



Surrey Heath Borough Council
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Monday, 7 August 2023

To: The Members of the **Planning Applications Committee**
(Councillors: Cliff Betton (Chair), Victoria Wheeler (Vice Chair), Shaun Garrett, Mary Glauert, Nirmal Kang, Liz Noble, David O'Mahoney, Ying Perrett, Murray Rowlands, John Skipper, Kevin Thompson, David Whitcroft, Helen Whitcroft, Valerie White and Richard Wilson)

In accordance with the Substitute Protocol at Part 4 of the Constitution, Members who are unable to attend this meeting should give their apologies and arrange for one of the appointed substitutes, as listed below, to attend. Members should also inform their group leader of the arrangements made.

Substitutes: Councillors Louise Ashbery, Jonny Cope, Lisa Finan-Cooke, Mark Gordon, Rob Lee, Shaun Macdonald, Jonathan Quin and Pat Tedder

Site Visits

Members of the Planning Applications Committee and Local Ward Members may make a request for a site visit. Requests in writing, explaining the reason for the request, must be made to the Development Manager and copied to the Head of Planning and the Democratic Services Officer by 4pm on the Thursday preceding the Planning Applications Committee meeting.

Dear Councillor,

A meeting of the **Planning Applications Committee** will be held at Council Chamber, Surrey Heath House, Knoll Road, Camberley, GU15 3HD on **Thursday, 24 August 2023 at 7.00 pm**. The agenda will be set out as below.

Please note that this meeting will be recorded.

Yours sincerely

Damian Roberts

Chief Executive

AGENDA

	Pages
1 Apologies for Absence	
2 Minutes of Previous Meeting	3 - 6

To approve as a correct record the minutes of the meeting of the Planning Applications Committee held on 27th July 2023.

3 Declarations of Interest

Members are invited to declare any disclosable pecuniary interests and non pecuniary interests they may have with respect to matters which are to be considered at this meeting. Members who consider they may have an interest are invited to consult the Monitoring Officer or the Democratic Services Manager prior to the meeting.

Human Rights Statement

The Human Rights Act 1998 (the Act) has incorporated part of the European Convention on Human Rights into English law. All planning applications are assessed to make sure that the subsequent determination of the development proposal is compatible with the Act. If there is a potential conflict, this will be highlighted in the report on the relevant item.

Planning Applications

- 4 Application Number: 23/0727/ADV Surrey Heath House, Knoll Road, Camberley, Surrey, GU15 3HD 7 - 12**

* indicates that the application met the criteria for public speaking

Glossary

Minutes of a Meeting of the Planning Applications Committee held at Council Chamber, Surrey Heath House, Knoll Road, Camberley, GU15 3HD on 27 July 2023

+ Cllr Cliff Betton (Chair)
+ Cllr Victoria Wheeler (Vice Chair)

+ Cllr Shaun Garrett	- Cllr John Skipper
+ Cllr Mary Glauert	Cllr Kevin Thompson
+ Cllr Nirmal Kang	+ Cllr David Whitcroft
+ Cllr Liz Noble	+ Cllr Helen Whitcroft
+ Cllr David O'Mahoney	+ Cllr Valerie White
+ Cllr Ying Perrett	+ Cllr Richard Wilson
+ Cllr Murray Rowlands	

+ Present
- Apologies for absence presented

Members in Attendance: Cllr Lewis Mears

Officers Present: Bex Green, Principal Planning Enforcement Officer
Julia Greenfield, Corporate Enforcement Manager
Shannon Kimber, Senior Planning Officer
Maxine Lewis, Corporate Enforcement Team Leader
Jonathan Partington, Development Manager
Navil Rahman, Principal Planning Officer
Sarah Shepherd, Senior Solicitor
Nick Steevens, Executive Director: Environment & Community

11/P Minutes of Previous Meeting

RESOLVED that the minutes of the meeting of the Planning Applications Committee held on 29th June 2023 be approved as being a correct records and signed by the Chairman.

12/P Planning Enforcement Monitoring Report

The committee received a report summarising the work of the Planning Enforcement Service for the period 1st January 2023 to 30th June 2023.

It was noted that following a recruitment drive, the Planning Enforcement Team was now fully resourced with permanent officers in all posts. Now that the Team was at full strength it had been possible to recommence work to proactively assess of all building commencement notices and monitoring of monitoring of Community Infrastructure Levy commencement work and an Enforcement Team Action Plan had been developed to improve the Team's practice and systems.

The Committee noted the report.

13/P

Application Number: 22/1001/FFU Westcroft Park Farm, Windlesham Road, Chobham, GU24 8SN

The application was for the construction of 20 residential units in the form of 9x4 bedroom, 7x3 bedroom, 3x2 bedroom and 1x1 bedroom units, together with ancillary parking and landscaping following demolition of the existing structures.

