

**Minutes of a Meeting of the Planning
Applications Committee held at
Council Chamber, Surrey Heath House
on 12 January 2015**

+ Cllr Edward Hawkins (Chairman)
+ Cllr Glyn Carpenter (Vice Chairman)

+ Cllr David Allen	+ Cllr Ken Pedder
+ Cllr Richard Brooks	+ Cllr Audrey Roxburgh
+ Cllr Mrs Vivienne Chapman	+ Cllr Ian Sams
+ Cllr Colin Dougan	+ Cllr Pat Tedder
- Cllr Surinder Gandhum	+ Cllr Judi Trow
Cllr David Hamilton	+ Cllr Valerie White
+ Cllr David Mansfield	+ Cllr John Winterton

+ Present
- Apologies for absence presented

Substitutes: Cllr Paul Ilnicki for Councillor Surinder Gandhum

In Attendance: Lee Brewin, Ross Cahalane, Jessica Harris-Hooton, Jonathan Partington, Jenny Rickard, Paul Watts, Cllr Paul Deach, Cllr Liane Gibson, Cllr Josephine Hawkins and Gareth John. (Councillor Paul Deach from min 95/P to 97/P, Jenny Rickard from min 95/P to 97/P, Councillor Josephine Hawkins from min 95/P to 98/P)

95/P Minutes

The minutes of the meeting held on 15 December 2014 were confirmed and signed by the Chairman.

96/P Land at Hook Meadow, Philpot Lane, Chobham

Members received a report updating the Committee on outstanding planning enforcement issues at Hook Meadow, Philpot Lane, Chobham. The Executive Head – Regulatory had been authorised to take direct action to secure compliance of the Notices. An injunction was granted by the High Court and the requirements of the order were as follows:

- The cessation of the residential use of the specified garden land by no later than 30 April 2015;
- The removal of all ornamental planting, decorative features and raised beds from the specified garden land by no later than 30 October 2015; and,
- The demolition of the unauthorised dwelling house (including the porch and recently completed extension) by no later than 30 April 2016.

Resolved that the report be noted.

97/P Application Number: 14/0675 - The Brickmakers Arms, Chertsey Road, Windlesham GU20 6HT - Windlesham Ward

The application was for the erection of a detached building and ancillary storage shed to provide additional accommodation to the existing public house and the extension of the car park with associated landscape alterations (retrospective). (Additional info rec'd 01/12/14).

Updates

Members were advised of the following updates:

'Re-consultations

Following re-consultations 4 letters of objection and 2 letters of general support have been received.

The letters of objection reiterate the concerns stated at paragraph 6.1 on page 21 of the agenda report but also raise the additional issues:

- *No recollection of previous buildings on the site;*
- *Site prone to flooding;*
- *Wildlife will be affected.*

A letter of objection has been received from Windlesham Parish Council raising concerns over the capacity of the parking and highway safety.

[Officer's comments: The objections relating to residential amenities and highways were addressed under paragraphs 7.5 and 7.6 of the original agenda report on page 22. In respect of flooding this site lies outside the flood plain. This application is retrospective and there is no evidence of harm to protected species by this development].

Included is a letter of objection from DHA Planning on behalf of F. Russell, which has been circulated to Members. In addition to commenting on residential amenities this letter discounts the very special circumstances report submitted by the applicants, summarised below:

- *The applicant makes an unsubstantiated assertion that this development replaces previous buildings. There are no buildings in existence;*
- *All public houses have a community benefit and many businesses wish to expand in the Green Belt;*
- *There is no supporting evidence to suggest that the Brickmakers Arms is failing financially;*
- *There is no evidence to show that the need for a multipurpose community use is so great to be justified as an exception;*
- *The applicant has failed to examine alternative sites outside of the Green Belt;*
- *The applicant has incorrectly applied Policy DM1 (Rural Economy) to justify this development as a public benefit. The policy does not apply to new buildings in the Green Belt.*

[Officer's comments: The officer's agenda report at the bottom of page 18 acknowledges that the very special circumstances case submitted by the applicant is lacking in substantive detail. However, officers remain of the view that only the local community need weighs in favours of the proposal]

Recommendation

A request has been received from the agent for the applicant for condition 2 to be amended to read:

*2. The multi-purpose function building shall only be used during the hours of 0900 to 2300hrs Monday to Saturday and 0900 to 2200 hrs on Sundays. In addition there shall be no recorded or live music played from the building **after the hours of 2100hrs.***

The agent has requested this change because exercise classes are already running from the building. The applicant comments that the existing activities would be in breach under the current condition but a restriction until 9pm would allow the exercise classes to continue while preventing more anti-social events; e.g. parties as they could not continue after 9pm.

