

**Minutes of a Meeting of the Planning
Applications Committee held at
Council Chamber, Surrey Heath House
on 17 November 2016**

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

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|---|-------------------------|
| - Cllr Richard Brooks | Cllr Adrian Page |
| - Cllr Nick Chambers | + Cllr Robin Perry |
| + Cllr Mrs Vivienne Chapman | + Cllr Ian Sams |
| + Cllr Colin Dougan | Cllr Conrad Sturt |
| - Cllr Surinder Gandhum | + Cllr Pat Tedder |
| + Cllr Jonathan Lytle | + Cllr Victoria Wheeler |
| + Cllr Katia Malcaus Cooper (from part-way through min 21/P) | + Cllr Valerie White |

+ Present

- Apologies for absence presented

Substitutes: Cllr Max Nelson (In place of Cllr Nick Chambers)

In Attendance: Lee Brewin, Duncan Carty, Michelle Fielder, Abinel Gurung, Gareth John, Jonathan Partington, Emma Pearman, Neil Praine and Cllr Wynne Price (left Chamber after min 21/P)

20/P Minutes

The minutes of the meeting held on 20 October 2106 were confirmed and signed by the Chairman.

21/P Application Number: 14/1000 - Hawk Farm, Church Lane, Bisley GU24 9EA

The application was to remove Condition 3 under Section 73 of application ref. BGR/8745 (Outline application to erect nursery managers dwelling and garages) to allow non-agricultural occupancy of dwelling. (Amended plans recv'd 26/10/16)

The application would normally have been determined under the Council's Scheme of Delegation, however, it was reported to Planning Applications Committee at the request of Cllr. Mansfield.

There was a site visit at the site.

Members received the following updates:

Paragraph 6.1

Following consultation on the latest marketing undertaken a further 4 letters of objection have been received. The main points raised are summarised below:

- *Insufficient period for marketing with it only being marketed for 3 months at its lowered price. Hamptons assertion that 6-12 months is a long time is*

incorrect as the size, price or unusual nature of the property may mean it takes longer.

- *Other factors apart from this restriction also affect its saleability, for example Brexit.*
- *Marketing is not extensive enough. Should have relied on one than more estate agent to market the property. No estate agent board outside the site and property currently not on UK Land & Farms website.*
- *The property seems overpriced in relation to other dwellings in the vicinity, particularly when it was first marketed in 2014 (other examples in the area have been provided – 4 bed houses sell for £700 -800k)*
- *The pricing reduction is insufficient as the industry norm for reduction in pricing on houses with agricultural restrictions with less than 20-30 acres is 35%*
- *No mention of NHBC guarantee on house being sold which is unusual and thus reduces its saleability*
- *Other independent valuations ought to have been carried out by the Council and its Agricultural Advisor*
- *An inability to sell because the applicant built and further extended the property over and above the size and price that an agricultural worker could reasonably afford should not be a reason to remove the condition*

[Officer comment: Even if the dwelling had been completed in the 1970s it may have been subsequently extended by the occupier (s) and so the same scenario may still exist i.e. seeking to sell a larger property than originally approved]

- *Downgrading the restriction to equestrian or somewhat similar may be a workable compromise*

[Officer comment: The applicant has not sought to amend the condition but to remove it. Equestrian use for the grazing of horses, working horses on the land or horses for slaughter is agriculture. A downgraded condition would not be justifiable unless an exceptional need could be proven, see paragraph 7.3.1. This is unlikely to be the case]

- *Uncertainty over the applicant's land parcels and whether the applicant is also seeking the removal of the agricultural classification for the adjoining land. If the condition is removed then the adjoining land could be sold off separately leaving it for further future development and harming wildlife.*

[Officer comment: The original parcel of land that this restriction related to covered a significant larger area of land, see paragraph 2.1 of report. However, this restriction also applies to, for example, retired farmers Nb.

the condition refers to people employed in agriculture in the vicinity. The applicant has also now marketed the adjoining land with the dwelling, see second bullet point paragraph 7.3.6 on page 113. Any future use of the adjoining land would require planning permission and inappropriate development would be resisted given its Green Belt location]

Further comments from the applicant/Hamptons (paragraph 7.3.6)

