

**Minutes of a Meeting of the Planning
Applications Committee held at
Council Chamber, Surrey Heath House
on 30 June 2016**

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

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

+ Present
- Apologies for absence presented

Substitutes: Cllr Ruth Hutchinson (In place of Cllr Pat Tedder) and Cllr Max Nelson (In place of Cllr Richard Brooks)

In Attendance: Duncan Carty, Sadaf Malik, Emma Pearman, Michelle Fielder, Jonathan Partington, Andrew Crawford, Gareth John, Cllr David Lewis, Cllr Alan McClafferty, Cllr Charlotte Morley and Cllr Wynne Price

67/P Minutes

The minutes of the meeting held on 12 May 2016 were confirmed and signed by the Chairman.

68/P Application Number: 16/0095 - Plots B and C, Trade City, Former BAE Systems, Lyon Way Frimley

The application was for the erection of 2 No. light industrial/ground industrial/warehouse buildings, (Class B1C/B2/B8) and ancillary office accommodation with parking and landscaping. (Additional Information Rec'd 15/03/2016), (Additional info rec'd 07/04/16), (Additional plans/info rec'd 26/05/16). (Amended plans & information rec'd 03/06/2016), (Amended plans rec'd 07/06/16).

Members were advised of the following updates:

One further objection raised on the following additional grounds:

- Impact of noise and vibration on residential amenity [*Officer comment: It is not considered that the impact of vibration would be so significant to warrant the refusal if this application. In relation to noise, see Paragraph 7.5 of the officer report*]
- Impact of vibration on structure of residential property [*Officer comment: This is a private matter*]

- Loss of privacy [*Officer comment: The level of separation and lack of windows in the rear elevation of the nearest building (Plot C) would limit any such impact. Also, see Paragraph 7.5 of the officer report*]
- Impact on wildlife and domestic pets (cats) [*Officer comment: It is not considered that the current proposal would have any significant impact on any protected species. The impact on cats which may stray into the site would not be a reason to refuse this application*]
- Impact on flood risk [*See Paragraph 7.7 of the officer report*]

Resolved that application 16/0095 be approved subject to the conditions as set out in the report of the Executive Head – Regulatory.

Note 1

Councillor David Allen declared a disclosable pecuniary interest as the owner of a nearby property and having submitted an objection and left the room during consideration of the application.

Note 2

The recommendation to approve the application was proposed by Councillor David Mansfield and seconded by Councillor Mrs Vivienne Chapman.

Note 3

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

Voting in favour of the recommendation to approve the application:

Councillors Nick Chambers, Mrs Vivienne Chapman, Surinder Gandhum, Edward Hawkins, Ruth Hutchinson, Katia Malcaus Cooper, David Mansfield, Max Nelson, Robin Perry, Conrad Sturt, and Victoria Wheeler.

Councillor Ian Sams abstained and Councillor Colin Dougan refrained from voting having arrived part way through discussion thereon.

69/P Application Number: 16/0199 - Plot A, Trade City, Former BAE Systems, Lyon Way, Frimley

The application was for the erection of 1 No. light industrial/general industrial/warehouse buildings (Class B1c/B2/B8 and ancillary office accommodation with parking and landscaping. (Amended information recv'd 29/3/16), (Additional info rec'd 07/04/16), (Additional plans & info rec'd 26/05/16). Amended plans & information rec'd 03/06/2016).

Resolved that application 16/0199 be approved subject to the conditions as set out in the report of the Executive Head – Regulatory.

Note 1

Councillor David Allen declared a disclosable pecuniary interest as the owner of a nearby property and left the room during consideration of the application.

Note 2

The recommendation to approve the application was proposed by Councillor David Mansfield and seconded by Councillor Conrad Sturt.

Note 3

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

Voting in favour of the recommendation to approve the application:

Councillors Nick Chambers, Mrs Vivienne Chapman, Colin Dougan, Surinder Gandhum, Edward Hawkins, Ruth Hutchinson, Katia Malcaus Cooper, David Mansfield, Max Nelson, Robin Perry, Conrad Sturt, and Victoria Wheeler.

Voting against the recommendation to approve the application:

Councillor Ian Sams.