[Officer's comments: The Environmental Health Officer would object to this amended condition and so officers recommend that the original worded condition on page 19 should remain] ‘

Some Members were concerned about light pollution from lights in the car park or the building, particularly as boundary hedging had been removed by the applicant. In addition it was felt that the building was used more as a business rather than community use.

The Committee was informed by the agent that the building was used for various community groups who could then use the public house, supporting the local business.

It was of the opinion of some Members that the development would cause harm in the Green Belt and the special circumstances advised by the applicant were tenuous and there was a lack of evidence. There was also concern as the development was retrospective. Although a community use was commendable, it was noted that there was sufficient community buildings already in the village.

Members felt that the development would also encourage more traffic movements in that area of the village which would cause safety issues.

Officers advised the Committee that with regard to light pollution, Environmental Services had carried out an investigation and had raised no objection to the development on these grounds. However a condition could be added to address this concern. The Members were also referred to the second paragraph on page 19 of the report which outlined the fine balance between the impact on the green belt and community benefits.

The recommendation to approve was amended to include the condition regarding lighting and an informative advising the applicant to consider disability access (in response to a concern raised by one of the speakers). Although officers had recommended approval of the application, Members felt that the special circumstances provided by the applicant did not outweigh the harm to the Green Belt.

There was no proposer or seconder for the recommendation to approve as amended.

The Committee felt the application should be refused as it was inappropriate development which caused further harm to the openness of the Green Belt contrary to the aims and objectives of the National Planning Policy Framework 2012.

In addition they were concerned about potential noise and traffic and the harm caused to residential amenities.

Resolved that application 14/0675 be refused for the reasons set out above, based on the wording of the officers' recommended reason for refusal on page 23 of the report of the Executive Head - Regulatory, the wording to be finalised by officers after consultation with the Chairman and Vice Chairman.

Note 1

It was noted for the record that a letter from the applicant had been received by Members.

Note 2

As this application triggered the Council's public speaking scheme, Mr Sapstead and Mr Russell spoke in objection to the application and Mr Andrews, the agent, spoke in support.

Note 3

The recommendation to refuse was proposed by Councillor David Mansfield and seconded by Councillor Pat Tedder.

Note 4

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to this application was as follows:

Voting in favour of the recommendation to refuse the application:

Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Colin Dougan, Edward Hawkins, Paul Inicki, David Mansfield, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

Voting against the recommendation to refuse:

Councillor Ken Pedder.

Councillor Audrey Roxburgh abstained.

**98/P Application Number: 14/0680- Cherrydale, Springfield Road, Camberley
GU15 1AE - Parkside Ward**

The application was for the erection of 2 two storey extensions and one single storey extension with associated alterations.

Updates

Members were advised of the following updates:

'A request has been received from the applicant for deferral of this application so that amendments can be made to the design.'

[Officer's comments: The applicants did not enter into the formal pre-application process. In addition, it is considered that a complete re-think and significant alterations to the design are required to overcome the recommended reason for refusal. Hence it would not be reasonable to delay determination.]

Para. 7.6.1 – A completed legal agreement for the Thames Basin Heath SPA has been received.'

Some Members felt that the proposal was over development and out of character. There was concern about the loss of trees.

Resolved that application 14/0680 be refused for the reasons as set out in the report of the Executive Head – Regulatory.

Note 1

It was noted for the record that Councillor John Winterton had been acquainted with the development.

Note 2

The recommendation to refuse was proposed by Councillor Vivienne Chapman and seconded by Councillor Edward Hawkins.

