

**Minutes of a Meeting of the Planning
Applications Committee held at
Council Chamber, Surrey Heath House
on 16 November 2017 and 22
November 2017**

Attendance on 16 November 2017

- + Cllr Edward Hawkins (Chairman)
- Cllr Nick Chambers (Vice Chairman)

+ Cllr Nick Chambers	+ Cllr Adrian Page
+ Cllr Mrs Vivienne Chapman	+ Cllr Robin Perry
+ Cllr Colin Dougan	+ Cllr Ian Sams
+ Cllr Surinder Gandhum	+ Cllr Conrad Sturt
+ Cllr Jonathan Lytle	+ Cllr Pat Tedder
- Cllr Katia Malcaus Cooper	+ Cllr Victoria Wheeler
+ Cllr David Mansfield	+ Cllr Valerie White

Cllr Max Nelson

+ Present

- Apologies for absence presented

Cllr Surinder Gandhum from min 30/P – 36/P

In Attendance: Lee Brewin, Ross Cahalane, Duncan Carty, Michelle Fielder, Gareth John and Jonathan Partington

Attendance on 22 November 2017

- | | |
|-----------------------------|-------------------------|
| + Cllr Nick Chambers | + Cllr Adrian Page |
| + Cllr Mrs Vivienne Chapman | + Cllr Robin Perry |
| + Cllr Colin Dougan | + Cllr Ian Sams |
| + Cllr Surinder Gandhum | + Cllr Conrad Sturt |
| + Cllr Jonathan Lytle | + Cllr Pat Tedder |
| - Cllr Katia Malcaus Cooper | + Cllr Victoria Wheeler |
| + Cllr David Mansfield | + Cllr Valerie White |
- Cllr Max Nelson
- + Present
- Apologies for absence presented

In Attendance: Lee Brewin, Ross Cahalane, Duncan Carty, Michelle Fielder, Gareth John and Jonathan Partington

30/P Minutes

The minutes of the meeting held on 19 October were confirmed and signed by the Chairman.

31/P Application Number: 17/0670 - Pembroke House, 148 Frimley Road,

Camberley GU15 2QN

The applications was for the demolition of existing building and erection of a four storey building to comprise flexible commercial floorspace (Use Class A1/A2/A3/B1/D1/D2) at ground floor level and 25 residential apartments (100% affordable housing comprising 12 no. 1 bed and 13 no. 2 bed) at part ground and upper levels, together with associated car parking (25 residential spaces and 11 commercial spaces), cycle provision, communal rear amenity space and private garden for flat 1, refuse storage, landscaping and other associated works. (Amended Information - Rec'd 07/09/2017.)

Application 17/0669, Ashwood House, 16-22 Pembroke Broadway, Camberley GU15 3XD, was considered in conjunction with this application.

Members received the following updates:

'Paragraph 6.0 (Final bullet point top of page 18) - This should read 'no.146 Frimley Road'

Paragraph 7.9.1 – Thames Water has confirmed that the attenuated flow rate of 2l/s can be accommodated in the sewer. The Lead Local Flood Authority supports the proposal, subject to conditions.

Condition 19 (page 34) – The applicant has requested that condition 19 be amended so that the commercial use shall not be subdivided into less than two units. This is to enable a degree of flexibility in order to respond to market demand.

[Officer comment: For the reasoning provided under paragraph 7.3.5 it is recommended that there is no change to this condition. It should be noted that the 2013 refusals also proposed two units]

Amended conditions

14. The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.

Reason: To limit noise and disturbance in the interests of the local neighbourhood's amenities and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012.

Delete condition 20 (this is because the bench and phone box lie outside the redline plan)

Additional conditions

20. No works below ground shall commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the Planning Authority. Those details shall include:

- a) *A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS.*
- b) *A construction phase plan showing how the drainage system will not be compromised during construction (to include details of how pollutants and sediments from construction will be managed to prevent being washed into the watercourse).*
- c) *Finalised drawings ready for construction to include: a drainage layout detailing the location of SuDs elements, pipe diameters and their respective levels and long and cross sections of each SuDS Element.*
- d) *An exceedance flow plan that shows where water will drain to during exceedance or system failure*
- e) *A maintenance plan showing the maintenance regimes for each SuDS element and who will be responsible for maintaining these.*

Reason: To ensure the design meets the technical standards for SuDS and the final drainage design does not increase flood risk on or off site.

21. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Urban Drainage System has been constructed as per the agreed scheme.

Reason: To ensure the Sustainable Drainage System is designed to the technical standards.

