



Surrey Heath Borough Council
Surrey Heath House
Knoll Road
Camberley
Surrey GU15 3HD
Telephone: (01276) 707100
Facsimile: (01276) 707177
DX: 32722 Camberley
Web Site: www.surreyheath.gov.uk

Division: Corporate
Please ask for: Eddie Scott
Direct Tel: 01276 707335
E-Mail: democratic.services@surreyheath.gov.uk

To: All Members of the **PLANNING APPLICATIONS COMMITTEE**

The following papers have been added to the agenda for the above meeting.

They were not available for publication with the rest of the agenda.

Yours sincerely

Damian Roberts

Chief Executive

SUPPLEMENTARY PAPERS

	Pages
2 Minutes of Previous Meeting	3 - 12

To approve as a correct record the minutes of the meetings of the Planning Applications Committee held on 28 October 2021.

This page is intentionally left blank

Minutes of a Meeting of the Planning Applications Committee held at Council Chamber, Surrey Heath House, Knoll Road, Camberley, GU15 3HD on 28 October 2021

- + Cllr Edward Hawkins (Chairman)
- + Cllr Victoria Wheeler (Vice Chairman)

- | | |
|------------------------|-------------------------|
| + Cllr Graham Alleway | - Cllr Charlotte Morley |
| + Cllr Peter Barnett | + Cllr Robin Perry |
| + Cllr Cliff Betton | + Cllr Darryl Ratiram |
| + Cllr Stuart Black | + Cllr Graham Tapper |
| + Cllr Mark Gordon | + Cllr Helen Whitcroft |
| - Cllr David Lewis | + Cllr Valerie White |
| - Cllr David Mansfield | |

- + Present
- Apologies for absence presented

Substitutes: Cllr Shaun Garrett (in place with Cllr David Mansfield)

Members in Attendance: Cllr Sashi Mylvaganam, Cllr Adrian Page, Cllr Morgan Rise, Cllr Pat Tedder

Officers Present: Gavin Chinniah, Julia Greenfield, Jonathan Partington, Eddie Scott and Ryno Van der Hoven

29/P Exclusion of Press and Public

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

<u>Minute</u>	<u>Paragraph(s)</u>
30/P	1
31/P	1

30/P Planning Enforcement Update

The Committee considered a table outlining the highest priority planning enforcement cases within the borough.

The Committee noted the significant progress the Council had made in respect of its Planning Enforcement service in respect of both service provision, and attitude and resourcing. Moreover, further improvement, in respect of resourcing, had been

made by the recent recruitment of a further Planning Enforcement Officer and an Assistant Corporate Enforcement Officer.

However, it was felt by Members that there was an opportunity for improvement in respect of greater partnership working between the Development Management and Corporate Enforcement Teams; and to create a service which wasn't felt by residents to be biased towards applicants. It was also reiterated to Members that any enforcement monitoring and action needed to be conducted within the confines of what the law allowed.

RESOLVED that the update be noted.

31/P Review of Exempt Items

The Committee reviewed the reports which had been considered at the meeting following the exclusion of members of the press and public, as it involved the likely disclosure of exempt information.

RESOLVED that annex associated with minute 30/P remain exempt.

Chairman

**Minutes of a Meeting of the Planning
Applications Committee held at
Council Chamber, Surrey Heath
House, Knoll Road, Camberley, GU15
3HD on 28 October 2021**

+ Cllr Edward Hawkins (Chairman)
+ Cllr Victoria Wheeler (Vice Chairman)

+ Cllr Graham Alleway	- Cllr Charlotte Morley
+ Cllr Peter Barnett	+ Cllr Robin Perry
+ Cllr Cliff Betton	+ Cllr Darryl Ratiram
+ Cllr Stuart Black	+ Cllr Graham Tapper
+ Cllr Mark Gordon	+ Cllr Helen Whitcroft
- Cllr David Lewis	+ Cllr Valerie White
- Cllr David Mansfield	Cllr Shaun Garrett

+ Present
- Apologies for absence presented

Substitutes: Cllr Shaun Garrett (In place of Cllr David Mansfield)

Members in Attendance: Cllr Paul Deach, Cllr Sharon Galliford, Cllr
Sashi Mylvaganam, Cllr Morgan Rise, Cllr Pat Tedder,

Officers Present: Sarita Bishop, Duncan Carty, Gavin Chinniah, Julia Greenfield,
William Hinde, Shannon Kimber, Jonathan Partington,
Eddie Scott, Patricia Terceiro and Ryno Van der Hoven

32/P Minutes of Previous Meeting

The minutes of the meeting held on 23 September 2021 were confirmed and signed by the Chairman.