Note 3

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to this application was as follows:

Voting in favour of the recommendation to refuse the application:

Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Colin Dougan, Edward Hawkins, Paul Ilnicki, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

**99/P Application Number: 14/0955 - Admiral House, 193-199 London Road,
Camberley - St Michaels Ward**

The application was for the conversion of a third floor 2 bedroom flat to two 1 bedroom flats.

Resolved that application 14/0955 be approved subject to the conditions as set out in the report of the Executive Head – Regulatory.

Note 1

The recommendation to approve was proposed by Councillor Richard Brooks and seconded by Councillor David Mansfield.

Note 2

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to this application was as follows:

Voting in favour of the recommendation to approve the application:

Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Colin Dougan, Edward Hawkins, Paul Innicki, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

100/P Application Number: 14/0970 - Dental Surgery, 230 London Road, Bagshot, GU19 5EZ - Bagshot Ward

The application was for erection of a single storey side extension to existing dental surgery following demolition of existing garage.

Resolved that application 14 0970 be approved subject to conditions as set out in the report of the Executive Head – Regulatory.

Note 1

It was noted for the record that Councillor Valerie White was a customer at the dental surgery.

Note 2

The recommendation to approve proposed by Councillor Richard Brooks and seconded by Councillor David Allen.

Note 3

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to this application was as follows:

Voting in favour of the recommendation to approve the application:

Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Colin Dougan, Edward Hawkins, Paul Innicki, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

101/P Application Number: 14/0973 - 21-25 Tekels Park, Camberley GU15 2LE - Town Ward

The application was for the erection of 4 two storey detached dwellings with accommodation in the roof space, two with double detached carport, with associated car parking and landscaping works. (Additional plans rec'd 12/12/14)

Updates

'A email has been received from the agents with the main points summarised below:

- The report fails to acknowledge the changes in finished floor levels (FFLs) from the previous refusal and the impact this would have on the street scene. Under the original application the FFLs weren't specified, however based on the existing levels retained on the proposed site plan these would reasonably be (from Plot 1 to 4) +89.0m; +90.0m; +90.0m; and + 89.25m. Under the current application these are +88.0m; +89.0m (split level); +89.5m; and +88.5m. The difference between the schemes being -1.0; -1.0; -0.5; and -0.75m.*

[Officer's comments: These changes were not made clear with the application submission and there is little detail to support this argument. Even accounting for any lowering of FFLs the re-designed plots would still appear dominant].

- Report over emphasises the historical site context and fails to acknowledge similar large dwellings in the area that sit above road level and why this site is different. There is a failure to take into account the newer character of the area following redevelopments and replacement dwellings in the vicinity. The report does not explain the harm as there is no comparison with nearby developments.*

[Officer's comments: Paragraphs 7.3.3 and 7.3.4 on the agenda acknowledge the area's existing context and the positive features of the Wooded Hills Character Area. The negative features of the area are the small pockets of development with an urban character which have more formal layouts, have lower levels of vegetative cover, lack enclosure and have large areas of hard surfacing and bulky buildings. This proposal would accentuate the negative features of the area and conflict with the guiding principles of the Western Urban Area Character SPD. Tekels Park is more semi-rural in character than Tekels Avenue]

- The applicant would have made a CIL/SAMM contribution if the application had been recommended for approval.*
- In relation to the statement about an overly urbanised development it is unlikely to follow that a scheme with no residential amenity issues is a poor layout and design*

[Officer's comments: A development can still be harmful to the character of the area without harming residential amenities. The recommended reason for refusal principally relates to the scale and massing of the development, and not layout]

- The amended tree report shows that frontage trees would be retained but the report does not comment whether the impact to the road is the same.*

[Officer's comments: Correction to paragraph 7.3.8 on page 57 - The Council's Tree Officer has had regard to the amended tree report which indicates the loss of 12 trees, not 13 as stated; of which one would be a category C tree on the frontage T367 and not two as stated. However, the Council's Tree Officer considers any erosion of screening at this location must be avoided]

- *The replacement plant [restocking] for the wider woodland area would not prevent the plots appearing as proposed because this restocking relates to the margins of the site and new boundaries between the plots.*

[Officer's comments: See paragraph 7.3.9 of the agenda. The purpose of the restocking condition was to ensure protected trees within Woodland Order W1 outside of the original domestic gardens areas would be restocked and strengthened. However, the proposed plots would extend considerably beyond the original domestic garden areas and would encroach over this protected woodland area so preventing compliance with the restocking condition. The proposed plans do therefore present an erroneous impression of the current and future tree cover].