Amended informative

12. The applicant is advised to agree an alternative location for the public bench and the phone box, or confirmation that the bench and/or phone box is no longer required. Any necessary consent from British Telecom for the phone box's relocation or removal should be sought.'

Clarification was sought as to whether the commercial parking spaces would be made available to visitors of residents in the evening. Members were advised that the commercial bays were not restricted. They were also informed that for the residential parking at the rear of the site there would be restricted by rising bollards or equivalent to ensure that residential parking remained private.

There was some concern regarding the effect of the residential units being close to an industrial unit. Environmental Health had been consulted and there were conditions in the report to address this.

Resolved that application 17/0670 be approved as amended subject to conditions as set out in the report of the Executive Head of Regulatory and subject to the receipt of a legal agreement to secure 100% affordable housing tied to Ashwood House (17/0669) and a SAMM payment of £10,747.

Note 1

It was noted for the record that Councillor Edward Hawkins declared on behalf of the Committee that the Council owned the freehold for the land on the site of the application.

Note 2

The recommendation to approve the application as amended was proposed by Councillor Edward Hawkins and seconded by Councillor Vivienne Chapman.

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 Vivienne Chapman, Colin Dougan, Surinder Gandhum, Edward Hawkins, Jonathan Lytle, Katia Malcaus Cooper, Max Nelson, Adrian Page, Robin Perry, Ian Sams, Conrad Sturt, Pat Tedder, Victoria Wheeler and Valerie White.

**32/P Application Number: 17/0669 - Ashwood House, 16-22 Pembroke
Broadway, Camberley GU15 3XD**

The application was for the conversion of the existing second and third floor levels and erection of a two storey roof extension to provide 116 residential apartments (comprising 12 no. studios, 48 no. 1 bed and 56 no. 2 bed) together with the retention of first floor car parking deck (100 spaces including 3 disabled bays), creation of communal amenity space (730 sq. m.) at first floor deck level, provision of associated cycle parking and refuse storage, landscaping, removal of redundant car park ramp and other associated works.(Additional Information - Rec'd 13/09/2017.)

Application 17/0670, Pembroke House, 148 Frimley Road, Camberley GU15 2QN, was considered in conjunction with this application.

Members received the following updates:

'Amended conditions

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

A-4161-00-005D, 020H, 021H, 022I, 023I, 024I, 025I, 026D; A-01-005D, 020G, 021G, 022E; A-02-020F, A-02-021 (all as listed on drawings schedule AH2 V2) unless the prior written approval has been obtained from the Local Planning Authority.

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

9. Within 6 months of first occupation of the development hereby permitted a scheme comprising the Public Realm Works shall be constructed along the site frontage to and including the amended service yard access and car park exit along

the entire forecourt and footway fronting Ashwood House and entire Princess Way passage between Pembroke Broadway and Princess Way. The Public Realm works shall include replacement bus shelters and associated infrastructure, including new or re-use of as maybe agreed with the Highway Authority, and real time passenger displays. Prior to first occupation full details of temporary arrangements, with details of implementation, shall be submitted to and agreed in writing by the Planning Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework.

10. Add the following wording to the final sentence ‘...unless an alternative has been submitted to and approved by the Planning Authority.’

12. The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.

Reason: To limit noise and disturbance in the interests of the local neighbourhood’s amenities and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012.’

There was some concern that the application did not provide enough parking spaces for the site. Members were reminded that the site was a highly sustainable area being located in the town centre.

Some Members were concerned that the access and egress of the residential area could be hindered at busy times in the multi storey car park. Members were advised that the use of this parking area is no different than if it were to be used for the current office use and so there is no reason why access would be hindered. Members were informed that the parking spaces for residents would be permit parking only with access controlled by a fob system or similar.

Members asked about the indicative retail shop frontages proposed for Pembroke Broadway. It was requested that any proposal for shopfronts be reported back to committee for consideration. Officers confirmed that the shopfronts did not form part of the submission.

Some Members questioned the amount of affordable housing allocated on the site and why the proposal was policy compliant. It was explained that Policy CP5 first sought a 40% on site affordable housing provision for developments of 15 or more units. However, if this could not be met, then Policy CP5 requires viability evidence. This was provided. The alternative-site provision at Pembroke House was also consistent with Policy CP5.

Resolved that application 17/0669 be approved as amended subject to the conditions as set out in the report of the Executive Head – Regulatory and

subject to receipt of a legal agreement to secure 25 no. affordable housing at Pembroke House and a SAMM payment of £49,352.