33/P Enforcement Monitoring Report

The Committee received an update in respect of the Council's Planning Enforcement Service and performance. During the period 1 May 2021 to 31 August 2021 the Enforcement Team had received 77 new referrals. 28 cases were closed as no breach was found, 8 were resolved without any further action, 3 had formal notices served and 9 cases had retrospective planning applications submitted.

Since its last update, the Corporate Enforcement Team had added two additional staffing resources. As a consequence, the team aimed to increase performance by reviewing the overall number of open investigations, resolving the highest priority investigations at the earliest opportunity, and thus increasing officer availability to tackle and monitor new cases in a more expedient and proactive manner.

The service was continuing to review the team's internal processes, review and update the Uniform IT system and finalise all templates, including the completion of the Enforcement Register project.

34/P

Application Number: 21/0004- Princess Royal Barracks, Brunswick Road, Deepcut, Camberley, Surrey, GU16 6RN

The application was submission of details to comply with condition 9 (affordable housing) attached to planning permission 12/0546 dated 4 April 2014 (as amended by 18/0619 dated 19 July 2019 and 18/1002 dated 14 November 2019 in respect of residential parcels comprising Phases 4b, 4c, 4d, 4f, 4h, 6a, 6b. 6c and 6d.

The application was reported to the Planning Applications Committee by the Head of Planning, as it sought to reduce the level of affordable housing to be secured at Princess Royal Barracks (PRB) from a target of 35% to 15%.

Members were advised of the following updates on the application:

“In the interests of clarity regard has been had to the National Planning Practice Guidance in considering this application.

A letter of representation has been received from the Mytchett, Frimley Green and Deepcut Society which makes the following comments:

1. The first two paragraphs should be amended to reflect that the 15% target is being applied to the remaining land parcels at Mindenhurst as per the table at paragraph 4.3 in the report. When the completed parcels (Cala, Bovis and Trivselhus) are included the overall affordable housing target for the site becomes 20% (ie 234 on 1200) not 15% as stated in the report.

[Officer comment: As set out in paragraph 4.3 the 15% target applies to the remaining land parcels. This paragraph also sets out that the the affordable housing secured on the Cala (Phase 2b) and Bovis (Vistry) (Phase 2a) parcels would result in an overall affordable housing provision of 20% ie 234 dwellings].

2. We believe the departure from this clear and long established policy principle is to be hugely regretted and cannot understand why the Council goes to the trouble of establishing Local Plan policies if it is then going to permit departures from these policies.

[Officer comment: Policy CP4 states that the 35% affordable housing provision is a target which the Council aspires to. The National Planning Practice Guidance makes it clear that the financial viability of a development is a material consideration for local planning authorities in determining applications relating to the level of affordable housing provision on a site.]

1. Setting a precedent for every developer to seek less than 35% affordable housing which will also be used in appeals against any refusal of permission on this ground.

[Officer comment: As the Society correctly asserts each application will be determined on its own merits. Any submission which seeks to provide less than the target of 35% affordable housing will have to be accompanied by a Financial Viability Assessment which will be subject to detailed assessment and public inspection]

2. Please confirm that the case of High Court of Justice case relating to Parkhurst Road Limited v Secretary of State for Communities and Local Government and the London Borough of Islington (LBI) 2018 has been fully taken into account in considering the current application as it appears to have great deal in common with this application.

