

**Minutes of a Meeting of the Planning  
Applications Committee held at  
Council Chamber, Surrey Heath House  
on 13 January 2016**

---

+ Cllr Edward Hawkins (Chairman)  
+ Cllr David Mansfield (Vice Chairman)

+ Cllr David Allen	+ Cllr Katia Malcaus Cooper
+ Cllr Richard Brooks	+ Cllr Robin Perry
+ Cllr Nick Chambers	+ Cllr Ian Sams
+ Cllr Mrs Vivienne Chapman	+ Cllr Conrad Sturt
+ Cllr Colin Dougan	+ Cllr Pat Tedder
- Cllr Surinder Gandhum	+ Cllr Victoria Wheeler
+ Cllr Rebecca Jennings-Evans	+ Cllr Valerie White

+ Present  
- Apologies for absence presented

In Attendance: Emma Pearman, Neil Praine, Michelle Fielder,  
Jonathan Partington, Paul Watts, Cllr Paul Deach, Cllr Craig Fennell, Cllr  
David Lewis, Cllr Charlotte Morley and Gareth John

Cllr Nick Chambers (from min 39/P – 41/P)  
Cllr Pat Tedder (from min 39/P- 40/P)

Cllr Paul Deach (from min 39/P – 40/P)  
Cllr Craig Fennell (from min 39/P – 40/P)  
Cllr David Lewis (from min 39/P – 43/P)  
Cllr Charlotte Morley (from min 39/P – 43/P)

**39/P Minutes**

The minutes of the meeting held on 11 November 2015 were confirmed and signed by the Chairman.

It was noted that, with reference to minute 36/P, application 15/0676 had been approved by Committee subject to the receipt of a legal agreement. This agreement had not been received by the deadline of 1 December 2015, and the applicant had requested an extension to 5 February 2016. This had been granted.

In addition Members were advised that the Planning Policy team would be producing a briefing note for Members on the Code for Sustainable Housing.

**40/P Application Number: 15/0849 - Frimhurst Farm, Bridge Road, Deepcut Camberley GU16 6RF**

The application was for the continued use of the existing Industrial Centre (Use Classes B1, B2 and B8) and movement between these uses as well as a revised access onto Deepcut Bridge Road. (Part Retrospective). (Additional Information rec'd 06/11/2015).

There had been a Member site visit to the site.

Members were advised of the following updates:

*'Further response from Applicant to Committee Report*

*Following the Committee report, the applicant has submitted an 8 page response to that report. The matters raised are addressed in turn below:*

- *Policy CP1 - The applicant asserts that the development is in accordance with Policy CP1 because it utilises an existing developed site.*

*Officer comment: As stated in the report, the only areas that are under question are the D5-7 and E areas shown on the Enforcement notice which are those areas that extend beyond the original pig farm buildings and are considered as encroachment into the countryside.*

- *Policy CP2 - The applicant asserts that the development is also in accordance with this policy because it seeks to promote economic growth and there has been no land clearance to provide the area for the industrial centre.*

*Officer comment: The Council does not dispute that the site contributes towards the economy, however, some of the land was originally open and now is covered by containers and other structures, and the development has not just utilised existing buildings and structures. As such there has been encroachment into the countryside and the development therefore does not respect and enhance the quality of the natural environment contrary to CP2 (iv).*

- *Policy DM1 – The applicant asserts that this policy also supports the application because the site utilises the existing land and buildings for the new operations.*

*Officer comment: As stated in the report, and shown by aerial photos which will be in the presentation, the area of the site covered by buildings has significantly increased from when it was a pig farm. So while some buildings have been re-used, which is the only part of the site supported by the above policy, others have been added though many of these are now lawful through the passage of time. While the applicant asserts that only the pig farm area has been utilised, much of the pig farm was open land. The D5-7 and E areas represent further encroachment and the Council considers that a line has to be drawn.*

- *Policy DM9 - The applicant has felled a significant number of trees since the submission of the previous application so now asserts that it is in accordance with this policy as no trees need to be felled.*

