

**Minutes of a Meeting of the Planning
Applications Committee held at
Council Chamber, Surrey Heath House
on 9 March 2017**

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

+ 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	+ Cllr Valerie White

+ Present

- Apologies for absence presented

In Attendance: Lee Brewin, Ross Cahalane, Michelle Fielder, Jessica Harris-Hooton, Jonathan Partington and Emma Pearman

61/P Minutes

The open minutes were confirmed and signed by the Chairman.

62/P Application Number: 16/1123 - Flexlands, Station Road, Chobham

The application was for the erection of 8 x 2 bed and 6 x 3 bed dwellings, communal pavilion, car parks, bin store, entrance gates and associated landscaping, following demolition of existing buildings. (Amended plan recv'd 6/1/17).

Members received the following updates:

'CONSULTEE RESPONSES:

Affordable housing – The Council's Viability Consultants have received further evidence from the applicant in this regard, regarding the site valuation and how the costs associated with the development were arrived at. They have, however, not changed their recommendation, and still conclude that the development is not able to make a contribution towards affordable housing, and as such none is sought on this basis.

Flooding - The Local Lead Flood Authority have removed their objection, and not objected subject to two conditions, which are already included within the report (Conditions 9 and 10). No comments were received from the Environment Agency.

CONDITIONS:

An additional condition is proposed as follows:

15. The pavilion hereby approved shall be used as an office and meeting/event room, ancillary to the development, and for no commercial or other purpose without the approval in writing from the Local Planning Authority.

Reason: In order to retain control over the development and prevent any adverse impacts on amenity in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012.'

Some Members felt that the development would improve the site but sought clarification that the gate to the site would remain the same. Officers advised that a condition would be added so any change in the type of gate would have to be considered at committee. Members were also reassured that the ancient woodland adjacent to the site would not be affected by the development.

With regards to additional condition 15 outlined in the update, some Members requested that the condition be strengthened to ensure that the pavilion would be used for events/meetings related only to the site and its residents.

There was some concern about the height of the car ports but Members were advised that the height was lower than the top of the rooves on the dwellings and there were no walls on the car port areas.

Some Members asked about any habitats of bats on the site which may become apparent once demolition began. Officers advised an informative could be added in relation to bats. In addition an informative could be added to advise that the weight restriction on the High Street in Chobham was 18 tons.

Resolved that application 16/1123 be approved as amended subject to:

- **the conditions as set out in the report of the Executive Head – Regulatory;**
- **an additional condition to ensure any change in the gate area would go to committee for consideration;**
- **condition 15 be strengthened to ensure the pavilion would be used for events/meetings related only to the site and its residents; and**
- **informatives added regarding bat habitats on the site and weight limits of vehicles along the High Street.**

Note 1

It was noted for the record that Councillor Victoria Wheeler declared that she lived in Station Road.

Note 2

The recommendation to approve the application as amended was proposed by Councillor David Mansfield and seconded by Councillor Pat Tedder.

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 as amended:

Councillors Richard Brooks, Surinder Gandhum, Edward Hawkins, Jonathan Lytle, Katia Malcaus Cooper, David Mansfield, Adrian Page, Robin Perry, Ian Sams, Conrad Sturt, Pat Tedder, Victoria Wheeler and Valerie White.

63/P Application Number: 16/1114 - The Cottage, Hatton Hill, Windlesham, GU20 6AB

The application was for the two detached two storey dwellings including new vehicular access following demolition of existing dwelling and garage.

The application would normally have been determined under the Council's Scheme of Delegation, however, it had been reported to the Planning Applications Committee at the request of Cllr Conrad Sturt, as he felt the development constituted an organic growth to the village and the school would receive much needed funding from the applicant.