70/P Application Number: 16/0038 - 92 Park Road, Camberley GU15 2LN

The application was for the formation of an access road to serve Kingsclear Care Home development (Class C2) following the demolition of existing dwelling (Class C3). (Amended plan rec'd 10/02/16). (Additional information recv'd 12/4/16).

The application would normally be determined under the Council's Scheme of Delegation. However, it was reported to the Planning Applications Committee at the request of Cllr David Lewis.

A site visit took place at this site.

Members were advised of the following updates:

An email response, with a revised drawing, has been received from the Agent. The amended drawing indicates details of soft landscaping to either side of the proposed access road and to either side of the new footpath link (where the existing access is to be removed).

In summary, the email indicates:

- The reference to "emergency" staff accommodation at Paragraph 7.2.3 of the officer report (relating to accommodation within the approved care home under construction (under permission SU/14/0562) at the adjoining site is misleading and this accommodation would be used as permanent accommodation for staff including 3 no. en-suite bedrooms and shared use of staff lounge and kitchen (negating the impact of the loss of the property at the application site). [*Officer comment: This would breach the legal agreement for the care home, restricting occupancy to residential care residents, and this accommodation is shown on the approved drawings as "overnight" staff accommodation. As such, this accommodation should be used as emergency or overnight accommodation only*].

- The landscaping can be provided to both sides of the proposed access road and reduced existing access (from vehicular to pedestrian), as shown on the amended.

The Committee received representations from Rebecca Mayne and Lisa Byrne (objecting) and Nicola Thornton (in support).

Resolved that application 16/0038 be refused for the reasons as set out in the report of the Executive Head – Regulatory.

Note 1

It was noted for the record that Councillor Colin Dougan and Councillor Victoria Wheeler knew one of the speakers.

Note 2

As the application triggered the Council's Public Speaking Scheme, Rebecca Mayne and Lisa Byrne spoke in objection and Nicola Thornton spoke in support.

Note 3

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

Voting in favour of the recommendation to refuse the application:

Councillors David Allen, Nick Chambers, Mrs Vivienne Chapman, Colin Dougan, Surinder Gandhum, Edward Hawkins, Ruth Hutchinson, Katia Malcaus Cooper, David Mansfield, Max Nelson, Robin Perry, Ian Sams, Conrad Sturt, and Victoria Wheeler.

71/P Application Number: 16/0383 - Land adjacent to Lynwood, Heath Rise and between 9 and 18 Chaucer Grove, Camberley GU15 2ER

The application was for the creation of alternative access to 5-bedroom dwellinghouse approved pursuant to application SU10/0717. Access to be created off Chaucer Grove as opposed to Heathcote Road as originally approved. (Amended plan rec'd 15/06/16). (Additional information recv'd 16/6/16).

The application would normally be determined under the Council's Scheme of Delegation. However, it was reported to the Planning Applications Committee at the request of Cllr Richard Brooks.

Members were advised of the following updates

County Highway Authority response

The County Highway Authority has issued a revised response requiring a Construction Management Plan by condition. It is considered that this would help to ensure that any disruption during construction is minimised. They have also been advised of the home for adults on the corner of Park Road and have made the following additional comments:

- *The proposal is for one detached dwelling with vehicular access onto Chaucer Grove which is a cul-de-sac. The likely additional traffic movements generated by one dwelling is considered to be minimal with perhaps 1-2 movements in the am and pm peak hours.*
- *Concerns have been raised regarding the suitability of Chaucer Grove to accommodate the small number of additional traffic movements generated by the proposed development. The section of Chaucer Grove where the proposed dwelling is to be located has been designed as a shared surface, so cars and pedestrians/cyclists share the same space. The road has been designed to be narrow and winding in order to keep vehicle speeds low.*
- *I have looked at the accident records held by Surrey County Council and this shows that there are no recorded personal injury accidents within the last 5 year period either at the junction of Chaucer Grove and Park Road or along Chaucer Grove itself.*
- *To address concerns with regard to construction vehicles a Method of Construction statement will need to be submitted prior to any work starting on site.*
- *Chaucer Grove is an adopted highway and therefore would have been built to accommodate large vehicles, however Surrey County Council has powers under the Highways Act to recover any costs to repair damage that may have been caused to the road by construction or other types of vehicles. Following an assessment of the proposals, the Highway Authority do not consider that the proposed dwelling and vehicular access would cause a 'severe impact' on the public highway and therefore have no highway safety objections to the proposals subject to conditions being imposed.*
- *(Re: 116 Park Road – home for adults) I understand there are existing issues with vehicles who park on the pavement in the vicinity of this premises. The proposed dwelling at the end of Chaucer Grove will provide its own parking on site and I do not consider that it would contribute to a worsening of the existing situation. If vehicles are causing an obstruction then this is a matter for the police to deal with. I understand that there is also concern that residents from the development walk quite slowly when crossing the road. I have checked the personal injury accident records and there have been no accidents involving pedestrians in the vicinity of Chaucer Grove or it's junction with Park Road within the last 5 years.*