*Officer comment: It is not considered that the planting would compensate for the loss of the mature trees as stated in paragraph 7.3.13 and despite the loss*

*of trees, the urbanising effect of the new road is not considered to be in accordance with Policy DM9.*

- *Policies CP8 and DM13 – The applicant argues that no consideration has been given to these policies which have most significance given the level of employment and income generation.*

*Officer comment: The economic contribution of the site is discussed in paragraph 7.3.6 and 7.3.7 and Policy DM1 is a relevant economic policy which considers the rural economy. While Policy CP8 states that the Council will make provision for new jobs, and that on other employment sites outside Core Employment Areas, redevelopment to provide small flexible B1 units will be promoted; with the exception of two units that have a Certificate of Lawful Use, the site is not a lawful employment site, hence these policies not being discussed in the report however the refusal reason does not say they are contrary to these policies either. As stated in paragraph 7.3.7 the retention of Class B uses in the historic core of the site is likely to be acceptable, however the D5-7 and E areas do not constitute redevelopment of existing employment areas and as such are not supported by this policy. Again Policy DM13 was not discussed as the site is not lawfully in “employment use” and while it may support the historic core of the site being utilised as employment space, the D5-7 and E areas particularly are not supported by this policy as they do not form part of the historic core and buildings of the site.*

- *NPPF - The applicant argues that very little regard has been had to the NPPF*

*Officer comment: While the NPPF supports economic growth, including growth in rural areas this is addressed by Policy DM1 as set out in paragraph 7.3.3 of the report. The NPPF also supports conserving and enhancing the natural environment and recognising the intrinsic character of the countryside, and using brownfield land as set out in paragraph 7.3.1 and in this case the harm to the countryside by the continuing encroachment into the open space is not considered to be outweighed by the economic arguments, especially given that the only areas in question are the D5-7 and E areas and as such these do not contribute a significant amount to the site overall.*

- *Landscaping Scheme - The applicant states that there was no recognition of the landscaping scheme*

*Officer comment: This is set out in paragraph 7.3.13 and the Tree Officer concluded that the proposals do not go far enough to compensate for the loss of trees and a more comprehensive landscaping scheme would be required. It is clear in paragraph 7.3.14 that this has been taken into account however it was still considered that the new road would be too urbanising.*

- *Enforcement notice – The applicant states that the enforcement notice should not have been served given that a planning application had been submitted the previous week.*

*Officer comment: the previous application was refused on 18<sup>th</sup> November 2014 and as such the applicant had a significant amount of time to resubmit the application. Therefore serving the enforcement notices in October 2015 is not considered to be unreasonable. In any case the applicant was given six months to comply with these so still would have plenty of time to comply with these if the application was refused.*

- *E1-E4 compounds - The applicant argues that the officer has failed to take into account the evidence submitted for the E1-E4 compounds which shows these areas as lawful*

*Officer comment: See paragraph 7.3.10 of the report. While the applicant has submitted further evidence during the course of the application which amounts to invoices from the management company to various tenants, it was previously found in 2012 when information was submitted as a response to an Planning Contravention Notice at that time that the use of the E areas had been sporadic, and from the aerial photos it shows that use of these areas has intensified in the last few years. As such these invoices alone is only one layer of evidence and are not considered to constitute enough evidence that the Council can be sure that they have been in continuous use for the last 10 years and, moreover, a Certificate of Existing Lawful Use would be the way to address this so the use can be fully investigated.*

*The purpose of this planning application is to consider the merits of the proposal; it is not a Certificate of Existing Lawful Use application which is different in that it looks at evidence only. The applicant was advised to submit a certificate to deal with the E areas separately but declined to do this.*

- *Boundaries – The applicant asserts that the industrial centre, including the expanded elements, have only ever utilised the areas previously used for the pig farm.*

*Officer comment: It is clear from aerial photos that although the site was a pig farm, part of that constituted hardstanding and buildings and part open fields. Much of these open fields are now covered with buildings/containers and other structures, as shown on the aerial photos as part of the presentation, and as such there has clearly been encroachment onto open land whether part of the original pig farm or not. There is still open land to the west of the site that is owned by the applicant and as such could be utilised in the future so a line has to be drawn.*