Members were advised of the following updates:

'An additional rebuttal letter has been received from the applicant in response to the officer's report, summarised below. This reiterates many matters already outlined in the applicant's submission but new points are commented on in turn:

- If Woodcote School is forced to close due to lack of funding, it would not only result in the loss of school places and loss of employment, but also loss of additional community services in which the school provides, such as local youth football club and bridge club, the use of fields for local Primary School Sports Days and support for the local Royal British Legion and local charities through collections in weekly chapel services.*
- The benefits arising from the enabling development will be long-term and not short-term, as the refurbishment and upgrading of existing facilities will provide longevity to the functionality of this accommodation. The future viability of the school will also be guaranteed.*
- As a boarding school, Woodcote is limited in the number of pupils it can take by the number of dormitories and beds. To increase numbers significantly the school would need to invest heavily in new accommodation,*

and the school's not for profit policy makes this impossible without the owning family disposing of assets.

Officer response:

The additional benefits outlined were not referred to in the original submission and may add further weight towards the Very Special Circumstances (VSC). There may also be a case for VSC based on an enabling case to allow the school to maintain and enhance existing facilities to allow it to continue to prosper. However, as the proposal amounts to a significant floorspace increase of over 300% and additional spread of development in the Green Belt, this case needs to be robust to outweigh this substantial harm to the Green Belt.

In this regard, further evidence would be required. For example, no indication has been given to the extent of the existing financial shortfall experienced by the school in its day-to-day running; how much revenue is expected from the enabling development; and, how much of a proportion of this will be allocated to plug this shortfall, or what specific school facilities need upgrade/expansion.

Additionally, the financial sustainability of the school's future expansion aspirations as outlined in the application has not been outlined. Permitting the current proposal as VSC may lead to future pressure to redevelop other Green Belt sites owned by the school nearby to enable such expansion and the associated capital and maintenance costs.

Overall, the VSC case outlined by the applicant is considered to be imprecise in terms of the amount of funding required; where the enabling funding will be allocated; and, how much of this would contribute to the existing school facilities and future expansion aspirations of the school. A 'masterplan' outlining the school's current needs, opportunities and future aspirations would assist.

- There is still an intention to carry out regular fundraising, but the benefits are limited.*
- The refurbishment of the existing house for rental would provide insufficient funding.*
- The school has been advised that any increase in existing fees would be counterproductive due to the competitive local school market.*

Officer response:

As already outlined at paragraph 7.11.3 on page 61 of the officer's report, it is still considered that insufficient detail has been given as to what fundraising activities have been undertaken/ explored and how this is insufficient to maintain the school. Similarly, no detail has been given in respect of the cost required to refurbish the existing house and the expected rental income. This is considered important as the house has been vacant for over one year. No appraisal of the existing fee structure vs those of competing schools has been provided to qualify that increasing school fees would be counter-productive.

- The new development will be contained to the roadside/frontage of the site, and although the residential floorspace will be increased from existing, there will be no spread of built form from the established linear form of development adjacent to Hatton Hill. Therefore there will be little impact on openness because the site is not currently open in its nature.*

Officer response:

Very limited weight is given to this argument. The significant expanse in footprint and spread of development across the site has already been outlined in the officer's report and the concentration of development towards the roadside does not diminish this harm to the openness of the Green Belt. The primary indicator of whether a development harms openness is the size of built form and not how open a site is or its relationship with neighbouring buildings.

- *Similar schemes have been granted within the Borough at Camberley Heath Golf Club (13/0100) and in the neighbouring Hart Borough.*

Officer response:

The above planning permission for four new dwellings at Camberley Heath Golf Club related to Designated Green Space within a defined Settlement Area, not Green Belt. Therefore, the material planning considerations are different and in any event, it involved a total encroachment of only 0.008% of the whole golf course site forming the Designated Green Space. Additionally, the proposal involved the loss of several existing warehouse-style buildings which appeared to add further weight in favour of the proposal. The case outlined in Hart Borough also granting permission for four dwellings was obviously subject to different local planning policies and it is therefore difficult to comment on how its merits relate to the current proposal. Notwithstanding this, each application must be considered on its own site-specific planning merits.