Note 1

It was noted for the record that:

- Councillor Edward Hawkins declared on behalf of the Committee that the Council owned the freehold for the site..
- Councillor Edward Hawkins as Chairman of this Committee declared that he attended site review meetings in respect of this application.

Note 2

The recommendation to approve the application as amended was proposed by Councillor Edward Hawkins and seconded by Councillor Jonathan Lytle.

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 Vivienne Chapman, Colin Dougan, Surinder Gandhum, Edward Hawkins, Jonathan Lytle, Katia Malcaus Cooper, Max Nelson, Adrian Page, Robin Perry, Ian Sams, Conrad Sturt, Pat Tedder and Valerie White.

Voting against the recommendation to approve the application as amended:

Councillor Victoria Wheeler.

33/P Application Number: 17/0526 - Land South of Beach House, Woodlands Lane, Windlesham GU20 6AP

The application was for the outline application for the erection of 15 affordable dwellings with access off Broadley Green. Access only with all other matters reserved. (Additional information recv'd 16/6/17). (Additional Information - Rec'd 27/09/2017.)

Members received the following updates:

'One additional objection has been received, which does not raise any additional issues than the previous objections.'

Members were advised that the accommodation would be made available to the residents on the housing register in the parish of Windlesham.

Some Members felt that there was not enough evidence to show that the benefit to the community would not outweigh the harm to the Green Belt. Members were drawn to the Housing Register figures in the report that demonstrated a local need

for the proposal and officers clarified that permitted development rights would be withdrawn through a planning condition as recommended.

Resolved that application 17/0526 be approved subject to conditions as set out in the report of the Executive Head – Regulatory and subject to the receipt of a legal agreement to secure the following:

- All units to be retained as social rented housing in perpetuity;
- All units to be occupied in accordance with a Local Lettings Policy to ensure the units are let to eligible persons with a local connection to Windlesham;
- Timescales for the construction, completion, sale and eventual occupation of the social rented housing units
- the financial contribution towards SAMM

In the event that a satisfactory legal agreement has not been completed by 30 November 2017, the Executive Head of Regulatory be authorised to refuse for the following reasons:

- 1. The proposal fails to provide a satisfactory legal agreement to secure the dwelling houses as affordable housing (social rented units). The proposal would therefore constitute inappropriate development in the Green Belt which would undermine the purposes of including land in and would result in countryside encroachment, and would significantly harm its openness and otherwise undeveloped and rural character. The proposal does not satisfactorily address the requirements of Policy DM5 of the Surrey Heath Core Strategy and Development Management Policies 2012 and cannot be considered to be a rural exception site or as an exception to para 89 of the NPPF.**
- 2. In the absence of a payment or a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan in relation to the provision of contribution 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 Supplementary Planning Document (Adopted January 2012).**

Note 1

It was noted for the record that:

- Councillor Edward Hawkins declared on behalf of the Committee that the applicant had emailed correspondence to Members.
- Councillor Conrad Sturt declared that he had communicated with the applicant and residents.

Note 2

As this application triggered the Council's public speaking scheme, Mr Mike Goodman spoke in objection and Mr Douglas Bond, the agent spoke in support.

Note 3

The recommendation to approve the application as amended was proposed by Councillor Max Nelson and seconded by Councillor Adrian Page.

Note 4

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 Vivienne Chapman, Colin Dougan, Surinder Gandhum, Edward Hawkins, Jonathan Lytle, Katia Malcaus Cooper, Max Nelson, Adrian Page, Robin Perry, Ian Sams, Pat Tedder, Victoria Wheeler and Valerie White.

Voting against the recommendation to approve the application as amended:

Councillor Conrad Sturt

34/P Application Number: 17/0533 - Land South of Beach House, Woodlands Lane, Windlesham GU20 6AP

The application was for the outline application for the erection of 15 affordable dwellings (six managed by the Windlesham Community Homes Trust and nine intermediate affordable dwellings) with access off Broadley Green. Access only with all other matters reserved. (Additional information rec'd 16/6/17, 27/09/17 & 06/10/17).

