lawn etc were present. There was only one representation ever made regarding this structure. This property belonged to the Housing Association, who had come back with no objections regarding this structure.

Councillor S Greentree, Ward Councillor, agreed with the points raised by Councillor Hussain and commented it was clear the space was still being used as an amenity.

Some members of the Committee thought that enforcement action was disproportionate as the structure was not permanent and the space beneath was still being used as an amenity to those residents at the property.

Councillor S Greentree proposed, and it was duly seconded by Councillor T Spenser, that no enforcement action be taken.

In accordance with Standing Orders, the Chairman deemed that a division should be taken on the motion above. The votes for and against approval of enforcement action were recorded as follows.

In favour: Cllrs S Dorsett, S Greentree, D Jordan, C Martin, S Oades and T Spenser.

TOTAL: 6

Against: None.

TOTAL: 0

Present but not voting: Cllrs T Aziz and L Morales (Chairman).

TOTAL: 2

Enforcement action was therefore not approved.

**RESOLVED**

That no enforcement action be taken.

The meeting commenced at 7.00 pm  
and ended at 9.00 pm

Chairman: \_\_\_\_\_

Date: \_\_\_\_\_