- *In the event that Councillors agree to the proposed development then they will enter into a S106 Agreement in order to secure financial contributions towards strategic access management and monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy SPD.*

Officer response:

The payment of the £842 financial contribution required towards SAMM would overcome the second reason for refusal. In this instance, it is not considered necessary to secure this payment via legal agreement assuming that the applicant is willing to pay this amount up front. Should Members be minded to grant permission, the SAMM payment could be secured under delegated authority.'

Officers had recommended that the application be refused as they felt the proposal would be inappropriate development in the Green Belt.

Some Members agreed with officers' recommendation as they felt that funding a school did not outweigh the harm in the Green Belt. The development constituted a 300% increase in size.

Some Members felt that the village benefitted from the school and the new development would not be seen from the road and would not cause harm in the Green Belt. Members felt that the very special circumstances outlined by the applicant in the agenda report and update did outweigh any harm in the Green Belt.

Resolved that application 16/1114 be approved due to the very special circumstances outlined by the applicant:

- **the ongoing support for education and the benefits to the community;**
- **The wording of conditions to be finalised in consultation with the Chairman, Vice Chairman and Ward Members.**

Note 1

It was noted for the record that Members declared that they had received correspondence from the Planning Consultant.

Note 2

The recommendation to refuse the application was proposed by Councillor Victoria Wheeler and seconded by Councillor David Mansfield.

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 Edward Hawkins, David Mansfield, Adrian Page, Victoria Wheeler and Valerie White.

Voting against the recommendation to refuse the application:

Councillors Richard Brooks, Surinder Gandhum, Jonathan Lytle, Katia Malcaus Cooper, Robin Perry, Conrad Sturt, Ian Sams, Pat Tedder.

The vote was lost.

Note 4

The recommendation to approve the application was proposed by Councillor Conrad Sturt and seconded by Councillor Richard Brooks.

Note 5

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 Richard Brooks, Surinder Gandhum, Jonathan Lytle, Katia Malcaus Cooper, Robin Perry, Conrad Sturt, Ian Sams, Pat Tedder.

Voting against the recommendation to approve the application:

Councillors Edward Hawkins, David Mansfield, Adrian Page, Victoria Wheeler and Valerie White.

The vote was carried.

64/P Princess Royal Barracks

Members received a report on the proposed amendments to the existing Section 106 agreement pursuant to planning permission 12/0546 for the redevelopment of the PRB site in Deepcut.

The applicant team wished to revisit the S106 agreement particularly the triggers for delivery of elements on and off site infrastructure and mitigation and some definitions and terminology. A deed of variation would be needed to make these amendments which would usually be dealt with under delegated authority. However as the development was of strategic importance the agreement of Members was sought at Committee.

A further paper was received by the Committee which outlined that discussions had taken place and this resulted in the applicant team withdrawing their request to amend triggers in respect of the on and off site highway works. This was due to the potential impact on the wider mitigation package and possibly unacceptable impacts on the free flow of traffic or highway safety. Therefore the highway triggers outlined in item 6 on the agenda had been deleted.

It was noted that the draft deed of variation reflected the changes to various elements of the triggers and the rationale for these changes were noted.

Revised wording for the paragraph 2.2 was agreed.

Resolved that, subject to review by the Council’s legal advisers, the completion of the deed of variation be completed by the officers.

65/P Exclusion of Press and Public

RESOLVED that, under Section 100A(4) of the Local Government Act 1972, the public were excluded from the meeting for the following items of business on the ground that they involved the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Act, as set out below:

<u>Item</u>	<u>Paragraph(s)</u>
66/P	3
67/P	5

66/P Exempt Minute - PRB Deepcut

The exempt minutes of the meeting held on 9 February 2017 were confirmed and signed by the Chairman.

67/P Appeals Update

The Committee received a verbal update report in relation to the appeals process.

68/P Review of Exempt Item

The Committee resolved that the information at 67/P remain exempt.

Chairman