- *Access - The applicant argues that unlike the appeal decision the existing access would now be closed and is not as long as the original access road to the cottages*

*Officer comment: See paragraphs 7.3.11 – 7.3.16 of the report. While the new access does not extend as far as that refused under the Appeal, and the existing access is proposed to be closed and replanted, it is still considered that the access would have an intrusive and urbanising effect as discussed in the above paragraphs. The 2014 refusal also proposed closure of the existing access.*

- *Harm to the countryside - The applicant questions what actual harm there is to the countryside and states it has not been presented in the report.*

*Officer comment: The harm to the countryside is the incremental loss of open and undeveloped land as made clear at paragraph 7.3.7, in the reason for refusal and Paragraph 17 of the NPPF which states the countryside should be protected for its intrinsic beauty and character.*

#### Response from Economic Development Officer

*A response has been received since the report from Kevin Cantlon, who is the Council's Economic Development Officer. This reiterates the numbers of businesses on the site and states that businesses on the site that he spoke to said they were attracted by the low rents and would be unlikely to afford rents on other, more developed sites. It also states that the site under the Enforcement notice is occupied by 8 businesses (out of 42 total), comprising 33 employees (out of total 239).*

*Officer comment: Following this response, the applicant was asked whether all these employees are directly employed on the site, to which the following response was received:*

*"I can confirm that all the tenants you are referring to all use the site as their primary work base and all of the employees we listed on the spreadsheets were all full time employees of each business. Many of the compound tenants base themselves on site but due to the nature of their work, tree surgery, water way contractors, haulage companies etc their employees are often out on site elsewhere. However 95% of the time they will all start and finish work from the site. This of course means that during normal working hours the site is on average not too busy and normally fairly quiet. Please note that some of the compound tenants may have registered offices elsewhere, however the place of work will be Frimhurst Farm Industrial Centre."*

*When officers visited the site there was rarely anyone witnessed in the D or E compounds.*

#### Further information from Local Resident

*There has also been further information submitted from a local resident which has been distributed to Members. This comprises copies of the petition, e-petition and a document highlighting the availability of units in local industrial centres.*

#### Correction

*Members were advised that in the report where it says Policy CPA – this should say CP1'*

Members were advised by the Arboricultural Officer that the trees on the site which had been removed had not been managed so any trees were of poor quality and therefore no Tree Preservation Orders had been issued. The Arboricultural Officer

would welcome planting following the removal of the poor quality trees and shrubs on the site.

Ward councillors noted that whilst they were keen to support local businesses, they were unable to support the application.

**Resolved that application 15/0849 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 Members had received correspondence from the applicant and residents.

**Note 2**

As the application triggered the Council's public speaking scheme, Mr Watkins and Mrs Morgan spoke in objection and Mr Andrews spoke in support.

**Note 3**

The recommendation to refuse the application was proposed by Councillor David Mansfield and seconded by Councillor Colin Dougan.

**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, Nick Chambers, Vivienne Chapman, Colin Dougan, Edward Hawkins, Rebecca Jennings - Evans, Katia Malcaus Cooper, David Mansfield, Robin Perry, Ian Sams, Conrad Sturt, Pat Tedder, Victoria Wheeler and Valerie White.

**41/P Application Number: 15/0166 - Land between 4 and 5 School Lane, Windlesham GU20 6EY**

The application was for the erection of a detached 4 bedroom, two storey dwelling (with accommodation in the roof space) and integral garage. (Additional plan recv'd 11/6/15), (Amended plan rec'd 23/07/15).

The application would normally have been determined under the Council's Scheme of Delegation, however, at the request of a local ward councillor it had been called in for determination by the Planning Applications Committee.

