

MINUTES
OF A MEETING OF THE
PLANNING COMMITTEE

held on 20 February 2024

Present:

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

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

Also Present: Councillor L Lyons.

Absent: Councillors S Mukherjee.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor 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 16 January 2024 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. 2023/0875 Goldsworth Industrial Estate

[NOTE 1: The Planning Officer advised the Committee of an update to condition 24 as shown below;

24. ++ Prior to the first use of units 7, 8 and 9 in Class B2 (**motor vehicle repair**) details of acoustic mitigation along the west boundary of the site adjacent to No.169 Goldsworth Road shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to the first occupation of units 7, 8 and 9 in Class B2 (**motor vehicle repair**) use and shall be retained in perpetuity thereafter.

Reason: To safeguard the residential amenities of existing adjoining and nearby residential occupiers in accordance with Policy CS21 of the Woking Core Strategy (2012), Policy DM7 of the Development Management Policies DPD (2016) and the provisions of the National Planning Policy Framework (NPPF).

[NOTE 2: In accordance with the procedure for public speaking at Planning Committee, Mr Graham Hills attended the meeting and spoke in objection to the application and Mr Kyle Gellatly spoke 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 5, 11 and 12 within Use Class E(g) (Commercial, Business and Service) only, Units 1, 2, 3, 4, 6 and 10 within Use Class E(g) (Commercial, Business and Service) or Use Class B8 (Storage or distribution) and Units 7, 8 and 9 within Use Class E(g) (Commercial, Business and Service) use Class B2 (General Industry) or Use Class B8 (Storage or distribution)

The Planning Officer advised that the B2 use had been added to overcome the prior reason for refusal.

Some Members commented that when the previous application for this site was discussed by the Planning Committee, they had come up with numerous reasons why they thought it should have been refused. The advice at the time had been that these were subjective and were unlikely to hold up when challenged, so the Committee had refused on the grounds that the proposed development would fail to cater for flexibility to (re)accommodate existing motor vehicle repair occupiers (which fall within Use Class B2) which were based on the site, and thus failed to take into account local business needs. Some Members were now disappointed as this reason had been overcome, however the Mabel Street access would remain congested with no improvements made, but it would now be difficult to refuse on other grounds.

The public speaker had suggested a change to the proposed conditions to restrict delivery times to avoid school drop off and in regard to acoustic mitigation, which some thought was a good idea.

Councillor S Dorsett proposed, and it was duly seconded by Councillor T Spenser to add an additional condition related to restricting the hours of delivery to units 11 and 12 to avoid school drop off/pick up during term time.

The Committee agreed that the additional conditions made sense and unanimously agreed the amendment.

Following a question whether the gates to units 11 and 12 could be closed during the restricted times, the advice from Beverley Kuchar, Strategic Director – Place was that imposing a condition regarding the closure of the gates would be unreasonable. A condition regarding acoustic mitigation was briefly discussed but was not taken further forward.

Councillor T Spenser, Ward Councillor questioned whether CCTV could be implemented so that businesses could be held accountable should they break the restrictions. Thomas James, Development Manager commented that residents would be asked to keep log sheets to record any breaches of the restrictions. Some Officers and Members thought residents would be quick to report any breaches to the LPA. Some Members thought that the onus should not be in residents to monitor the restrictions and report breaches. Beverley Kuchar, Strategic Director – Place, advised that it would probably be considered unreasonable to add a condition regarding CCTV, however it would be appropriate to add an informative to say that the option of CCTV should be explored. The Committee were supportive of an informative regarding CCTV.

RESOLVED that planning permission be GRANTED subject to conditions, including the amendments below as noted in the minutes;

- i) amendment to condition 24 as per the Planning Officer update;
- ii) the addition of a condition restricting the hours of delivery to units 11 and 12 to avoid school drop off/pick up during term time; and
- iii) the addition of an informative encouraging the applicant to explore the use of CCTV.

6b. 2023/1037 Sheerwater Estate

The Committee considered an application for the Section 73 application to vary Condition 4 (approved plans - relating only to the NIA plan for Parcel B (Phase Red) to alter the affordable/market housing split for Phase Red only) of planning permission PLAN/2018/0337 for the redevelopment of the Sheerwater Estate (please see PLAN/2018/0337 for the original description).

Following a question, the Planning Officer clarified that the one-bedroom specialist units were similar to sheltered housing, however, these were not restricted by age. These were specialist accommodation with an element of care.

Some Members of the Committee did not like the proposal, although understood why it was being changed. Some thought that the affordable housing numbers quoted were misleading, as the properties that were boarded up would not be ready for occupation for some time. There was also concern that it was the larger affordable homes that were being removed from the plan. The Planning Officer explained that the proposal changed thirty-nine units, only one of these was a larger three-bedroom unit, eighteen were two-bedroom units and twenty were one-bedroom units. Sheerwater was a priority place and therefore in

terms of affordable housing is dealt with slightly differently by the local planning policies, however there would be no net loss in affordable housing on site.

Some Members were concerned that the larger numbers of one-bedroom properties would lead to a community of only single people or those in care. Planning Officers explained that the units were one-bedroom specialist properties and could be occupied by more than 1 person as planning conditions would not restrict the units to be occupied by only 1 person. The occupancy of these units is restricted by planning condition.

Beverley Kuchar, Strategic Director Place, advised the Committee that there was clear policy that this application should be assessed against and that if Members were to go against this, there were no planning policy grounds to reject this on. Although Planning Officers understood Members concerns, the extant permission on this site had not changed and the Committee should have due regard to the Local Plan. That said, the Committee were also free to reach their own conclusion.

Following a comment regarding the boarded up properties, the Chairman commented that the report considered by Council the previous week detailed that there was HRA money allocated to bring these properties back into use.

In accordance with the Standing Order set out in the Constitution, the Chairman deemed that a division should be taken on the recommendation to approve the application. The votes for and against refusal of the application were recorded as follows.

In favour: Cllrs G Cosnahan, S Greentree, C Martin and T Spenser.

TOTAL: 4

Against: Cllrs T Aziz, S Dorsett, D Jordan and S Oades.

TOTAL: 4

Present but not voting: Cllr L Morales (Chairman)

TOTAL: 1

The application was therefore not approved.

Due to the equality of votes in favour and against approval of this application, the Chairman exercised a second and casting vote in accordance with standing orders to approve the application.

RESOLVED that planning permission be GRANTED subject to:

- i) the prior completion of a S106 Legal Agreement/Deed of Variation to vary the existing legal agreements in accordance with the changes approved as part of this application/report; and
- ii) the prior completion of an Executive Undertaking to vary the existing Executive Undertakings in accordance with the changes approved as part of this application/report; and
- iii) Subject to conditions (and any minor amendments to those conditions).

Planning Committee 20 February 2024

The meeting commenced at 7.00 pm
and ended at 8.30 pm

Chairman: _____

Date: _____