The applicant had submitted an appeal for non-determination and the Planning Inspectorate was now the determining authority however for the appeal it was necessary to conclude what the Council's decision would have been had the Council been the determining authority.

It was noted that the site, which was located on Green Belt land, was currently used as a private equestrian concern and the proposed development would result in a more permeable form of development resulting in an encroaching urbanising effect that would be at odds with the rural character of the wider surrounding area

The application site was situated outside the settlement boundaries, in a rural location approximately 2.5km away from the nearest village with no local amenities in a safe walking distance from the site. Access was via a 40mph rural road with no pedestrian footway and little lighting making it unsafe for pedestrians and less desirable for cyclists the site was therefore considered to be vehicle dependent and occupiers of the proposed dwellings would be reliant on private vehicles. Consequently the proposed development was considered to be in an unsustainable location for residential uses of this scale.

The presence of residential accommodation on site for those using the existing equestrian facilities was acknowledged however it was stressed that this was not comparable to that of the proposed development not only in terms of bulk and mass but also in respect of the seasonal nature of the equestrian facilities which meant activity on site was minimal between October and March with activity primarily taking place on the site itself or at the adjacent polo fields.

It was noted that the 15% affordable housing offer proposed fell short of the 40% level expected for a site of this size in the Council's Core Strategy policy documents.

Taking all these factors into account the proposed development was considered to be inappropriate development within the Green Belt, and that its quantum, spread and overall height would result in substantial harm to the openness of the Green Belt and would result in encroachment into the countryside. The proposals met none of the exceptions for development in the Green Belt as detailed in Paragraph 149 of the National Planning Policy Framework and there were no special circumstances to outweigh the Green Belt harm.

The officer recommendation that had the Council been the determining authority then the application would have been refused was proposed by Councillor Victoria Wheeler, seconded by Councillor Shaun Garrett, put to the vote and carried.

RESOLVED that, had the Council been the determining authority, then Planning Application 22/1001/FFU would have been refused.

NOTE 1

It was noted that a site visit had been undertaken prior to the meeting.

NOTE 2

In accordance with Part 4, Section D, Paragraph 18 of the Constitution the voting in favour of the motion to refuse the application was as follows:

Voting in favour of the motion to refuse:

Councillors Cliff Betton, Shaun Garrett, Mary Glauert, Nirmal Kang, Liz Noble, David O'Mahoney, David Whitcroft, Helen Whitcroft, Victoria Wheeler, Valerie White and Richard Wilson.

Voting against the motion to refuse:

None

Abstaining:

Councillor Ying Perrett

14/P Application Number: 23/0602/FFU 39 Alphington Avenue, Frimley. GU16 8LL

The application was for the change of use of the land from privately owned amenity land to a private garden incidental to the enjoyment of the dwelling house at 39 Alphington Avenue and the enlargement of the curtilage of the dwelling house and erection of replacement fencing.

The application would ordinarily be dealt with under delegated powers however it had been reported to the Committee as the applicant was a Councillor.

The Committee was informed that the proposals would not result in an adverse impact on the character of the area, host dwelling or the residential amenities of the occupiers of the neighbouring dwellings and would not have a detrimental impact on highway safety. The land was owned by the applicant.

The officer's recommendation to approve the application subject to the conditions set out in the report was proposed by Councillor Helen Whitcroft, seconded by Councillor Liz Noble, put to the vote and carried unanimously.

RESOLVED that application number 23/0602/FFU be approved subject to the conditions set out in the report.

NOTE 1

It was noted for the record that a Group Declaration was made by Chairman on behalf of the Committee that the applicant was known to the Committee in their capacity as a Councillor.

Chair

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23/0727/ADV

Reg. Date

12 July 2023

Town

LOCATION: Surrey Heath House, Knoll Road, Camberley, Surrey, GU15 3HD,
PROPOSAL: Application for Advertisement Consent for Progressive PRIDE flag.
TYPE: Advert
APPLICANT: Surrey Heath Borough Council
OFFICER: Melissa Turney

This application is being reported to the Planning Applications Committee because the applicant is Surrey Heath Borough Council.

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 The application seeks advertisement consent to fly the Progressive PRIDE flag.
- 1.2 The flag would be located erected on an existing pole located on the grassed area in front of Surrey Heath House adjacent to Knoll Road. The site currently displays a number of different flags throughout the year.
- 1.3 The introduction of a Progressive PRIDE flag to be flown in this location would not result in harm to the visual amenity of the site or surrounding area to the detriment of its character or result in adverse impacts on public safety.
- 1.4 It is therefore recommended to grant advertisement consent subject to conditions.