Members were advised of the following updates:

*'A member site visit took place on the 7<sup>th</sup> January 2016 and the following Councillors attended and therefore were entitled to vote.*

*Cllr Sturt, Cllr Perry, Cllr Brooks, Cllr Chambers, Cllr Gandhum, Cllr Sams, Cllr Allen, Cllr Wheeler, Cllr Jennings-Evans, Cllr Hawkins, Cllr Dougan and Cllr Malcaus Cooper.*

*The site visit was also attended by a representative of the County Highways Authority. Some questions were put to the Highways Officer who provided a formal response which is attached to this update.’ (see Annex at end of minutes)*

The Chairman wished to convey his thanks on behalf of the Committee to Mr Stokes from the County Highways Authority for attending the site visit and for his extensive report.

Members discussed the character of the proposal and noted that there was only one detached property in the lane and no three storey properties.

It was also noted that there were existing parking issues and the proposed build out would result in fewer spaces to park. Some Members also felt that the visibility would not improve with the addition of the build out. Members also commented that with the addition of the build out there would be less space for cars and lorries to pass. Members were reminded that the advice from the County Highways Authority confirmed that the build out had been designed to improve visibility and provide traffic calming.

Some Members commented that previous applications on this site were refused but had proposed smaller dwellings. Officers advised that those applications had been refused on highways grounds.

The officers had recommended that the application be approved subject to conditions but some Members felt that the proposal:

- constituted overdevelopment and was out of character;
- there were concerns about the safety of pedestrians on the south side of Chertsey Road due to the narrowing of the road;
- there was a potential for loss of parking on public highway;
- the access to the application site from School Lane was sub-standard.

**Resolved that application 15/0166 be refused for the reasons as set out above, wording to be finalised in consultation with the Chairman, Vice Chairman and ward councillors.**

**Note 1**

It was noted that Councillor Pat Tedder declared she had a Disclosable Pecuniary Interest as her property was sited opposite the development and she left the Chamber during the consideration of the application.

**Note 2**

It was noted for the record that Cllr Sturt had received correspondence from residents and Cllrs Jennings-Evans and Malcaus Cooper were familiar with neighbours located near to the property.

**Note 3**

As the application triggered the Council's public speaking scheme, Ms Cobb and Mr Goulty spoke in objection and Mr Griffin spoke in support.

**Note 4**

The recommendation to approve the application was proposed by Councillor Colin Dougan and seconded by Councillor Robin Perry.

**Note 5**

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, Richard Brooks, Colin Dougan, Edward Hawkins, Robin Perry, Ian Sams.

Voting against the recommendation to approve the application:

Councillors David Allen, Nick Chambers, Rebecca Jennings - Evans, Katia Malcaus Cooper, Conrad Sturt and Victoria Wheeler.

**Note 6**

The recommendation to refuse the application was proposed by Councillor David Allen and seconded by Councillor Conrad Sturt.

**Note 7**

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, Nick Chambers, Rebecca Jennings - Evans, Katia Malcaus Cooper, Conrad Sturt and Victoria Wheeler.

Voting against the recommendation to refuse the application:

Councillors, Richard Brooks, Colin Dougan, Edward Hawkins, Robin Perry, Ian Sams.

**42/P**

County Highways Authority Document

**Application Number: 15/0641 - The Mytchett Centre, 140 Mytchett Road, Mytchett GU16 6AA**

The application was for part change of use of land from car park to car wash facility to include the erection of a canopy and storage container. (Retrospective)

This application would normally have been determined under the Council's Scheme of Delegation, however, as the land was owned by Surrey Heath Borough Council the application was required to be determined by the Planning Applications Committee.

This application was withdrawn by the applicant.



**43/P Application Number: 14/1136 - 125 Frimley Road, Camberley GU15 2PS**

The application was for the erection of an outbuilding following demolition of an existing garage. (Part Retrospective).

The application would normally have been determined under the Council's Scheme of Delegation, however, at the request of a local ward councillor (Cllr Lewis) it had been called in for determination by the Planning Applications Committee.

There had been a Member site visit to the site.

