

PLANNING COMMITTEE

- * Councillor Marsha Moseley (Chairman)
- * Councillor Jenny Wicks (Vice-Chairman)

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| * Councillor Richard Billington | * Councillor Angela Gunning |
| * Councillor David Bilbé | * Councillor Liz Hogger |
| * Councillor Philip Brooker | * Councillor Susan Parker |
| * Councillor Adrian Chandler | Councillor Tony Phillips |
| * Councillor Nils Christiansen | * Councillor Caroline Reeves |
| * Councillor David Elms | * Councillor Paul Spooner |
| * Councillor Matt Furniss | |

*Present

PL89 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Tony Phillips for whom Councillor Angela Goodwin attended as a substitute.

PL90 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

18/P/02061 - Trequites, Woodland Drive, East Horsley, Leatherhead, KT24 5AN

Councillor Nils Christiansen declared a non-pecuniary interest in the above application by virtue of the fact that he knew one of the neighbours. Councillor Christiansen confirmed that this would not affect his judgement in the consideration of this application.

PL91 MINUTES

The minutes of the Planning Committee held on 5 December 2018 were approved and signed by the Chairman.

PL92 ANNOUNCEMENTS

The Committee noted the procedure for determining planning applications.

PL93 18/P/01591 - LAND SOUTH OF BEECH LANE, NORMANDY, GU3 2JH

Prior to consideration of the application, the following persons addressed the Committee in accordance with Public Speaking Procedure Rule 3(b):

- Mrs Margaret Amos (objected)
- Mrs Nicky Armstrong (objected) and;
- Mr Christopher Wilmshurst (Agent)

The Committee considered the above-mentioned outline application for residential development for 15 affordable housing units with access via Hawthorn Close.

The Committee noted the supplementary late sheets, which detailed an additional condition 12 as well as confirmation from Surrey County Council that they were satisfied with the drainage arrangements subject to the implementation of conditions 4 and 5. The design also met with

the requirements of the national drainage system. Thames Water had no concerns regarding foul/waste disposal, and found that it would not have a detrimental impact upon the area.

The Planning Officer informed the Committee that the application site was located within 400m to 5km of the Thames Basin Heaths Special Protection Area (TBHSPA), was in the Green Belt and a rural exception site. To the east of the site was the recently completed Hawthorne Close. The application was outline for 15 affordable houses with layout, scale, landscaping and appearance to be dealt with as reserved matters. The dwellings were shown as two storeys in height with a mix of small affordable units; 8 x 1 bed, 6 x 2 bed and 1 x 3 bed and would meet the identified affordable housing need. The current gated access from Beech Lane was closed as part of the development. The outline planning permission for residential development in the Green Belt was defined as a rural exception site as it was for 100% affordable housing. The proposal would contribute towards meeting the identified local affordable housing need subject to the completion of the S106 to secure the appropriate mitigation for Thames Basin Heath, contributions to primary and secondary education and secure a housing mix and tenure to be affordable in perpetuity subject to conditions 10 and 12.

The Planning Development Manager in response to comments made by public speakers confirmed that he had contacted Thames Water regarding the foul water issue and they had confirmed that the development of the site would not have a detrimental impact on the area. In relation to the appeal decision in 2013, which was dismissed for nine units, two of which were affordable, the Inspector had concluded that the decision was finely balanced.

The Committee discussed the application and noted the concerns raised in relation to foul sewage flooding in Beech Lane. Disregarding the type of housing tenure, the residents would still be vulnerable to such flooding. However, Thames Water had raised no concerns despite the resident's experiences. The development was also sited near a dangerous exit from Beech Lane onto Westwood Lane and the increased traffic generated by the development could potentially exacerbate the situation. Additional signage was proposed however, it was considered that traffic lights would be the only measure that could improve the potential hazard but had not been recommended.