In response to the concerns raised the applicant explains the following:

- The property has now been marketed for over 7 months*
- It is unsaleable primarily because the location of the property is not known for agricultural properties and therefore the number of buyers looking in this area who can meet the tie is limited*
- It is the restriction and not the cost that is making the property unsaleable*
- Most of the dwellings sold by Hamptons offers are received within the first 2 months of marketing*
- A 'for sale sign' is not a pre-requisite of selling a property. The majority of dwellings sold do not have one. 90% of prospective purchasers search on-line*
- Fails to accept that 59 potential purchasers is not extensive marketing*
- The property is receiving 14 viewings per day on Right-move and a further 22 on Zoopla.*
- Our marketing is extensive proven by in the area Hamptons Sunningdale covers between £1 - £5m we have sold the most houses in 2016 (source Rightmove).*
- The reference made to the property being worth less than £1m does not take into account that this is a new build and such properties are receiving between 5-10% over second hand properties. This combined with its specification, generous proportions and its locational advantages i.e. being close to the village yet benefiting from an attractive rural location with its garden backing onto fields*

Paragraph 7.6.1

The applicant has now reinstated the historical curtilage by erection of a low picket fence.

Recommendation

Amended condition 1:

The residential curtilage is as shown outlined in red on drawing no. 574-P-16-4B and there shall be no enlargement to this curtilage. The existing picket fence, or an equivalent replacement, delineating the northern rear boundary of this residential curtilage shall be retained in perpetuity, unless otherwise agreed in writing by the Planning Authority.

Reason: To retain control in the interests of the Green Belt and to comply with the National Planning Policy Framework.'

Officers had recommended approval of the application but some Members were of the opinion that the marketing exercise for the sale of the site had not been adequate. It was also felt that the proposal was overdevelopment in the Green Belt, was out of character and the applicant had been fully aware of the agricultural condition. It was also noted that a precedent should not be set. The unlawful siting of a mobile home on the site was also a concern.

Officers advised that the dwelling was lawful in the Green Belt and that an informative would be imposed for the removal of the mobile home following permission being granted for this application.

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

Members considered the reasons for refusal and felt that the marketing strategy had been inadequate and a properly targeted marketing scheme should be carried out for at least 12 months and a realistic price be agreed for the sale. The informative would still be included regarding the removal of the mobile home.

Resolved that application 14/1000 be refused for the reasons set out above, wording to be finalised in consultation with the Chairman and Vice Chairman.

Note 1

It was noted for the record that Cllr Mansfield attended a Parish Council meeting where this application was considered. He did not take part in any debate and did not vote. The applicant also approached Cllr Mansfield but he did not engage in any discussion about the application.

Note 2

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

Note 3

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

Voting in favour of the recommendation to refuse the application:

Councillors Vivienne Chapman, Colin Dougan, Edward Hawkins, Jonathan Lytle, David Mansfield, Max Nelson, Robin Perry, Ian Sams, Pat Tedder, Victoria Wheeler and Valerie White.

22/P Application Number: 16/0447 - 15-17 Obelisk Way, Camberley GU15 3SD

The application was for the outline application for planning permission for the erection of a four storey building comprising use Class A1-A5 on the ground floor and 16 residential units (Use Class C) on the three upper floors (with access, layout and scale to be considered and appearance and landscaping being reserved matters) following the demolition of existing buildings. (Amended plans & Additional Information rec'd 14/07/2016). (Additional information rec'd 23/09/2016).

Members received the following updates:

'The legal agreement to secure SAMM has been completed.

The agent wishes to draw the Committee's attention to the fact the original building was rebuilt following a fire in the 1950's. Officers note this submission; however it is not clear the extent of the damage or the rebuild works. It is however clear from photographs of the existing building that other than the interest and quality of the façade of the building, the existing building has little architectural merit. There is also no objection being raised to the demolition of the existing building.

Deletion of the following text from the final sentence of paragraph 7.8.1

As detailed above this contribution includes the SANG payment but is in addition to the SAMM payment.'

Some Members felt that the proposal would be an excellent opportunity for the Town Centre but some questioned the lack of affordable housing. Officers explained that the policy allowed for negotiation regarding viability of the provision of affordable housing. The consultant's findings were that it would not be viable to provide this.