Members were advised of the following updates:

*'Correction to the committee report – the application site abuts the 'lanes' character designation and not Edwardian / Victorian subdivisions – section 7 of the committee report refers.*

*The WUCA SPD advises that the development pressure on the lanes character area is that of unsympathetic development resulting in the loss of landscaping, period features and buildings of historic character. To mitigate this harm the SPD seeks to ensure that new development does not exceed 2 storey height, has a pitched roof form and that the elevations facing the lane is of high quality. Furthermore particular regard must be had to building scale, detailing and materials.*

*The development has not resulted in the loss of any buildings of historic merit, nor have any landscape features of merit been removed. The committee report acknowledges that the development as it stands is not appropriate; however officers remain of the opinion that the removal of the dormer window will sufficiently reduce the scale of the building. In addition it is accepted practice to impose planning conditions requiring agreement on the materials to be used in a development. It is therefore considered the application is, subject to the conditions set out in the report, acceptable and permission should be granted.*

*4 further objections have been received, in the main these reiterate previous concerns; however a further concern regarding a reduction in parking is made. While this is noted it remains that parking for the flats at 125 Frimley Road is retained and there has been no objection to the proposal from the Highways Team. '*

Local Ward Councillors felt that the proposal was of an inappropriate design and the materials used were of poor quality. It was felt that if the Committee were minded to approve the application, conditions requiring better quality materials and a restriction on the height be added.

Members were advised that there was no permitted development fall-back position.

The officer's recommendation had been to approve the application, however Members felt that the proposal was inappropriate development due to the scale

and mass of the building, the character was out of keeping with the surrounding area.

**Resolved that application 14/1136 be refused for the reasons as set out above, wording to be finalised in consultation with the Chairman, Vice Chairman and ward councillors.**

**Note 1**

As the application triggered the Council's public speaking scheme, Mr McGowan spoke in objection.

**Note 2**

There was no proposer and seconder with regard to the recommendation to approve the application.

**Note 3**

The recommendation to refuse the application was proposed by Councillor David Mansfield and seconded by Councillor Richard Brooks.

**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, Vivienne Chapman, Colin Dougan, Edward Hawkins, Rebecca Jennings - Evans, Katia Malcaus Cooper, David Mansfield, Robin Perry, Ian Sams, Conrad Sturt, Victoria Wheeler and Valerie White.

Chairman

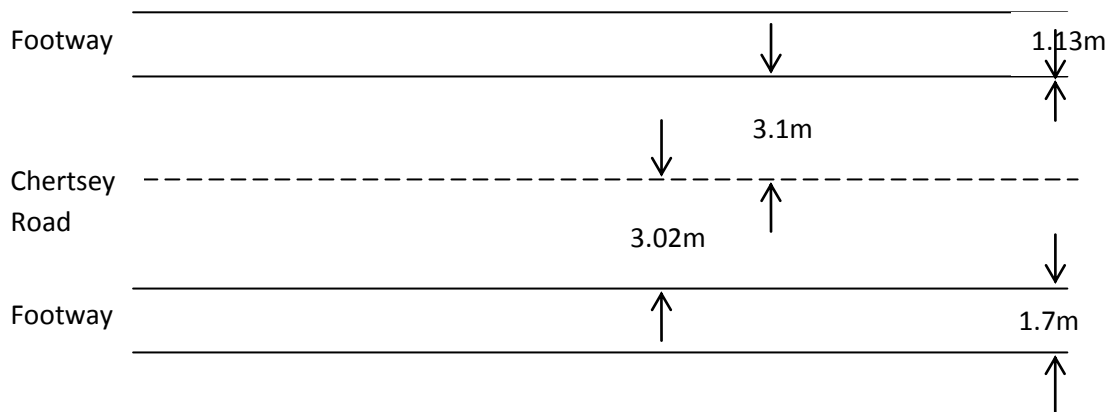
**Planning Application SU15/0166**

Land at School Lane, Chertsey Road,  
Windlesham

Analysis Design Guidance / Chertsey Road  
Narrowing Feature



During the Committee site visit, Members questioned the available width of the existing carriageway and its ability to accommodate the passing of two HGV's if the narrowed section is implemented. The existing carriageway dimensions indicated below are broadly the same as those collected by the applicant. The applicant has clarified and corrected the width of the footway outside number 43 which has resulted in a lesser level of vehicular visibility being achievable (please see the note with regard to visibility below).