Members were advised of the following updates:

'1) Report corrections

- I. Owing to a formatting error, the second and third bullet points in Para 7.4.8 should read as follows:*
 - Ensure that the provision of the affordable housing units is made in such a way that such housing shall be affordable for both initial and subsequent occupiers of the dwellings;*
 - Timescales for the construction, completion, sale and eventual occupation of the affordable housing units*
- II. Paragraph 7.11.2 in the 17/0526 report in respect of flood risk and drainage is also applicable to 17/0533*
- III. The Policy DM5 criteria referenced in refusal reason 1 at the end of the report should also be amended as highlighted:*

The applicant has failed to demonstrate to the satisfaction of the Planning Authority that there is a proven local need within the Parish of Windlesham for the proposed intermediate housing, for sale below market levels but above social rent costs, to people with a local connection to the area. As such the proposal represents inappropriate and harmful development in the Green Belt. By association, the proposal would cause significant harm to the openness of the Green Belt and the purposes for including land within it. There are no very special circumstances which either alone, or in combination, outweigh the harm to the Green Belt. The proposed development is therefore contrary to Policies CPA, CP2 and DM5 (i) and (iii) of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and Chapter 9 of the National Planning Policy Framework.

2) Additional consultations

In response to the re-consultation following the change in the application description (as outlined in Paras 4.4 - 4.5 of the report), a total of 39 representations of support 25 additional objections have been received, which do not raise any additional issues than the previous objections.

3) Additional information

The applicant has provided a report undertaken by Wessex Economics Ltd (who was commissioned by the Council to undertake the joint Strategic Housing Market Assessment [SHMA] 2016) that seeks to demonstrate a need for Shared Ownership Housing within the Parish of Windlesham. The report refers to 2011 Census figures for the Parish and the Borough as a whole, along with the Subsidised Home Ownership need of 190 dwellings per annum for the Borough as a whole as identified in the SHMA. On this basis, the report concludes that there is a need for 35-37 shared ownership units per annum for the Parish. The report also refers to the fact that over the 5 year period 2011/12 to 2015/16 only 48 affordable intermediate homes have been delivered in Surrey Heath as a whole, whereas the SHMA target for Subsidised Home Ownership is for 190 dwellings per annum.

Whilst the report indicates a need across the Borough for Subsidised Home Ownership and Officers accept that there has been an under-provision of affordable intermediate homes in the Borough, the applicant has not demonstrated that there is a specific existing need in Windlesham Parish. Rather, a pro-rata approach has been taken based on Census and SHMA data. Irrespective of this and as outlined in Para 7.4.9 of the officer's report, no enabling argument has been put forward to justify the provision of intermediate homes for sale and there is doubt as to whether the proposed intermediate housing can be secured for local people in perpetuity as a Rural Exception Site, as required by Policy DM5 of the CSDMP and the NPPF.

As such, the officer recommendation remains to REFUSE for reasons as already outlined in the report.'

Some Members asked whether the Trust could use the units approved in the application 17/0526 as part of the social housing provision for this application and officers advised that the applicant would be at liberty to consider this.

Some Members felt that the benefit to the community did not outweigh the harm to the Green Belt. Members were also concerned whether the need for over 55s accommodation would be taken up and how the units could be allocated.

Officers provided clarification between the two applications (17/526 and 17/0533). Members were advised that 17/0526 provided evidence of local need in accordance with policy DM5 and 17/0533 was recommended for refusal on Green Belt grounds as there was no identifiable need as outlined in the report.

Resolved that application 17/0533 be refused as amended for the reasons as set out in the report of the Executive Head – Regulatory.

Note 1

It was noted for the record that:

- Councillor Edward Hawkins declared on behalf of the Committee that the applicant had emailed correspondence to Members.
- Councillor Pat Tedder declared that she had met with the representative of the Windlesham Community Home Trust on several occasions and left the Chamber during the consideration of the application..

Note 2

As this application triggered the Council's public speaking scheme, Mr Mike Goodman spoke in objection and Mr Douglas Bond, the agent and Ms Annie Wilson, Trustee of the Windlesham Community Homes Trust spoke in support.

Note 3

The recommendation to refuse the application as amended was proposed by Councillor Victoria Wheeler and seconded by Councillor Katia Malcaus Cooper.

Note 4

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 as amended:

Councillors Vivienne Chapman, Colin Dougan, Surinder Gandhum, Edward Hawkins, Katia Malcaus Cooper, Max Nelson, Adrian Page, Robin Perry, Ian Sams, Victoria Wheeler and Valerie White.

Voting against the recommendation to remove the application as amended:

Councillors Jonathan Lytle and Conrad Sturt

35/P Application Number: 17/0705 - 123 London Road, Bagshot GU19 5DH

The application was for the installation of external lighting. (Additional Plan - Rec'd 31/08/2017.)

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

A site visit took place at the site.