The Committee also considered concerns raised regarding the fact that no very special circumstances had been provided for the removal of the site from the Green Belt. The proposal was located in a new Green Belt site not currently included in the emerging Local Plan. The Committee also considered concerns regarding the impact upon wildlife caused by the development and that the developer should undertake a wildlife impact survey. The Committee discussed the fact that the only entrance to the site was via Hawthorn Close and whether the closed gate at Beech Close should be opened to facilitate access to the site. The Committee also queried what was meant by the term 'affordable', what was it relative to, as well as wanting to ensure that all of the houses proposed as part of the development would remain 100% affordable.

The Committee also considered the fact that as the application was only at outline stage and subject to reserved matters, relating to layout, scale, landscaping and appearance the principle of the development was the key consideration. Officers could also be afforded the time to improve upon the scheme in liaison with the developer during the work to be undertaken at the reserved matter stage. The Committee also queried whether the description of the application for 15 affordable homes could be changed to 'up to 15 affordable homes' given it would be difficult to confirm for sure at this stage how many homes could be accommodated.

The Planning Development Manager in response to questions raised by the Committee confirmed that they had to deal with the definition of the application as detailed for 15 affordable homes and could not be changed for 'up to 15 homes'. The S106 Agreement would also ensure that 100% of the homes provided would remain affordable. The definition of affordable homes was a complex issue and the Planning Development Manager stated it would be more

appropriate to discuss the matter outside of the meeting. It was also confirmed by the Senior Planning Officer that condition 10 required the inclusion of a Construction Management Plan and thereby the current access proposed through Hawthorn Close could be discussed with the applicant and Surrey County Highways as to whether it was the most appropriate access point. The Senior Planning Officer also clarified that paragraph 145 of the NPPF identified exceptions to inappropriate development within the Green Belt. One such exception was limited affordable housing for local community needs, which as set out in Guildford Borough Council's own emerging Local Plan makes provision for small-scale affordable housing developments in the Green Belt. Planning officers also consulted with GBC Housing Officers on this scheme and based upon local need felt that this would be a suitable site as it did meet an affordable housing need in the parish of Normandy.

The Committee considered that it was rare to receive rural exception site applications for the development of affordable homes. The Committee sympathised with local residents in respect of the foul water sewage problems and the inherent difficulty with Thames Water not recognising the issue as being detrimental to the area. The Committee considered that it was important the current application proposed did not make flooding issues worse and that appropriate flooding mitigation mechanisms should be put in place such as soakaways. In addition, in relation to the dangerous exit from Beech Lane onto Westwood Lane, the introduction of shared surfaces could be looked into to limit traffic from moving too fast.

In conclusion, having taken account of the representations received in relation to this application, the Committee

RESOLVED to approve application 18/P/01591 subject to a Section 106 Agreement securing financial contributions towards primary and secondary education, SANG and SAMM contribution to mitigate identified harm to the Thames Basin Heaths Special Protection Area, nomination rights for the Councillor the housing units and to secure the units to be affordable housing in perpetuity.

and subject to the agreed amended condition 12:

The development hereby approved shall not be occupied unless details of the number and location of fast charge sockets (current minimum requirements – 7 kw Mode 3 with Type 2 connector – 230v AC 32 Amp single phase dedicated supply) are provided in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

PL94 18/P/01595 - LAND EAST OF ST JOHNS CLOSE, THE CHASE, GUILDFORD, GU2 7UL

Prior to consideration of the application, the following persons addressed the Committee in accordance with Public Speaking Procedure Rule 3(b):

- Ms Claire Taylor-Evans (objected) and
- Mr Barry Lewis (Applicant)

The Committee considered the above-mentioned full application for erection of a 1.20m tall wooden fencing for safety protection of an open ditch adjoining the public highway and to prevent unauthorised access and fly-tipping (temporary permission for 5 years).