[Officer comment: This case related to a private developer (Parkhurst Road Limited) which sought to redevelop a former Ministry of Defence site in Holloway. The site was the subject of planning appeals following refusals of permission on two different schemes. The first one proposed 112 dwellings, 16 of which would be affordable with the second proposing 96 dwellings, 10 of which would be affordable. During the appeal process for the first scheme the developer justified the low level of affordable housing by citing the land purchase price. The LBI was of the view that the developer paid the Ministry of Defence too much for the site. Both appeals were dismissed. The appellant then appealed to the High Court. Judgement was made in favour of the Secretary of State and LBI. In his concluding statement the judge stated that the appeal proposal would not provide the maximum reasonable level of affordable housing and the submitted planning obligation did not provide a suitable means for a viability review.

The circumstances are considered to be different as the Ministry of Defence is the owner of the Deepcut site, save for the parcels which have already been sold. The main viability issue at Deepcut is the significant increase in costs. The application is accompanied by a detailed Financial Viability Assessment which has been rigorously assessed by the Council's Financial Viability Consultants. They are satisfied that the proposed affordable housing provision is reasonable subject to review. If agreed the proposal would be subject to two reviews secured by legal agreement. This would enable the Council to secure the maximum level of affordable housing that the development could support]".

Andrew Jones, in the role of the Council's consultant on Viability on the site, spoke on the application as part of the officer's presentation.

Following discussions it was reiterated to the Committee that the proposal entailed an overall 20% affordable housing provision on the Princess Royal Barracks site with all remaining phases to be reported to the Planning Applications Committee as reserved matters applications. Moreover, following the proposed first review of viability, any surplus would be used to provide on-site affordable housing within Phase 6d. Any financial contribution arising from the second review process would be available to the Council or its designated Registered Provider to be used exclusively to support the provision of affordable housing on other sites within the Borough.

The officer recommendation to agree details subject to secure a minimum of 15% affordable housing provision and a mechanism to review the viability of the scheme was proposed by Councillor Edward Hawkins, seconded by Councillor Cliff Betton, and put to the vote and carried.

RESOLVED that details be agreed, subject to LEGAL AGREEMENT, to secure a minimum of 15% affordable housing provision and a mechanism to review the viability of the scheme.

Note 1

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 officer recommendation to agree the details to secure a minimum of 15% affordable housing provision and a mechanism to review the viability of the scheme:

Councillors Graham Alleway, Peter Barnett, Cliff Betton, Stuart Black, Mark Gordon, Shaun Garrett, Edward Hawkins, Robin Perry, Darryl Ratiram, Graham Tapper, Victoria Wheeler, Helen Whitcroft, Valerie White.

35/P Application Number: 20/0913 - 45 And Land To The Rear Of 43 And 47, Station Road, Frimley, Camberley, Surrey, GU16 7HE

The application was an outline application for the erection of a three storey building to provide 19 no one and 6 no two bedroom flats together with associated parking and access, following the demolition of the existing house.

This application had been reported to the Planning Applications Committee because it was a major development. The application was subject to a non-determination appeal and so the Planning Inspectorate was now the determining authority.

Members noted the following updates on the application:

Update

“One further objection has been received, neither providing new objections to the proposal.

Informatives

1. The applicant is advised that the schematic floor plans for the development do not, for a number of the proposed flats, provide sufficient space to meet the DCLG Technical Housing Standards 2019 and Principle 7.6 of the Residential Design Guide SPD 2017 and this will need to be addressed at the reserved matters stage (if the appeal is allowed).

2. The applicant is advised that energy sustainability measures will need to be provided at the reserved matters stage (if the appeal is allowed) to comply with Policy CP2 of the Surrey Heath Core Strategy and Development Management Policies 2012.”

As the application had triggered the Council's public speaking scheme Mr Jonathan Barlow, the agent, spoke in support of the application.

The officer recommendation to resolve that the application would have been refused was proposed by Councillor Victoria Wheeler, seconded by Councillor Helen Whitcroft and put to the vote and carried.

RESOLVED that application 20/0913 would have been refused for the reasons outlined in the officer's report and updates.