Members were advised of the following updates:

'The Council's Senior Environmental Health Officer, following a visit to the site and surrounding properties when the lighting was switched on, has objected to the proposal on the following grounds:

- The lighting design specification indicates a 20 Lux level for the car park and 40 Lux in the drive thru area. This level of illumination appears to be the level required in high usage car parks/roads where other commercial or retail units share the space. Whilst there is no absolute standard, other guidance indicates design levels of between 5 and 10 Lux to be sufficient for shared outdoor car parks which would seem to be a more appropriate level bearing in mind that the proposal relates to a stand-alone unit.*
- The design achieves an average level of 23 lux in the car park and 46 Lux in the drive thru. As such, it over-achieves the standards, which may lead to unnecessary brightness. The scheme may be over designed and there is doubt that for the scale of the development, the correct design level has been selected.*
- Unlike 121 London Road, the obtrusive light spill onto 125 London Road has not been assessed. The average light level of the windows here is predicted to be 20 Lux against the stated design criteria of 10 Lux which is unacceptably high.*
- The lighting levels in the garden areas of 121 London Road are stated as between 0 to 1 Lux. There is serious doubt this is correct since this garden area is clearly lit by spill such that reported local practice by the outlet has been not to turn on lights in here in order to prevent disturbance.*
- The assessment makes reference to the use of back baffles in order to prevent light spillage. These have only recently been fitted and whilst the report indicated that baffles completely obscure light spill, it is clear that they do not work in preventing back spill.*
- If permission were to be granted, alternative fittings of lower power and/or design would be required and a compliance report could be requested. However, such compliance would not preclude the Council taking additional action to prevent artificial light nuisance under the provisions of the Environmental Protection Act 1990.*

Following a site visit in the evening when the external lighting was switched on, it became apparent when viewed from surrounding residential properties that some of the nuisance came from lighting on the opposite side of the site shining across the site towards the respective residential properties. Such impact from the lighting, it would appear, cannot be baffled.

AMENDED REFUSAL REASON:

It has not been demonstrated that the external lighting provided under this application is genuinely needed to meet minimum requirements of health and safety legislation. The external lighting, by reason of the number of light columns, their predominant location

close to residential boundaries, the height and effect of illumination, is considered to be intrusive to and have an adverse visual impact on the conditions of occupiers of adjoining residential properties, resulting in an adverse impact on residential amenity and failing to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, the National Planning Policy Framework and supporting Planning Practice Guidance.'

Members were concerned about the height and intensity of the lighting and the impact it had on neighbouring properties.

Resolved that application 17/0705 be refused for the reasons as amended and as set out in the report of the Executive Head – Regulatory.

Note 1

The recommendation to refuse the application as amended was proposed by Councillor Katia Malcaus Cooper 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 as amended:

Councillors Vivienne Chapman, Colin Dougan, Surinder Gandhum, Edward Hawkins, Jonathan Lytle, Katia Malcaus Cooper, Max Nelson, Adrian Page, Robin Perry, Ian Sams, Conrad Sturt, Pat Tedder, Victoria Wheeler and Valerie White.

36/P Application Number: 17/0653 - Michael Chell Menswear, 11-13 High Street, Camberley GU15 3RB

The application was for the erection of a part four storey, part three storey, part single storey rear extension and conversion of first floor accommodation to provide extended ground floor retail (Class A1) accommodation with residential accommodation over in the form of 6 No. one bedroom and 4 No. two bedroom flats with ground floor roof level amenity space parking, bin and cycle stores.

Members were advised of the following updates:

'Amended drawings have been provided which retain the ground and first floor windows in the front elevation of the existing building. The Council's Conservation and Design Officer has confirmed that the amendments do not overcome his earlier objection to the proposal.

The Council's Senior Environmental Health Officer has indicated that the site benefits from a previous planning permission for residential development without conditions to limit noise disturbance to future occupiers and additional conditions may not be imposed. He indicates that in order to protect the amenity of future occupiers we should have required a noise impact assessment for that proposal

since that there is considerable noise here from night time entertainment with associated activities and general road traffic movements. The same requirements would apply for this application. [Officer comment: The requirement of the EHO could be considered by condition (if minded to approve)].

LLFA have requested further details.'

An email had been received by the applicant:

'Given the stated grounds for refusal the Officer's Report makes scant mention of the consequences of the Extant Consent, which allows for a complete demolition of all structures on the site. Had the Applicant acted on that Consent at the outset, which he is now likely to be compelled to continue with, and demolished the building on High Street then there would have been no original building against which much of the apparent criticism of the Application's new building along St Georges Road is based. Instead the Extant Consent allows the demolition of the building on the frontage that the report clearly states forms part of the High Street Character Area and seeks to protect. This will now be lost, and it was to avoid this unhappy situation that this scheme design and Application sought to avert.'