The Committee was informed that the application site was located on the western side of The Chase, close to the Cathedral site and the University of Surrey and the Planning Officer confirmed that under permitted development rights it would be possible to erect a fence up to 1m high without needing planning permission. Two options had been put forward by the

applicant for stock or chestnut fencing. Stock fencing was considered more appropriate by officers as it was their opinion it would not result in unacceptable harm to the character of the site and surrounding area. The existing concrete post and metal rail fencing would be replaced and the proposed fencing would not be significantly higher at 1.2 metres than the fencing, which could be permitted under permitted development rights and would extend by 10 metres past the bus stop.

In response to comments made by public speakers, the Planning Development Manager confirmed that the local ward member had the right to call any application for consideration by the Planning Committee.

The Committee considered the application and the concerns raised that the fencing was not in keeping with the character of the surrounding area. The green space beyond the fence was a haven for wildlife and the trees, which could be damaged by the fence, protected the residents from the noise of the road, which had a lot of traffic travelling to and from the Royal Surrey Hospital. The Committee was also uncertain that the fence would prevent fly-tipping.

The Planning Officer confirmed that under permitted development rights it is possible to erect a fence up to 1 metre high without needing planning permission. Although there was not a great deal of difference in height between what was proposed at 1.2 metres in height and what could be built out under permitted development rights was the Committee considered the application before them gave them control over what could be implemented. Stock fencing normally had barbed wire installed on top of the fence and this was agreed by the Committee to be obtrusive and unfriendly next to a public footpath. The Planning Development Manager confirmed that if the application was approved a condition could be applied which required no barbed wire be installed.

The Committee discussed possible rights of way, which might pertain to the land and noted that during the course of the application it was established by the Council that part of the site was registered under its ownership at the land registry. Therefore, the applicant had provided an amended application form with Certificate B signed and had served notice on the Council. The Committee noted that whilst the ownership of the land was in dispute between the applicant and the Council, this was not a planning matter and the application had to be considered separately on its planning merits.

The Committee queried whether it would be possible to amend condition 2, as the land may be required earlier for a Sustainable Movement Corridor than the 5 years stipulated. The Planning Development Manager confirmed that the suggested amendment to condition 2 would not be possible as more details would be required from the Highway Authority

The Committee also discussed concerns regarding the fence's location inhibiting the ability to clear the ditch when required. On balance, the Committee concluded that the fence had been unsympathetically designed and that stock fencing was not commonplace in this area was more appropriate in a rural environment and not in an urban site such as this. Consequently, it would have an adverse effect on the character and appearance of the surrounding area.

In conclusion, having taken account of the representations received in relation to this application, the Committee

RESOLVED to refuse application 18/P/01595 for the following reasons:

By reason of the prominent position of the fence immediately adjacent to the main road and clearly visible from both the north and south of the site it is considered that the unsympathetic design of the fence would result in a detrimental impact on the open and informal character of the existing site and the residential character of the surrounding area. As such, it would fail to respond meaningfully and sensitively to the site and its

characteristics and would fail to take the opportunities available for improving the character and quality of an area and the way it functions. Contrary to policy G5 of the saved Local Plan, policy D1 of the emerging Local Plan and paragraph 130 of the NPPF.

PL95 18/P/01978 - 148 SEND ROAD, SEND, WOKING, GU23 7EZ

Prior to consideration of the application, the following persons addressed the Committee in accordance with Public Speaking Procedure Rule 3(b):

- Mr Chris Chea (objected)

The Committee considered the above-mentioned full application for change of use from A1 to mixed A1 and A4 use to operate a micro pub with takeaway facility.

The Committee noted the supplementary late sheets which included an additional informative which ensured that applicant was aware that a premises licence would be required to cover the sale and consumption of alcohol on the premises and opening hours. Thirty-five additional representations of support had also been received since the agenda was published.