2.0 SITE DESCRIPTION

- 2.1 The application site is located on a parcel of green space outside of the Surrey Heath House adjacent to Knoll Road. There is an existing flagpole at the main entrance of Surrey Heath House. The flagpole is located adjacent to Knoll Road. Currently there are different flags flown throughout the year on differing occasions such as the Union Flag or the Armed Forces Day.

3.0 RELEVANT HISTORY

- 3.1 No relevant planning history.

4.0 THE PROPOSAL

- 4.1 The application seeks advertisement consent for the progressive PRIDE flag.

- 4.2 The Progressive Pride flag was developed in 2018 by non-binary American artist and designer Daniel Quasar. Based on the iconic rainbow flag from 1978, the redesign celebrates the diversity of the LGBTQ+ (LGBTQ+ stands for lesbian, gay, bisexual, transgender and questioning, intersex, asexual, and more) community and calls for a more inclusive society.
- 4.3 The flag would have a height of 1 metre, a width of 1.52 metres and would be displayed 9 metres above the ground. Over the last few years the Pride flag has been updated and changed to better include and represent more communities. The design comprises of six coloured stripes stacked on top of each other (red, orange, yellow, green, blue and purple), a chevron with five stripes of different colours (white, pink, light blue, brown and black) and yellow chevron with purple circle inside.

5.0 CONSULTATION RESPONSES

- 5.1 The following external consultees were consulted and their comments are summarised in the table below:

External Consultation	Comments Received
County Highway Authority	No objection raised no highway issues with the proposed flag

6.0 REPRESENTATION

- 6.1 At total of 96 individual letters of notification were sent out on 19th July 2023 and 27th July 2023. To date no letters of representation have been received.

7.0 PLANNING CONSIDERATION

- 7.1 The application site is located within the Camberley Town Centre, as set out in the proposals map included in the Core Strategy and Development Management Policies Document 2012 (CSDMP). For this proposed development, consideration is given to policies DM9 and DM11 of the CSDMP, The Camberley Town Centre Area Action Plan (CTCAAP), The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended), the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).

Article 3(1) of Part 1 of the Town and Country (Control of Advertisements) (England) Regulations 2007 require Local Planning Authorities to consider the impact of advertisements in respect to amenity and public safety, taking into account the provisions of the development plan and other relevant factors. Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. Factors relevant to public safety include, the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military), whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air or whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle. There is no statutory definition of amenity but the PPG states this 'is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement or site for the display of advertisements, where residents or passers-by will be aware of the advertisement'

Therefore, the material issues to consider with the application are:

- Amenity (including residential and visual amenity); and,
- Public Safety (including highway and pedestrian safety)

7.2 Amenity

- 7.2.1 Paragraph 136 of the NPPF states that *'The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.'*
- 7.2.2 Policy DM9 of the CSDMP requires development proposals to be of a high quality design layout, respecting the location context and character and ensuring that new development does not result in detrimental impacts on the amenity of existing and future occupiers of development. Policy TC1 of the Camberley Town Centre Action Plan echoes aims and objectives of Policy DM9 of the CSDMP.
- 7.2.3 The proposed flag would be located on top of the existing flag pole which currently displays a variety of different flags including the Union Flag, St George's Flag and Armed Forces Day on the various occasions. The above flags in particular the Union Flag, St George's Day and Armed Forces Day have deemed consent via Class H of the Advertisement Regulations 2007 (as amended). Therefore, there is no planning history on the erection of the pole and displaying of these flags. Due to the existing situation where currently there are existing flags which are flown and that the flag would be non-illuminated, the proposed Pride flag would not result in harm to the visual amenity of the area to the detriment of the character of the surrounding area.
- 7.2.4 The proposal would not introduce a new pole and the existing one would be utilised. Also, as mentioned there are a variety of different flags that are already flown and given that the flag would be non-illuminated the proposed Pride flag would not result in harm to the amenity of the neighbouring residential occupiers.
- 7.2.5 For the reasons given above the advert flag results in no harm to the amenity of the surrounding area and neighbouring occupiers and are in accordance with Policies DM9 of the CSDMP, Policy TC1 of the CTCAAP and paragraph 136 of the NPPF.

7.3 Public Safety

- 7.3.1 The proposed flag would be flown on an existing pole which displays a number of other flags. The County Highway Authority have reviewed the application and raised no objection. Considering the existing situation, the flag being non-illuminated the proposal would not result in unsafe environment for pedestrians and other highway users and are acceptable in respect to public safety in accordance with Policy DM11.

8.0 PUBLIC SECTOR EQUALITY DUTY

- 8.1 Under the Equalities Act 2010 the Council must have due regard to the need to eliminate discrimination, harassment, or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the Public Sector Equality Duty. The proposal is not considered to conflict with this duty.