Members felt that the proposal impacted on the High Street character and they had concerns that it did not provide any parking for the units.

Resolved that application 17/0653 be refused for the reasons as set out in the report of the Executive Head – Regulatory.

Note 1

The recommendation to refuse the application was proposed by Councillor Colin Dougan and seconded by Councillor Vivienne Chapman.

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, Surinder Gandhum, Edward Hawkins, Jonathan Lytle, Katia Malcaus Cooper, Max Nelson, Adrian Page, Robin Perry, Ian Sams, Conrad Sturt, PatTedder, Victoria Wheeler and Valerie White.

37/P Application Number: 17/0702 - Kings Lodge Care Home, 122 Kings Ride, Camberley GU15 4LZ

The application was for the installation of dormers and roof lights, and conversion of roof space to provide 18 bedrooms/en suites with associated accommodation and car parking.

Members were advised of the following updates:

'Natural England raises no objections subject to mitigation [Officer comments: This could be secured by condition(s), if minded to approve].'

Members were advised that 20 residents had already moved in to the accommodation in the last four months. Confirmation was also provided that the traffic calming measure agreed at the previous application for this site had now commenced.

Resolved that application 17/0702 be refused for the reasons as set out in the report of the Executive Head – Regulatory.

Note 1

As this application triggered the Council's public speaking Ms Jenny Garner spoke in objection and Mr Guy Wakefield, the agent spoke in support.

Note 2

It was noted for the record that:

- Councillor Edward Hawkins declared that Committee Members had received correspondence from the applicant and speakers.
- Councillor Valerie White, in her capacity as Mayor, officially opened the building this year.

Note 3

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

Note 4

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, Katia Malcaus Cooper, Max Nelson, Adrian Page, Robin Perry, Ian Sams, Conrad Sturt, Pat Tedder and Victoria Wheeler.

Councillor Valerie White abstained.

38/P Application Number: 17/0719 - Garages at Windsor Court Road, Chobham, Woking GU24 8LH

The application was for the erection of 2 No. semi-detached 2 storey, three bedroom houses, 2 No. semi-detached one bedroom bungalows, and single storey extension to provide 1 No. one bedroom ground floor flat with associated car parking and landscaping, following the demolition of existing garages.

This application would normally have been determined under the Council's Scheme of Delegation for Officers. However, it was reported to the Planning Applications Committee at the request of Cllr Pat Tedder.

Members were advised of the following updates:

'The Senior Environmental Health Officer raises no objections and recommends a condition (see below).

A set of photos have been provided taken within and around the application site showing the levels of on-street (and other) car parking in the area, as well as car parking on the application site. The parking shown within the application site is principally provided on an informal basis; and this parking (totalling seven spaces) would be displaced by the proposal. To gain access to garages, any parking to the front of the garages (amounting to five of these spaces) would need to be undertaken by those renting the respective garages and, as indicated in the officer report, the survey for the applicant indicates that only two of the garages on the site are rented by local residents.

ADDITIONAL CONDITION:

7. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part 4 has been complied with in relation to that contamination.

1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;*
- (ii) an assessment of the potential risks to:*
 - human health,*
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,*
 - adjoining land,*
 - groundwaters and surface waters,*
 - ecological systems,*
 - archeological sites and ancient monuments;*
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).*

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part 3.

Reason: *To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to accord with the National Planning Policy Framework’.*

Some Members felt that the area needed more housing but there was a distinct lack of parking and the suggested parking would block access. There was also some concern regarding the potential loss of the footpaths but officers confirmed that they would remain and an informative was included to support this.

Resolved that application 17/0719 be approved as amended subject to the conditions as set out in report of the Executive Head – Regulatory and the subject to the securing of a contribution towards SAMM and delivery and retention of 100% affordable housing.