Note 1

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 officer recommendation to resolve that the application would have been refused:

Councillors Graham Alleway, Peter Barnett, Cliff Betton, Stuart Black, Mark Gordon, Shaun Garrett, Edward Hawkins, Robin Perry, Darryl Ratiram, Graham Tapper, Helen Whitcroft, Victoria Wheeler, Valerie White and Helen Whitcroft.

36/P Application Number: 21/0555 - 1 Gorse Bank, Lightwater, Surrey, GU18 5QX

The application was for the erection of a single storey side/front extension and conversion of store.

This application would have normally been determined under the Council's Scheme of Delegation. However, it had been reported to the Planning Applications Committee at the request of Councillor Sharon Galliford and Councillor Peter Barnett due to concerns that the development would be overbearing in size and would be overdevelopment in Gorse Bank. Councillor Peter Barnett also raised the following concerns: impact on trees; overshadowing; loss of privacy; and, out of character in terms of appearance, resulting in a negative effect on the surrounding area.

Members had particular concerns in respect of the effect of the proposal and its construction on the neighbouring residential amenity of 93 Broomfield. As a result the Committee agreed to change the proposed informative 4 to a condition to require that no construction work be carried out during the set hours.

It was also agreed to add a further condition to the recommendation to stipulate that no new windows would be installed on the proposed elevation facing 93 Broomfield in order to ensure against any adverse overlooking impact. The Committee also agreed to strengthen the proposed informative 8 in the officer report in order to advise that debris netting should be used during the entire duration of scaffolding being erect on site. An informative was also added to the recommendation by the Committee to reemphasise that no part of the development including guttering and overhanging pipes should encroach on 93 Broomfield and fall outside of the application site.

The amended recommendation to grant the application was proposed by Councillor Victoria Wheeler, seconded by Councillor Robin Perry and put to the vote and carried.

RESOLVED that

- I. **Application 21/0555 be granted subject to the conditions and informatives in the officer report, as amended, and the additional conditions and informatives as agreed by the Committee; and**
- II. **The final wording of the new and amended conditions and informatives be delegated to the Head of Planning.**

Note 1

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 officer recommendation to grant the application:

Councillors Graham Alleway, Cliff Betton, Stuart Black, Mark Gordon, Shaun Garrett, Edward Hawkins, Robin Perry, Darryl Ratiram, Graham Tapper, Helen Whitcroft, and Valerie White.

Voting against the officer recommendation to grant the application:

Councillors Peter Barnett and Victoria Wheeler.

37/P Application Number: 21/0836 - 13 Parsonage Way, Frimley, Camberley, Surrey, GU16 8HZ

The application was for the erection of single storey front/side extension and single storey rear extension.

The application would have normally been determined under the Council's Scheme of Delegation. However, it had been reported to the Planning Applications Committee at the request of Councillor Sashi Mylvaganam due to concerns in respect of the loss neighbour's amenity and the size of the proposed development, which would create a large building out of keeping with the street scene in Parsonage Close.

Members had concerns in respect of the effect of the proposal on neighbouring residential amenity. As result the Committee agreed to add an informative to the officer's recommendation advising that noisy construction should be limited to the hours as per the Control of Pollution Act 1974

The officer recommendation to grant the application was proposed by Councillor Edward Hawkins, seconded by Councillor Robin Perry and put to the vote and carried.

RESOLVED that

- I. application 21/0836 be granted subject to the conditions in the officer's report and the additional informative; and
- II. the wording of the additional informative be delegated to the Head of Planning.

Note 1

It was noted for the record that Councillor Edward Hawkins declared that:

- i. A Committee Site Visit had taken place on the application; and
- ii. All members of the Committee had received a letter of objection from the adjoining neighbour.

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 grant the application:

Councillors Graham Alleway, Cliff Betton, Stuart Black, Shaun Garrett, Edward Hawkins, Robin Perry, Darryl Ratiram, Graham Tapper and Valerie White.

Voting against the recommendation to grant the application:

Councillors Mark Gordon, Victoria Wheeler and Helen Whitcroft.

Voting in abstention to grant the application:

Councillor Peter Barnett

Chairman

This page is intentionally left blank