Surrey Wildlife Trust Response and change to recommendation

- A response has now been received from Surrey Wildlife Trust who has stated that the further bat survey undertaken in respect of the trees to be removed

has concluded that they do not currently support roosting bats and can be removed without adverse effect to bat species. SWT has advised that if they are not removed within a year they should be checked again, and also checked for the presence of active birds' nests prior to their removal.

As such the reason for refusal given in the report no longer applies, and the recommendation has changed to GRANT, subject to the following conditions and informatives:

1. The development hereby permitted shall be begun within three years of the date of this permission. Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.
2. The proposed vehicular access shall be built and retained in accordance with the following approved plans Amended Location and Block Plans CDA-204-001 Rev J received 15.06.16 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.
3. No development shall commence until a Construction Transport Management Plan, to include details of:
 - a) parking for vehicles of site personnel, operatives and visitors
 - b) loading and unloading of plant and materials
 - c) storage of plant and materials
 - d) measures to prevent the deposit of materials on the highway
 - e) before and after construction condition surveys of the highway (photographic) and a commitment to fund the repair of any damage caused.

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: In order that the development does not prejudice highway safety nor cause inconvenience to highway users, in accordance with Policy DM11 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

4. The development hereby permitted shall be carried out wholly in accordance with the submitted Arboricultural Report prepared by ACD Environmental dated 12.04.16 and Tree Protection Plan BECK20203-03D both received 14.04.16. No development shall commence until photographs have been provided by the retained Consultant and forwarded to and approved by the Council's Arboricultural Officer. This should record all aspects of tree and ground protection measures having been implemented in accordance with the Arboricultural Report. The tree

protection measures shall be retained until completion of all works hereby permitted.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

5. If, within one year of the date of this decision, the trees shown to be removed on the Tree Protection Plan BECK20203-03D received 14.04.16 have not been removed then no trees shall be removed on the site until a Bat Survey to establish the presence or otherwise of bats within these trees has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to prevent harm to protected species in accordance with Policy CP14B of the Surrey Heath Core Strategy and Development Management Policies 2012, ODPM Circular 06/2005 and the National Planning Policy Framework.

6. The access hereby approved shall not be implemented in addition to the access from Heathcote Road approved under planning permission SU10/0717.

Reason: In order to prevent further loss of trees and vegetation and associated harm to the wooded character of the locality in accordance with Guiding Principles WH1 and WH3 of the Western Urban Area Character SPD, Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

Informatives:

1. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
2. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The application is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs. www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.
3. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

4. There is an existing lamp column in the area where the access is to be constructed and the applicant should be aware that this may need to be relocated.
5. The applicant is advised that under the Control of Pollution Act 1974 construction work which will be audible at the site boundary will be restricted to the following hours: 8am to 6 pm Monday to Friday; 8am to 1pm Saturday; and, not at all on Sundays and Public Holidays. For the avoidance of doubt 'Public Holidays' include New Year's Day, Good Friday, Easter Monday, May Day, all Bank Holidays, Christmas Day and Boxing Day.
6. The applicant is reminded that all species of wild birds and their nests are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and therefore in order to avoid contravention of current legislation, site clearance and demolition works should be timed to avoid the main bird nesting season, which in general runs from March to August. If this is not possible, a check should be carried out prior to works being commenced to ensure there are no active nests present.