In the event that a satisfactory legal agreement has not been received by the 1 December 2017, or any longer period as agreed by the Executive Head of Regulatory, to secure a contribution towards SAMM and ensuring that the development is provided and retained as 100% affordable housing, the Executive Head of Regulatory be authorised to refuse the application for the following reasons:-

- i) In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, as amended, or payment of the SAMM payment in advance of the determination of the application, the applicant has failed to comply with Policy CP14B (vi) of the Surrey Heath Core Strategy and Development Management Policies Document 2012; and, Policy NRM6 of the South East Plan 2009 (as saved) in relation to the provision of contribution 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 Supplementary Planning Document (Adopted January 2012).**
- ii) In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, as amended, the applicant has failed to comply with Policies CP12 and CP14 of the Surrey Heath Core Strategy and Development Policies 2012 and Policy NRM6 of the South East Plan 2009 (as saved) in relation to the provision of contributions towards local infrastructure including towards sites of accessible natural greenspace (SANG) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (Adopted January 2012) which would otherwise be exempted for affordable housing under the CIL regulations.**

Note 1

The recommendation to approve the application as amended 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 as amended:

Councillors Vivienne Chapman, Colin Dougan, Edward Hawkins, Jonathan Lytle, Max Nelson, Adrian Page, Robin Perry and Ian Sams.

Voting against the recommendation to approve the application as amended:

Councillors Katia Malcaus Cooper, Conrad Sturt, Pat Tedder, Victoria Wheeler and Valerie White

Applications considered on 22 November 2017

39/P Application Number: 17/0610 - 72 and 74 Guildford Road, Lightwater GU18 5SD

The application was for redevelopment of Club & Institute Union (CIU) site to erect part 2 storey/part 2.5 storey building(s) to accommodate new clubhouse facility (Use Class D2), retail floorspace (Use Class A1), residential use (Use Class C3 comprising 11no. flats & 3no. houses), together with 21 parking spaces, bicycle and refuse storage, following demolition of existing buildings. (Additional information and amended plans recv'd 28/9/17).

Members were advised of the following updates:

'Final comments have been received from County Highways Authority (CHA) and an objection has been raised. The Highway's officer comments are below:

The County Highway Authority is not yet satisfied that the development would be compatible with the local highway infrastructure. Therefore, to enable the CHA to consider the proposals further, the applicant will need to address and provide further information on the following matters:

- 1. A new access onto a 30 mph road should be provided with visibility splays of 2.4m x 45m in both directions free of any obstruction above 1.05m in height and therefore the achievable splays should be shown on a drawing also showing the location of the arch over the access to demonstrate that this will not impede sight lines onto Guildford Road. The height of the arch should also be provided to ensure that it is sufficient to accommodate service/delivery vehicles.*
- 2. A pedestrian visibility splay of 2m x 2m should be provided on each side of the access and shown on the application drawings.*
- 3. It is proposed to provide 11 cycle parking spaces for the flats but no cycle parking provision is provided for either the retail unit or the users of the club. The applicant should investigate how additional cycle parking can be provided on site to address this. I would consider that at least one cycle space could be provided in front of the retail unit subject to there being sufficient space and at least two cycle spaces should be provided for the club.*

It is understood that the gardens for the dwellings may be too small to accommodate dedicated cycle parking. If this is the case and it is proposed to provide this within the dwellings themselves then the applicant should demonstrate how this will work. Any cycle storage provided within the dwellings should be for that specific use.

- 4. The applicant proposes to provide automatic gates at the access. The gates should be set back a minimum of 7 metres from the back of the footway to ensure vehicles do not obstruct the public highway whilst waiting for the gates to open particularly given that the site access is located adjacent to a zebra crossing and the high level of pedestrian activity in the vicinity and its proximity to a bus stop.*

Information should also be provided on how the key fob entry system will work particularly for unscheduled deliveries and how the refuse vehicle will access the site when the gates are likely to be closed. Details should also be provided explaining what system will be in place should the automatic gates fail to operate are not backing up on the highway causing an obstruction to other road users.

The Highway Authority would have no objection if gates were not provided at the access.

Additional reason for refusal

Based on the CHA comments above it is considered an additional reason for refusal should be taken forward as detailed below:

It has not been demonstrated to the reasonable satisfaction of the Local Planning Authority, in consultation with the County Highways Authority, that the development would be provided with a safe means of access / egress and would not therefore lead to conditions prejudicial to highway safety. The development proposed is therefore contrary to the aims and objectives of the NPPF 2012, Policy DM11 of the Core Strategy and Development Management Policies 2012 and objective 3 of the Surrey Transport Plan 2011-2026.

*It is also suggest that the applicant's attention be drawn to the CHA officer comments (which will need to be addressed in any resubmission) by way of **an additional informative** as detailed below:*

The applicant's is directed to the comments provided by the County Highway Authority in the consultation response dated 25 October 2017. Any resubmission for redevelopment of the site must address these comments / requirements.