**Reduced Carriageway Width**

The narrowed width reduces the carriageway by 0.62m from 6.12m to 5.5m. Manual for Streets 1 produced by the Department for Transport (extract attached) indicates that a 5.5m carriageway width is able to accommodate the passing of two HGV's.



Figure 7.1 Illustrates what various carriageway widths can accommodate. They are not necessarily recommendations.

Manual for Streets 2 also produced by the Department for Transport to sit alongside MFS1 is less prescriptive, but refers to the guidelines within MFS1.

Given the guidance in Manual for Streets, a width of 5.5m is the absolute minimum that we would recommend in this instance. The typical sizes of a range of vehicles are attached giving their full dimensions, however their widths are summarised as:

Small hatchback	1.944m
Large Saloon Car	2.111m
Large Van	2.690m
Tipper Truck	2.359m
8 Wheel HGV	2.5m (excluding mirrors)

Given these dimensions and the advice contained within Manual for Streets, HGVs, buses and coaches may need to take extra care when passing one another, but all other vehicles will be able to pass each other freely.

### **Footway Widths**

In terms of footway widths, the footway on the southern side measures 1.7m wide. The minimum width at a pinch point to accommodate wheelchairs is 0.9m. The installation of posts is proposed in the footway to prevent vehicles mounting the footway. A post would need to be located 450mm from the kerb face, which if a nominally sized 150-200mm post is used, would narrow the footway by 600-650mm. This would result in a pinch point 1.05m - 1.1m which would be able to accommodate the width of a wheelchair user.

On the northern side the existing footway will be widened from 1.13m to 1.75m outside number 43 and to 2.49m at the School Lane access. There is adequate space within this widened footway for the placement of timber posts at each end.