Objections

Two further letters of objection has been received which raise the following issues:

- Residential home for adults at 116 Park Road does not have planning permission yet has a significant number of traffic movements throughout the day, causes parking problems and pedestrians on foot *[Officer comment: The presence of the home had already been raised in other objection letters and as such these have been already taken into account by the County Highway Authority in their response]*
- Criteria of there not having been any personal injury accidents is not appropriate in a small residential cul-de-sac as data on near misses etc is not available *[Officer comment: the Planning Authority have to assume that the County Highway Authority have correctly assessed the application according to the relevant criteria]*
- The concept of looking at peak hours traffic is not particularly relevant to a residential cul-de-sac, average number of cars is 2/3 and these and associated deliveries generate multiple traffic movements throughout the day *[Officer comment: the Planning Authority have to assume that the County Highway Authority have correctly assessed the application according to the relevant criteria]*
- Concern over a letter having been received by residents from the applicant following objection letters which does not take fully into account or address the concerns raised *[Officer comment: All representation letters are fully taken into account by the Local Planning Authority in the determination of the application and the letter from the Applicant to residents is not relevant in the determination of the application]*

- A letter addressed to Legal Services was also received which stated that this application invalidates application 14/0120 for a Lawful Development Certificate for an existing use or operation comprising the implementation of planning permission 10/0717 for the erection of a detached dwelling house, agreed on 16/05/2014. It is not considered however that the change of access in any way invalidates a certificate which was to prove the implementation of a planning permission. A planning permission does not have to be implemented in full and as such a further application such as this to make changes is possible. As such Legal Services do not intend to revoke the above Certificate as requested.

Chaucer Grove Residents Association Document

A document has been circulated and emailed to Members today from Chaucer Grove Residents Association. It is considered most of the issues raised have already been addressed in the Officer's Report and this update sheet.

The quotes under 'Negative impact to the tree screen' are not from the Officer's report on the previous application. However, the Officer concluded that the verdant character would be preserved. In this case it is considered that the small number of trees being lost would not significantly impact the verdant character as most of the trees on this boundary would remain.

With regard to the number of trees being lost, trees are sometimes grouped in Arboricultural Reports and in paragraph 7.3.4 of the Officer's report it explains that one of these 5 is actually a group of 3 so the total number of trees lost is 7. The Officer's report explains in paragraph 7.3.4 that the previous access would also see a substantial loss of vegetation over a much longer distance that outweighs the slight variation in the number/quality of trees now proposed to be lost from that of the previously approved access.

The information provided in respect of application 09/0814 is not considered relevant to the consideration of this application. This application was for three dwellings which were allowed on appeal at a site adjacent to this one, after a refusal by Surrey Heath, but this is not the planning permission for the house to which this proposed access relates. The statements again appear to be from the applicant and not Officers.

Members noted that the recommendation had changed from refusal to approval following information provided in the Committee update and listed above.

Resolved that application 16/0383 be approved for the reasons as set out in the update of the Executive Head – Regulatory.

Note 1

It was noted for the record that Cllrs Colin Dougan and Edward Hawkins knew Mr Macleod, who was speaking on behalf of the applicants.

Note 2

As the application triggered the Council's Public Speaking Scheme, Mr A Clarke spoke in objection and Mr Macleod spoke in support.

Note 3

The recommendation to refuse the application was proposed by Councillor Vivienne Chapman and seconded by Councillor Conrad Sturt.

Note 4

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

Voting in favour of the recommendation to approve the application:

Councillors David Allen, Nick Chambers, Colin Dougan, Surinder Gandhum, Edward Hawkins, Ruth Hutchinson, David Mansfield, Max Nelson and Ian Sams.

Voting against the recommendation:

Councillors Mrs Vivienne Chapman, Katia Malcaus Cooper, Robin Perry, Conrad Sturt and Victoria Wheeler.

72/P Application Number: 16/0320 - 49 Bosman Drive, Windlesham GU20 6JN

The application was for the division of existing four-bedroom dwelling to form two 2 bedroom dwellings with associated parking and garden space. (Part Retrospective).

The application would normally be determined under the Council's Scheme of Delegation. However, it was reported to the Planning Applications Committee at the request of Councillor Conrad Sturt.