Amended reason for refusal

- 1. The proposed development as a result of its height, massing, siting and site coverage would result in a form of development which would enclose and dominate Guildford Road to the detriment of the character of the commercial village centre. Moreover, the site coverage proposed fails to provide any meaningful opportunities for any landscaping or softening of what otherwise will be an unduly urban design response in the commercial village centre. In addition, the depth of the development into the site, coupled with the height and its proximity to, in particular the shared boundaries with No.70 Guildford Road and No.2 All Saints Road, would result in visually dominant and incongruous development forming poor relationships with neighbouring buildings, and, harmful to the spatial characteristics of the area. This harm would be compounded by the design response of Block A which would give rise to development out of keeping with it's setting. The proposed development is therefore contrary to Policy DM9 (ii) of the Surrey Heath Core Strategy and Development Management Policies 2012, Design Principles B1, B2 and B5 (a) and B6 of the Lightwater Village Design Statement*

Members were advised that the application had been withdrawn by the applicant.

Application 17/0610 had been withdrawn by the applicant.

40/P Application Number: 17/0701 - Parkgate House, 185-187 London Road, Camberley GU15 3JS

The application was for the change of use of first and second floor of building from A2 office use to C3 residential use, and raising of roof to create additional floor to provide a total of 4 studio apartments, 8 one bed apartments and 2 two bed apartments with associated parking. (Additional Information rec'd 05/10/2017 & 23/10/2017). (Amended plans rec'd 23/10/2017). (Amended Plan - Rec'd 02/11/2017.)

Members were advised of the following updates:

'Affordable housing viability – The applicant submitted a Viability Report which concluded that providing affordable housing would make the development unviable. The external Viability Consultants have agreed that the scheme does not provide sufficient surplus to be able to fund a contribution in this regard, and as such none will be sought.'

Some Members were disappointed that there would be no contribution made by the applicant and there were a low number of parking spaces available. Officers advised that as the proposal was located in the town centre this would be sustainable. In addition the County Highways Agency had not raised any objections.

Some Members had concerns regarding the landscaping at the front of the site and officers advised that an informative would be added with regard to softening the exterior of the building with planting.

Resolved that application 17/0701 be approved 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 Robin Perry and seconded by Councillor Vivienne Chapman.

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 Nick Chambers, Vivienne Chapman, Colin Dougan, Surinder Gandhum, Edward Hawkins, Jonathan Lytle, David Mansfield, Max

Nelson, Adrian Page, Robin Perry, Ian Sams, Pat Tedder, Victoria Wheeler and Valerie White.

41/P Application Number: 17/0469 - Heathercot Yard, Evergreen Road, Frimley GU16 8PU

The application was for the erection of 4 x 2-bed terraced houses, 4 x 3- bed terraced houses, and 2 x four bed semi-detached houses with associated parking, landscaping and gardens, and creation of new access road onto Evergreen Road, on former builders yard following demolition of existing dwelling and outbuildings. (Additional information rec'd 03/10/2017) (Amended & Additional Plans - Rec'd 03/10/2017).

The Committee was asked to agree that this application be deferred until December Committee, to allow time for the ownership notices to be served another landowner.

Resolved that application 17/0469 be deferred until December Committee, to allow time for the ownership notices to be served another landowner.

42/P Application Number: 17/0763 - 13 Bramcote, Camberley GU15 1SJ

The application was for the erection of a single storey front extension, following the demolition of the existing single storey front porch. (Additional information rec'd 17/10/17).

This application would normally have been determined under the Council's Scheme of Delegation for Officers, however, the applicant at No.13 was an employee of the Council. This application was considered in conjunction with application 17/0761 – 11 Bramcote, Camberley GU15 1SJ.

Members were advised of the following updates:

'Paragraph 7.3.5 and 7.4.6 replace the RGD with the aforementioned policy documents'

Resolved that application 17/0763 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 Edward Hawkins and seconded by Councillor Jonathan Lytle.

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 as amended:

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

43/P Application Number: 17/0761 - 11 Bramcote, Camberley GU15 1SJ

The application was for the erection of a single storey front extension, following the demolition of the existing single storey front porch. (Additional information recv'd 17/10/17)

This application would normally have been determined under the Council's Scheme of Delegation for Officers, however, as this proposal was physically linked to the proposal under 17/0763, 13 Bramcote, Camberley GU15 1SJ, it was reported to the Planning Applications' Committee.

Members were advised of the following updates:

'Paragraph 7.4.6 replace the RGD with the aforementioned policy documents'.

Resolved that application 17/0761 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 Edward Hawkins and seconded by Councillor Jonathan Lytle.

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 as amended:

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

Chairman