The Planning Officer informed the Committee that no external alterations were proposed to the building and that the advertisement consent had already been granted for a fascia sign under a separate application. A number of representations had also been received objecting to the proposed opening times and associated potential for noise and anti-social behaviour. As set out in the report, there was environmental legislation in place to protect neighbours from statutory noise nuisance. The applicant also has to apply for a licence to sell alcohol and therefore licensing would control matters such as noise, anti-social behaviour and opening times.

In response to comments made by the public speaker objecting, the planning officer confirmed that the application was not for a take-away. The takeaway use enabled customers to purchase alcohol and leave the premises with it, and was not for a separate take-away food use

The Committee discussed the application and noted concerns raised by Send Parish Council in relation to reducing the amount of parking available in the area for residents. Residents were also concerned regarding the potential for encouraging drinking in the adjacent recreation ground, which was already a problem for the Parish Council. The Committee also noted that many of the additional letters of support received since the agenda had been published were sent from people who lived outside of the borough.

In relation to the parking issues raised, the planning officer advised that the proposed micro-pub was not a new retail unit and was part of the existing shopping parade. Surrey County Highways had released newer vehicle guidance on parking and no minimum standard for the number of parking spaces to be provided has been set for such proposals.

The Committee agreed that the proposal for a micro pub represented a positive contribution to the parade of shops and would add diversity to the current shopping experience for local residents. Other premises in the parade also sold alcohol therefore the likelihood of increasing anti-social behaviour on the nearby recreation ground was minimal. Licensing legislation would deal with any anti-social behaviour and or noise disturbances.

In conclusion, having taken account of the representations received in relation to this application, the Committee

RESOLVED to approve application 18/P/01978 subject to the conditions and reasons as detailed in the report as well as the additional condition and Informative:

Condition

Details of the storage of waste on the premises, including the design and position of storage facilities for bins and recycling shall be submitted to and approved in writing prior to the first occupation of the use hereby approved.

Reason: In the interests of residential and visual amenity, and to encourage waste minimisation and recycling of domestic refuse, in the interests of sustainable development.

Informative

The applicant should be aware that a premises licence would be required to cover the sale and consumption of alcohol on the premises and opening hours.

PL96 18/P/02061 - TREQUITES, WOODLAND DRIVE, EAST HORSLEY, LEATHERHEAD, KT24 5AN

Prior to consideration of the application, the following persons addressed the Committee in accordance with Public Speaking Procedure Rule 3(b):

- Mr Ian Trehearne (objected);
- Mr Robert Muir (objected) and;
- Mr Ian Moffatt (Applicant)

The Committee considered the above-mentioned full application for the erection of a new four-bedroom dwelling following the demolition of triple garage.

The Committee noted the supplementary late sheets, which outlined that a letter had been received from the applicant, summarising their proposal and clarifying points. Members had received the letter separately and it did not raise any additional material planning considerations.

The Planning Officer informed the Committee that the application site had been identified as being inset from the Green Belt in the emerging Local Plan and therefore the principle of development was acceptable. A woodland Tree Preservation Order afforded protection to trees located on the eastern side of the rear boundary. There was one tree within the boundary that was not a native species and the Council's Tree Officer had raised no objection to its loss. The site was also located within the 400m to 5km of the Thames Basin Heaths Special Protection Area (TBHSPA). The proposal would create a subdivision of the plot and the new dwelling would utilise the existing access with the current garage demolished and a new garage built as integral to the new dwelling. An external staircase would be created to the basement of the new dwelling. The property would measure 7.6 metres in height and no first floor windows were proposed to the side elevations. The full basement was proposed under the footprint of the dwelling internally accessed and served by a light well to the front and rear. Trequites will sit 0.7 metres lower than the proposed dwelling. There was a 23-metre gap between Trequites and the proposed new dwelling.