Members were advised of the following updates:

Following a site inspection visit, it was noticed that the plans submitted were not quite accurate in terms of the development on the ground, including the location of the door on the side elevation, the bay windows to the front, and position of parking spaces. As such the plans have been amended to reflect these minor changes and as such the following conditions have been updated to refer to the correct plans:

Conditions 2, 3 and 4 should now read as follows (there are no changes to conditions 1 & 5):

2. The proposed development shall be built in accordance with the following approved plans: Proposed Ground Floor Plan 1550 P104A, Proposed First Floor Plan 1550 P105A, Proposed Elevations 1550 P106A all received 22nd June 2016, unless the prior written approval has been obtained from the Local Planning Authority.

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking and re-enacting that Order) no gates, fences or walls shall be erected under Schedule 2, Part 2, Class A of that Order other than along the existing boundaries defining the curtilage of 49 Bosman Drive as shown in red on the Location Plan 1550 P100A received 22nd June 2016 and along the boundary between the rear gardens of the two new dwellings as shown on the Block Plan 1550 P100A received 22nd June 2016; without the prior approval in writing of the Local Planning Authority.

Reason: To prevent any obvious sub-division of the driveway which may cause harm to character and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

4. The parking area to the front of the properties as shown on Block Plan 1550 100A received 22nd June 2016 shall be retained as such at all times unless the prior approval has been obtained in writing from the Local Planning Authority.

Reason: To ensure that sufficient off-road parking remains for the two proposed dwellings so as not to cause a nuisance on the highway, in line with Policy DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

Members expressed concerns in relation to the proposed development in that it was considered an inappropriate density and development and out of character for the area.

The officers had recommended that the application be approved. However, after consideration, the Members felt that the application should be refused due to the inappropriate development and density proposed and it being out of character with surrounding properties.

Resolved that application 16/0320 be refused for the following reasons:

- (i) **Inappropriate density;**
- (ii) **Inappropriate development; and**
- (iii) **Out of character with surrounding properties.**

Note 1

It was noted for the record that one of the speakers was known to Cllr Conrad Sturt.

Note 2

As the application triggered the Council's Public Speaking Scheme, Mr R Chatfield and Mr P Williams spoke in objection.

Note 3

The recommendation to approve the application was proposed by Councillor Colin Dougan and seconded by Councillor Nic Chambers.

Note 4

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

Voting in favour of the recommendation to approve the application:

Councillors Nick Chambers, Mrs Vivienne Chapman, Colin Dougan, Max Nelson, Robin Perry and Ian Sams.

Voting against of the recommendation to approve the application:

Councillors David Allen, Surinder Gandhum, Edward Hawkins, Ruth Hutchinson, Katia Malcaus Cooper, David Mansfield, Conrad Sturt and Victoria Wheeler.

Note 5

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

Note 6

Voting in favour of the recommendation to refuse the application:

Councillors David Allen, Surinder Gandhum, Edward Hawkins, Ruth Hutchinson, Katia Malcaus Cooper, David Mansfield, Conrad Sturt and Victoria Wheeler.

Voting against of the recommendation to approve the application:

Councillors Nick Chambers, Mrs Vivienne Chapman, Colin Dougan, Max Nelson, Robin Perry and Ian Sams.

73/P Application Number: 16/0172 - The Manor, 30 Southwell Park Road, Camberley GU15 3QQ

The application was for the variation of condition 1 of planning permission SU/15/0494 to allow an increase in the number of children in attendance at the nursery school from 12 to 15.

The application would normally be determined under the Council's Scheme of Delegation. However, it was reported to the Planning Applications Committee at the request of Councillor Alan McClafferty.

Members were advised of the following updates:

An email response, with a revised drawing, has been received from the Agent. In summary, the email indicates:

- the negative nature of the pre-application advice which preceded the application [*Officer comment: The pre-app response indicated that the Council raised concerns about the proposal and any application would need to be supported by a noise report and traffic statement*]
- the availability of the Environmental Health comments on the web-site [*Officer comment: A request was made to update the electronic file on the web-site*]
- the reasons why the application was called-in [*Officer comment: The reasons were provided to the agent*]
- the lack of a pro-active approach with officers [*Officer comment: As indicated above and in the officer report, the noise information was not satisfactory*]
- a request for a 12 month period permission so that the impact of the proposal can be monitored [*Officer comment: it is the officer's opinion that the application should have been supported by a noise report and the lack of such a report is fundamental in the assessment of the current application. Under such circumstances, officers do not agree with this request*]

Resolved that application 16/0172 be refused for the reasons as set out in the report of the Executive Head – Regulatory.