Although no amenity space had been adopted for the site, Members were advised that each residential unit would have a terrace or balcony. There would also be allocated space for bins and cycles.

Some Members felt that the façade of the existing building should remain as it was an example of attractive architecture from the turn of the last century and that the building should be locally listed. Officers advised that the conservation officer had raised no objection to the building being demolished particularly when the sides and back of the building were purely functional and had no ascetic merit.

Members were reminded that the design and materials of the building was a reserved matter and would therefore return to the Planning Applications Committee for consideration. It was also noted that the proposal considered previously the retention of the front of the building but it had not lent itself to development for retail and residential.

Resolved that application 16/0447 be approved as amended subject to the conditions as set out in the report of the Executive Head – Regulatory.

Note 1

The recommendation to approve the application was proposed by Councillor David Mansfield and seconded by Councillor Robin Perry.

Note 2

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

Voting in favour of the recommendation to approve the application:

Councillors Vivienne Chapman, Colin Dougan, Edward Hawkins, Jonathan Lytle, Katia Malcaus Cooper, David Mansfield, Max Nelson, Robin Perry, Ian Sams, Pat Tedder, and Valerie White.

Voting against the recommendation to approve the application:

Councillor Victoria Wheeler

23/P Application Number: 16/0669 - Longacres Nursery, London Road, Bagshot GU19 5JB

The application was for the erection of an attached glass house following part demolition of existing glass house for garden centre.

Members received the following updates:

'Correction to report – At Paragraph 9.7.1, it is confirmed that the proposal would not increase internal retail accommodation.

With further advice from the Council's Drainage Engineer, Condition 4 is to be replaced to be more proscriptive and more certainty of the requirements prior to implementation.

REPLACEMENT CONDITION 4:

The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

Those details shall include:

- a) A design that satisfies the Sustainable Drainage Systems (SuDS) Hierarchy and is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS;*
- b) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+30% Climate Change allowance for climate change storm events), during all stages of the development (Pre, Post and during), associated discharge rates and storages volumes shall be provided. This shall include*

- evidence if applicable showing that no further storage is viable for this site to provide for restriction to closer to Greenfield runoff rates;*
- c) A finalised drainage layout plan that details impervious areas and the location of each SuDS element, pipe diameters and their respective levels;*
 - d) Long and cross sections of each SuDS element; and*
 - e) Details of how the site drainage will be protected and maintained during the construction of the development.*

Reason: To ensure the design meets the technical stands for SuDS and the final drainage design does not increase flood risk on or off site and to comply with Policies CP2 and Dm10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.'

The Chairman advised the Committee that the application was in accordance with the approved plans and it would not constitute an increase in retail provision.

Some Members were concerned that the succession of applications on this site would set precedence and that the site was becoming more than just a garden centre. Officers advised that conditions had been applied to limit sales. In addition other Members felt that the site was an asset to the borough.

Resolved that application 16/0669 be approved as amended subject to the conditions as set out in the report of the Executive Head – Regulatory

Note 1

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

Note 2

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

Voting in favour of the recommendation to approve the application:

Councillors Vivienne Chapman, Colin Dougan, Edward Hawkins, Jonathan Lytle, David Mansfield, Max Nelson, Robin Perry, Ian Sams and Victoria Wheeler.

Voting against the recommendation to approve the application:

Councillors Katia Malcaus Cooper, Pat Tedder and Valerie White

24/P Application Number: 16/0678 - Bovington Cottage, and Cattery, Bracknell Road, Bagshot GU19 5HX

The application was for the erection of 2 x 3 bedroom and 1 x 2 bedroom dwellings with attached garages, following demolition of existing bungalow and cattery/kennel buildings. (Amended Plan - Rec'd 20/10/2016 & 21/10/16). (Amended Plans + Additional Plan - Rec'd 24/10/2016.) (Amended & additional plans recv'd 25/10/16).

This application would normally have been determined under the Council's Scheme of Delegation, however it was reported to the Planning Applications Committee at the request of Cllr White.