- *This is sustainable development within an urban area on previously developed land and the need for additional housing should take precedence.*

[Officer's comments: There is no objection to the principle of development but this should not be at the expense of design (see paragraph 7.3.1 on page 56)]'

Some Members felt that although the existing site needed development, the application was too big. There was also concern over the further erosion of trees on the site.

Resolved that application 14/0973 be refused for the reasons as set out in the report of the Executive Head – Regulatory.

Note 1

The recommendation to refuse was proposed by Councillor Glyn Carpenter and seconded by Councillor Valerie White.

Note 2

In accordance with Part 4 Section D paragraph 18 of the Constitution, the voting in relation to this application was as follows:

Voting in favour of the recommendation to refuse the application:

Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Colin Dougan, Edward Hawkins, Paul Inicki, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

102/P Application Number: 14/0978 - 57 High Street, Chobham GU24 8AF - Chobham Ward

The application was for a change of use of first floor from Office (B1) to Retail (A1).

Resolved that application 14/0978 be approved subject to conditions as set out in the report of the Executive Head – Regulatory.

Note 1

It was noted for the record that Councillor Mansfield's wife used the dress shop on the site.

Note 2

The recommendation to approve was proposed by Councillor Judi Trow and seconded by Councillor Pat Tedder.

Note 3

Voting in favour of the recommendation to approve the application:
Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Colin Dougan, Edward Hawkins, Paul Innicki, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

103/P Application Number: 14/0995 - 57 High Street, Chobham GU24 8AF - Chobham Ward

The application was for Listed Building Consent application for internal alterations including addition of a staircase and removal of kitchen and toilet to facilitate a change of use from Office (B1) to Retail (A1) considered under full application 14/0978.

Resolved that application 14/0995 be approved subject to conditions as set out in the report of the Executive Head – Regulatory.

Note 1

It was noted for the record that Councillor Mansfield's wife used the dress shop on the site.

Note 2

The recommendation to approve was proposed by Councillor Judi Trow and seconded by Councillor Pat Tedder.

Note 3

Voting in favour of the recommendation to approve the application:
Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Colin Dougan, Edward Hawkins, Paul Innicki, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

104/P Application Number: 14/1061 - The Barn, Blackstroud Lane East, West End GU18 5XR - West End Ward

The application was for the erection of a single storey side and rear extension to dwelling.

Updates

'A response has been received from West End Parish Council raising no objections'.

Resolved that application 14/1061 be approved subject to the conditions as set out in the report of the Executive Head – Regulatory.

Note 1

The recommendation to approve was proposed by Councillor Richard Brooks and seconded by Councillor Audrey Roxburgh.

Note 2

Voting in favour of the recommendation to approve the application:
Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Colin Dougan, Edward Hawkins, Paul Innicki, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

105/P Application Number 14/1062 - The Barn, Blackstroud Lane East, West End GU18 5XR - West End Ward

The application was for the Listed Building Consent for the erection of a single storey side and rear extension to dwelling.

Updates

'A response has been received from West End Parish Council raising no objections'.

Resolved that application 14/1062 be approved subject to the conditions as set out in the report of the Executive Head – Regulatory.

Note 1

The recommendation to approve was proposed by Councillor Judi Trow and seconded by Councillor Pat Tedder.

Note 2

Voting in favour of the recommendation to approve the application:
Councillors David Allen, Richard Brooks, Glyn Carpenter, Vivienne Chapman, Colin Dougan, Edward Hawkins, Paul Innicki, David Mansfield, Ken Pedder, Audrey Roxburgh, Ian Sams, Pat Tedder, Judi Trow, Valerie White and John Winterton.

Chairman