Note 1

Councillor Colin Dougan declared a disclosable pecuniary interest as the owner of a nearby property and left the room during consideration of the application.

Note 2

As the application triggered the Council's Public Speaking Scheme, the applicant, Mr Mike Sanderson spoke in support of the application. Mr R Grigson had been unable to attend to speak in objection , due to a family health issue. The Vice-Chairman, Councillor David Mansfield read a statement on Mr Grigson's behalf.

Note 3

The recommendation to refuse the application was proposed by Councillor David Allen and seconded by Councillor Robin Perry.

Note 4

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

Voting in favour of the recommendation to refuse the application:

Councillors David Allen, Nick Chambers, Mrs Vivienne Chapman, Surinder Gandhum, Edward Hawkins, Ruth Hutchinson, Katia Malcaus Cooper, Max Nelson, David Mansfield, Robin Perry, Ian Sams, Conrad Sturt, and Victoria Wheeler.

74/P Application Number: 16/0162 - Highway Verge, West of the Cottage, Church Lane, Bisley, Woking

The application was for the Advertisement Consent to display a notice board to display Parish and Borough Council Agenda's and Notices. (Non-illuminated).

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

Members were advised of the following updates:

The committee report refers to a neighbouring property as 'The Cottage' and this is correct. However, reference is also made to this property by its former name 'The Clock House' (paragraph 6.2, 7.4.2 and 7.5.2). This is incorrect and any reference to the Clock House should read The Cottage.

Paragraph 4.2 refers to the height from ground level as 0.6m, this is incorrect and the correct height from ground level is 1m.

Members expressed concerns in relation to the impact on the street scene and the character of the village, visual clutter and safety.

Resolved that application 16/0162 be refused on the grounds of visual clutter, with the exact wording to be determined by the Officers in consultation with the Chairman.

Note 1

It was noted for the record that Cllr David Mansfield had been spoken to by a number of residents, but had not engaged in discussion or offered any views. It was also noted that the Chairman and Vice Chairman met on site.

Note 2

There was no proposer or seconder on the officer's recommendation to approve the application with conditions.

Note 3

The recommendation to refuse the application was proposed by Councillor David Mansfield and seconded by Councillor Edward Hawkins.

Note

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

Voting in favour of the recommendation to refuse the application:

Councillors David Allen, Nick Chambers, Mrs Vivienne Chapman, Colin Dougan, Surinder Gandhum, Edward Hawkins, Ruth Hutchinson, Katia Malcaus Cooper, David Mansfield, Max Nelson, Robin Perry, Ian Sams, Conrad Sturt, and Victoria Wheeler.

75/P Application Number: 16/0365 - 27 Diamond Ridge, Camberley GU15 4LB

The application was for the variation of condition 3 of approval 15/0686 (two storey and single storey rear extensions) to enable minor material amendments including an increase in the size of the bedroom window on the northwest first floor side elevation and addition of obscure glazing film. (Amended plan recv'd 4/5/16). The application would normally be determined under the Council's Scheme of Delegation. However, at the request of the Executive Head of Regulatory, it was reported to the Planning Applications Committee for determination.

A site visit took place at this site.

Members were advised of the following updates:

A two page email, as an addition to the original objection has been received, plus a 9 page representation in response to the officer's report. On request of the objector, this representation has been circulated to Members. However, the key points made by the objector at no. 25 are summarised and commented on below:

- Summary of report does not reflect the objector's concerns.
- Para 1.2 of report - The objector considers there to be a significant difference to levels, not slight. No reference has been made to the fourth first floor window serving the half landing.
- Para 4.2 - Does not refer to the increased depth of the window.

[Officer comment: For clarity the application form states that the height/depth would amend from 1.22 m to 1.25 m i.e. an increase by 0.03 m]

- Page 105 - 2nd bullet point - Officer's comments relating to design guidance is dismissive of the objector's concerns when the maintenance of a neighbour's privacy remains central to the decision making process.
- Page 105 - 3rd bullet point - The drawing showing the ground floor window is misleading and inaccurate.

[Officer comment: To regularise the situation a corrected drawing has been received].