Members received the following updates:

'Change to recommendation – it is now REFUSE for the following reason:

The applicant has failed to demonstrate to the satisfaction of the Local Planning Authority the presence or otherwise of protected species (in particular bats and reptiles), and the extent that they may be affected by the proposed development, contrary to paragraph 99 of ODPM Circular 06/2005, Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

Paragraphs 7.10.3 and 7.11.4

The SAMM payment has been received. The applicant has confirmed that the development will be CIL liable as the cattery part of the site has not been in use for the required amount of time for it to be exempt from CIL. As such no SANG contribution is payable at this stage and CIL would be payable on commencement if the application is granted.

Paragraph 7.12.1

Further to paragraph 7.12.1 of the report, the applicant submitted an ecology survey which was considered by Surrey Wildlife Trust. The ecology survey identified that the site was suitable habitat for bats and reptiles. The Wildlife Trust have advised that further surveys to establish the presence or otherwise of bats and reptiles will be required before the application is determined, as the planning authority has insufficient information at this stage to be able to fully assess the impact on protected species. These surveys are not likely to be able to be carried out until spring when the animals are more active. As such the application is recommended for refusal for the above reason.

Paragraph 7.12.2 & paragraph 5.3

The Environmental Health Officer has responded in respect of the potentially contaminated land, with no objection to the proposal subject to a number of conditions requiring further ground work to assess if there is any contamination present and remediation schemes if necessary. If the application is granted then it is recommended that these conditions are included.

There has been no response from the Environment Agency on this, however it is noted in this regard that given the size of the site they are unlikely to comment as have not done so on similar, larger applications where there is potential contaminated land, and other applications have been approved with conditions to address this from the Environmental Health Officer.

Plans – Condition 2

If the Committee resolves to grant permission, three of the plans in the list under Condition 2 should be amended as further plans were needed to resolve very minor corrections to the size of the garage of plot 1 as it was shown incorrectly. The size of the garage in the

Officer's report is correct. The plans to be changed are as follows:

- *Amended Ground Floor Plan Type 1 Proposed BC-03-020 P5 received 27.10.16*
- *Amended Proposed Elevations Type 1 BC-05-010 P5 received 27.10.16*
- *Amended Ground Floor Site Plan BC-030-010 P5 received 27.10.16'*

Some Members had concerns about highways issues and that the proposal would be overdevelopment on the site. The County Highways Agency had raised no objection.

Some Members felt that overdevelopment and the harmful impact on the Green Belt should be included as reasons for refusal.

Resolved that application 16/0678 be refused as amended:

- i. for the reason as set out in the update to the report of the Executive Head – Regulatory;**
- ii. as the proposal would have harmful impact on the Green Belt, and**
- iii. the proposal would be overdevelopment on the site.**

The wording to be finalised in consultation with the Chairman and Vice Chairman.

Note 1

The recommendation to refuse the application was proposed by Councillor Vivienne Chapman 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 the application was as follows:

Voting in favour of the recommendation to refuse the application:

Councillors Vivienne Chapman, Colin Dougan, Edward Hawkins, Katia Malcaus Cooper, David Mansfield, Robin Perry, Ian Sams, Pat Tedder, Victoria Wheeler and Valerie White.

Voting against the recommendation to refuse the application:

Councillors Jonathan Lytle and Max Nelson.

25/P Application Number: 16/0836 - Cadet Training Centre, Frimley Park, Frimley Road, Frimley GU16 7HD

The application was for the demolition of the Quartermaster's (QM) block and adjacent outbuildings. Conversion of part of the Admin block to re-house the QM department. New build block to provide kitchen/dining hall, multifunctional space and 6No bedrooms. Remedial work to the external facade of the Grade II listed mansion and conversion of redundant kitchen area to other uses.

This application would normally have been determined under the Council's Scheme of Delegation, however, it was reported to the Planning Applications Committee at the request of Councillor E Hawkins.

Members received the following updates:

'The Garden History Society has now considered the proposal and in their consultation response, raise no objection'

Members felt that the proposal was a good design and they welcomed the change.

Some Members were concerned about the flooding issues in Frimley and asked whether this could be looked at as part of the application, as the balancing pond was on the site.