### **Visibility**

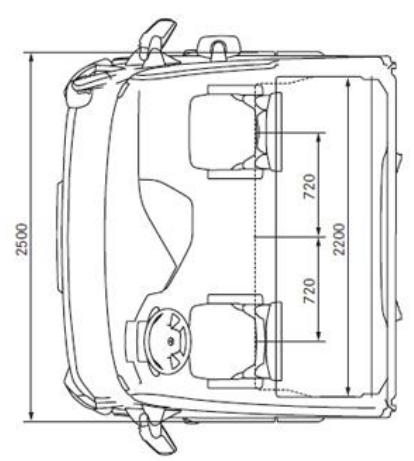
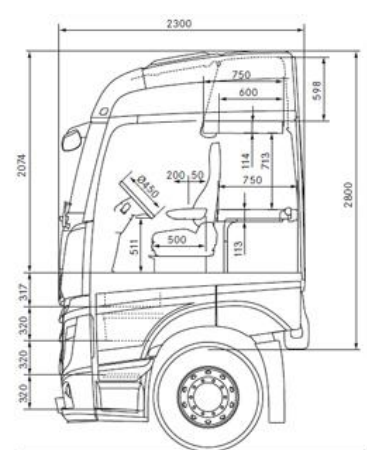
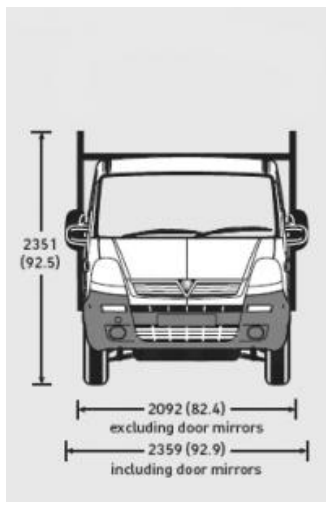
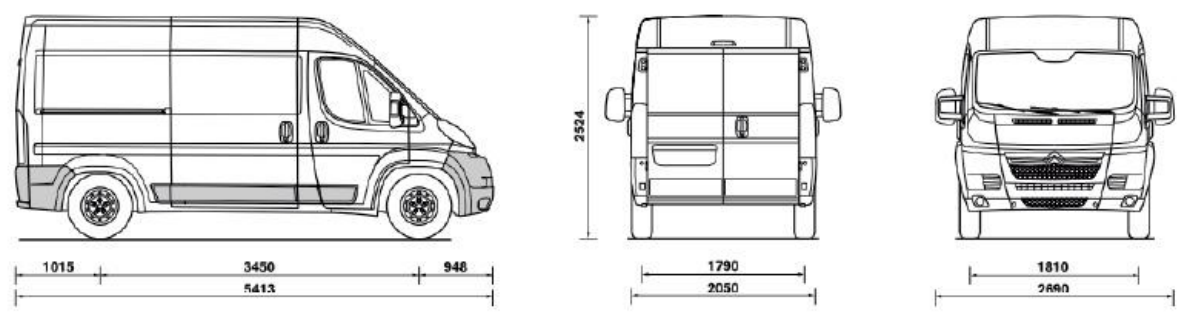
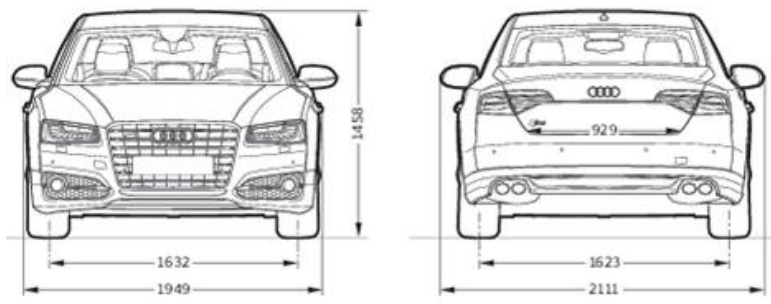
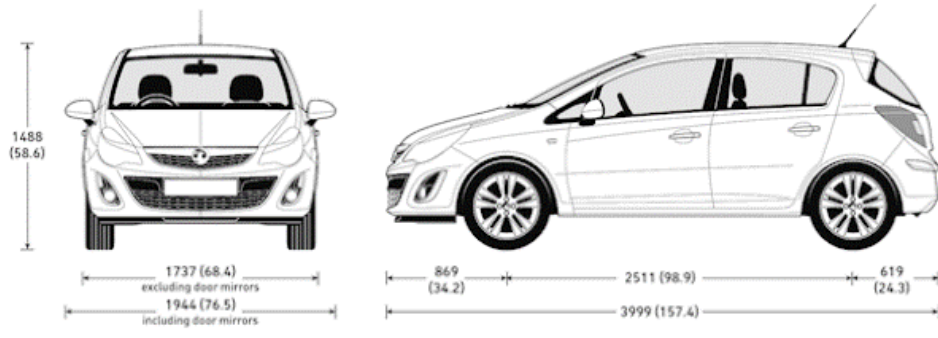
Adequate visibility can be achieved in a westerly direction due to the increased width of footway outside the Hall. In an easterly direction, a distance of 2m x 40m is achievable to the line of approaching vehicles. This is slightly short of the minimum distance required for a road used by HGV's (by 3 - 4m), but due to the limited additional impact of the development and the consequential improvement offered by the highway works to existing residents of School Lane, the Highway Authority is satisfied that the improved visibility mitigates the additional impact of the development.

### **Summary**

In overall terms the Highway Authority believes that the road narrowing provides an appropriate balance between improving visibility at School Lane, whilst maintaining an appropriate carriageway width on Chertsey Road. Furthermore, the feature being introduced by the applicant will offer a traffic calming effect and with the additional use of appropriate materials could be replicated elsewhere in Windlesham as part of a wider aspiration to manage traffic in the village.

Andy Stokes

**Principal Transport Development Planning Officer  
Planning & Development  
Surrey County Council**



This page is intentionally left blank