- Page 105 4th bullet point - Disagrees that there is no conflict with the Human Rights Act.
- 7.1.2 - Objector disagrees with the reasons as to why application 15/0686 was allowed.
- 7.1.3 - The applicant inserted a larger window than the approved plans with a more intrusive positioning and it is therefore misleading to say that they commenced the works in good faith.

- 7.2.2 - The case officer did not go into the rear garden and therefore can make no judgement about the level of intrusion here

[Officer comment: A judgement could be made from standing and viewing from the applicant's bedroom. However, the officer did go into the rear garden during the Member site visit]

- 7.2.3 - Explanation needed on how actual impact is judged and what is meant by perceived impact. Queries the difference latticing/leading makes and what is meant by the nature of these rooms. Objector disagrees with the statement relating to difficulty to gain full view of the window from the kitchen. There is actual impact on the enjoyment of the kitchen.

[Officer comment: A judgement has to be made on the merits of the case based upon adopted policy and site specific circumstances. The objector perceives/interprets the harm as greater than the case officer's professional assessment of the seriousness of the impact. Latticing has the effect of interrupting views from a window, although this is a moot point. In respect of the nature of the rooms the overlooking effects are greater on primary/habitable spaces i.e. the kitchen/dining area, than the other secondary rooms affected (including the landing, utility room, bathroom and downstairs toilet) where normally usage is less; and, the bathroom/toilet windows also have obscure glazing]

- 7.2.4 - Objector disagrees with statement that the patio cannot be seen.

[Officer comment: The objector has not viewed from inside the applicant's window. The photographs on pages 110 and 111 of the agenda pack show the extent of visibility]

- 7.2.5 - Queries the relevancy of making reference to permitted development rights in relation to the potential to insert a larger window.

[Officer comment: The purpose of this statement is for information purposes to advise what control PD rights actually give]

- 7.2.6 - Queries who decides when the film is degraded enough to need replacing, how this would be implemented and whether a planning officer would visit to make a judgement.

[Officer comment: If a complaint was received in the future then this condition would provide the level of control for the Planning Authority to investigate and take any necessary action. The window would be inspected on site as part of this process]

- 7.2.7 - Queries the relevancy of reference to permitted development rights in respect of the obscure glazing rating.

[Officer comment: The purpose of this statement is to explain that the film inserted is effective as it meets the same standard otherwise required by PD]

- 7.2.8 - The applicant resorting back to the original approval would be preferable.

[Officer comment: If the applicant resorted back to the original approval then there would be no obligation for any obscure glazing given that permission was granted with no condition, see para. 7.1.3]

- 7.2.9 - Request the window frame to be replaced. The objector does not consider switching a hinge without removing the casement to be an option. It is unreasonable to make a decision based on the applicant's current usage of the room and on the basis of promises.

[Officer comment: The applicant has now sourced a local supplier who is able to reverse the direction of the window. See recommended condition below in the event that Members consider this to be necessary. It is accepted that this room could be used differently in the future, and the window could be opened more frequently. The objector has since advised that they would welcome this change]

- 9.1 - The report is full of errors, omissions, misleading statements and untruths. It is biased.
- The two page email reiterates the concerns addressed above. In addition, this email consider the photographs used on the agenda not to be fully representative of the overall impact. On request of the objector further photographs have been circulated to Members.

Additional Recommended Condition 3

3. Within 3 months of the date of this permission the casement window serving the bedroom in the first floor side elevation shall be hinged in the opposite direction so that it swings open to the rear of the property. Thereafter there shall be no changes to the openings of the window unless otherwise agreed in writing by the Planning Authority.

Reason: In the interests of good neighbourliness to prevent open views to the rear of the property to safeguard the privacy levels of no.25 Diamond Ridge and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012.

Resolved that application 16/0365 be approved subject to the conditions as set out in the report of the Executive Head – Regulatory, and as amended.

Note 1

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

Note 2

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

Voting in favour of the recommendation to approve the application:

Councillors David Allen, Nick Chambers, Mrs Vivienne Chapman, Colin Dougan, Surinder Gandhum, Edward Hawkins, Ruth Hutchinson, Katia Malcaus Cooper, David Mansfield, Max Nelson, Robin Perry, Ian Sams, Conrad Sturt, and Victoria Wheeler.

Chairman