Officers advised that the drainage officer had not raised any issues and there had been a flood risk assessment issued.

Resolved that application 16/0836 be approved subject to the conditions as set out in the report of the Executive Head – Regulatory.

Note 1

It was noted for the record that:

- Councillor Colin Dougan, in his capacity as Military Champion, was acquainted with the Commanding Officer at the Cadet Training Centre;
- Councillor Valerie White, in her capacity as Deputy Mayor, had attended lunch with the Commanding Officer at the Cadet Training Centre;
- Councillor Edward Hawkins had visited the Cadet Training Centre.

Note 2

The recommendation to approve the application was proposed by Councillor Colin Dougan 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 the application was as follows:

Voting in favour of the recommendation to approve the application:

Councillors Vivienne Chapman, Colin Dougan, Edward Hawkins, Jonathan Lytle, Katia Malcaus Cooper, David Mansfield, Max Nelson, Robin Perry, Ian Sams, Pat Tedder, Victoria Wheeler and Valerie White.

26/P Application Number: 16/0837 - Cadet Training Centre, Frimley Park, Frimley Road, Frimley GU16 7HD

This application was for the Listed Building Consent for the demolition of the Quartermaster's (QM) block and adjacent outbuildings. Conversion of part of the Admin block to re-house the QM department. New build block to provide kitchen/dining hall, multifunctional space and 6No bedrooms. Remedial work to the external facade of the Grade II listed mansion and conversion of redundant kitchen area to other uses.

This application would normally have been determined under the Council's Scheme of Delegation, however, it was reported to the Planning Applications Committee at the request of Councillor E Hawkins.

Members received the following updates:

'The Garden History Society has now considered the proposal and in their consultation response, raise no objection'

Resolved that application 16/087 be approved subject to the conditions as set out in the report of the Executive Head – Regulatory.

Note 1

It was noted for the record that:

- Councillor Colin Dougan, in his capacity as Military Champion, was acquainted with the Commanding Officer at the Cadet Training Centre;
- Councillor Valerie White, in her capacity as Deputy Mayor, had attended lunch with the Commanding Officer at the Cadet Training Centre;
- Councillor Edward Hawkins had visited the Cadet Training Centre.

Note 2

The recommendation to approve the application was proposed by Councillor Colin Dougan and seconded by Councillor Victoria Wheeler.

Note 3

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

Voting in favour of the recommendation to approve the application:

Councillors Vivienne Chapman, Colin Dougan, Edward Hawkins, Jonathan Lytle, Katia Malcaus Cooper, David Mansfield, Max Nelson, Robin Perry, Ian Sams, Pat Tedder, Victoria Wheeler and Valerie White.

27/P Application Number: 16/0693 - Cadet Training Centre, Frimley Park, Frimley GU16 7HD

The application was for the erection of a 3.4 metre security perimeter fence, single storey security building with associated parking.

This application would normally have been determined under the Council's Scheme of Delegation, however, it was reported to the Planning Applications Committee at the request of Councillor E Hawkins.

Members received the following updates:

'The Garden History Society has now considered the proposal and in their consultation response, raise no objection'

Members felt that the proposal was a good design and welcomed the change.

Some Members were concerned about the flooding issues in Frimley and asked whether this could be looked at as part of the application as the balancing pond was on the site.

Officers advised that the drainage officer had not raised any issues and there had been a flood risk assessment issued.

Resolved that application 16/0693 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 Colin Dougan, in his capacity as Military Champion, was acquainted with the Commanding Officer at the Cadet Training Centre;
- Councillor Valerie White, in her capacity as Deputy Mayor, had attended lunch with the Commanding Officer at the Cadet Training Centre;
- Councillor Edward Hawkins had visited the Cadet Training Centre.

Note 2

The recommendation to approve the application was proposed by Councillor Colin Dougan and seconded by Councillor Katia Malcaus Cooper.

Note 3

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

Voting in favour of the recommendation to approve the application:

Councillors Vivienne Chapman, Colin Dougan, Edward Hawkins, Jonathan Lytle, Katia Malcaus Cooper, David Mansfield, Max Nelson, Robin Perry, Ian Sams, Pat Tedder, Victoria Wheeler and Valerie White.

Chairman