The Committee noted that the footprint of the refused scheme equated to 227m² compared to the proposed footprint of 136m². Trequites was a replacement dwelling and extant permission existed to replace the existing garage. The planning officer considered that the net gain of one residential dwelling would cause no harm to residential amenity, being only two-storeys above ground and was not unduly harmful to the character of the area. Sufficient separation to the adjoining boundaries of neighbouring properties was maintained to outweigh concerns in relation to overdevelopment. The application was also subject to a S106 Agreement, which

would secure the appropriate mitigation of the TBHSPA and an obligation to ensure that planning permissions 15/P/02317 and 17/P/01474 could not be implemented. An arboricultural report had also been submitted by the Council's tree officer, which confirmed that the basement construction did not fall within the tree protection zone.

The Committee discussed the application and noted that the site visit held with councillors had been very useful in seeing the proposal in context. The road was characterised by large properties on big plots, which were spacious and distinct in character. The size and scale of the houses in this road were largely commensurate with their plot size. The Committee considered concerns that the development would be clearly seen given that the land in relation to this plot rose significantly from south to north. Two large areas of flat roof were proposed and the sub-division of the plot resulting in a very small back garden dominated by large trees. The front of the house would be dominated by a significant amount of hardstanding and cars and was a feature that was out of character with the area. The Committee was concerned that the current proposal, whilst its overall sprawl across the site had been reduced by the construction of a basement, the development remained overly dominant and an unneighbourly form of development.

However, the Committee gave weight to the fact that the Inspector had stated in the previous appeal, which was dismissed that the subdivision of the plot in principle was acceptable. The Committee also recognised that the height of the proposed building and overall sprawl of development across the site had been significantly reduced by the creation of a basement. The East Horsley Neighbourhood Plan had also been taken into consideration by planning officers.

In conclusion, having taken account of the representations received in relation to this application and on balance the Committee

RESOLVED to approve application 18/P/02061 subject to a Section 106 Agreement securing a SANG contribution of £7753.64 and a SAMM contribution of £871.56 and an obligation not to implement or further implement planning permission granted under 15/P/02317 and 17/P/01474.

PL97 18/P/01982 - YALDENS COTTAGE, 57 MANOR ROAD, TONGHAM, FARNHAM, GU10 1BA

The Committee considered the above-mentioned advertisement application for display of 1 non-illuminated low-level wall mounted sign.

The Planning Officer informed the Committee that the advert would be located on a corner plot on Manor Road with Ash Green running to the north of the site. The sign measured 3.5 metres wide by 90cm high and had a simple design. A sign had been onsite since October although it had now been removed pending the outcome of this application. It was the planning officer's view that the sign was not significant in scale, it was low level and non-illuminated and not considered to result in a detrimental impact upon visual amenity to such a degree to warrant refusal. It was also important to note that the time recommended for the sign to be removed after three years or once the last property on the development was sold, whichever was soonest, which was much less than the normal five years normally permitted on an advertisement consent.

The Committee discussed the application and concerns raised regarding the fact that there were already a number of signs, including large signs in situ, advertising this and other local developments. The proposed sign would be located on the public highway next to a footway, wrapped around an entire wall and was a very bright pink colour that would cause harm to the visual amenity of the site.

The Committee also discussed the length of time the sign might be permitted to stay up for and whether it should be reduced to a period of six months after the first house had been occupied. The Planning Development Manager confirmed that this could be accommodated or permitted until the end of 2019.

The Committee concluded that the proposed sign combined with the large number of advertising signs already in the area would cumulatively be detrimental to visual amenity

In conclusion, having taken account of the representations received in relation to this application, the Committee

RESOLVED to refuse application 18/P/01982 for the following reason:

The proposed advertisement by reason of its scale and prominent location, and resulting cumulative impact in combination with other new housing development signs in the surrounding area, would cause detrimental harm to the visual amenity of the site and surrounding area. Contrary to saved policy G8 of the Local Plan 2003, the Council's Signs and Advertisements SPG 2004 and paragraph 132 of the NPPF.

PL98 PLANNING APPEAL DECISIONS

The Committee noted the appeal decisions.

The meeting finished at 9.05 pm

Signed
Chairman

Date