9.0 CONCLUSION

- 9.1 The proposed progressive Pride flag would not result in harm to the appearance of the site and would not result in harm to the amenity of the surrounding area or neighbouring occupiers amenity. The advert application would not result in unsafe highway conditions to

the detriment of the safe and efficient operation of the public highways network. Therefore, the application complies with Policies DM9 and DM11 of the CSDMP, Policy TC1 of the CTCAAP and NPPF.

10.0 RECOMMENDATION

GRANT subject to the following conditions:

1. This consent shall be limited to a five year period from the date of the permission, when the advertisement hereby permitted shall be removed and the land reinstated to its former condition to the reasonable satisfaction of the Local Planning Authority.

Reason: To accord with the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2. The proposed development shall be built in accordance with the following approved plans:

Location Plan Received 07.07.2023.
Proposed Flag Received 07.07.2023.
Proposed Flag Location Received 07.07.2023 .

Reason: For the avoidance of doubt and in the interest of proper planning and as advised in ID.17a of the Planning Practice Guidance.

3. (a) Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

(b) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

(c) Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

(d) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

(e) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

Reason: To comply with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the National Planning Policy Framework.

Location Plan



Proposed Flag



Street View



**APPLICATIONS FOR PLANNING PERMISSION & RELATED APPLICATIONS FOR
CONSIDERATION BY THE PLANNING APPLICATIONS COMMITTEE**

NOTES

Officers Report

Officers have prepared a report for each planning or related application on the Planning Committee Index which details:-

- Site Description
- Relevant Planning History
- The Proposal
- Consultation Responses/Representations
- Planning Considerations
- Conclusion

Each report also includes a recommendation to either approve or refuse the application. Recommended reason(s) for refusal or condition(s) of approval and reason(s) including informatives are set out in full in the report.

How the Committee makes a decision:

The Planning Applications Committee's decision on an application can be based only on planning issues. These include:

- Legislation, including national planning policy guidance and statements.
- Policies in the adopted Surrey Heath Local Plan and emerging Local Development Framework, including Supplementary Planning Documents.
- Sustainability issues.
- Layout and design issues, including the effect on the street or area (but not loss of private views).
- Impacts on countryside openness.
- Effect on residential amenities, through loss of light, overlooking or noise disturbance.
- Road safety and traffic issues.
- Impacts on historic buildings.
- Public opinion, where it raises relevant planning issues.

The Committee cannot base decisions on:

- Matters controlled through other legislation, such as Building Regulations e.g. structural stability, fire precautions.
- Loss of property value.
- Loss of views across adjoining land.
- Disturbance from construction work.
- Competition e.g. from a similar retailer or business.
- Moral issues.
- Need for development or perceived lack of a need (unless specified in the report).
- Private issues between neighbours i.e. boundary disputes, private rights of way. The issue of covenants has no role in the decision to be made on planning applications.

Reports will often refer to specific use classes. The Town & Country Planning (Use Classes) Order 1995 (as amended) is summarised for information below:

A1. Shops	Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, pet shops, sandwich bars, showrooms, domestic hire shops and funeral directors.
A2. Financial & professional Services	Banks, building societies, estate and employment agencies, professional and financial services and betting offices.
A3. Restaurants and Cafes	For the sale of food and drink for consumption on the premises – restaurants, snack bars and cafes.
A4. Drinking Establishments	Public houses, wine bars or other drinking establishments (but not nightclubs).
A5. Hot Food Takeaways	For the sale of hot food consumption off the premises.
B1. Business	Offices, research and development, light industry appropriate to a residential area.
B2. General Industrial	Use for the carrying on of an industrial process other than one falling within class B1 above.
B8. Storage or Distribution	Use for the storage or as a distribution centre including open air storage.
C1. Hotels	Hotels, board and guest houses where, in each case no significant element of care is provided.
C2. Residential Institutions	Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.
C2A. Secure Residential Institutions	Use for a provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.
C3. Dwelling houses	Family houses or houses occupied by up to six residents living together as a single household, including a household where care is provided for residents.
C4. Houses in Multiple Occupation	Small shared dwelling houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.
D1. Non-residential Institutions	Clinics, health centres, crèches, day nurseries, day centres, school, art galleries, museums, libraries, halls, places of worship, church halls, law courts. Non-residential education and training areas.
D2. Assembly & Leisure	Cinemas, music and concert halls, bingo and dance halls (but not nightclubs), swimming baths, skating rinks, gymnasiums or sports arenas (except for motor sports, or where firearms are used).
Sui Generis	Theatres, houses in multiple paying occupation, hostels providing no significant element of care, scrap yards, garden centres, petrol filling stations and shops selling and/or displaying motor vehicles, retail warehouse clubs, nightclubs, laundrettes, dry cleaners, taxi businesses, amusement centres and casinos.