

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

PL70 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Adrian Chandler and Liz Hogger for whom Councillors Sheila Kirkland and David Goodwin attended as substitutes.

In addition, Councillor Tony Phillips had become a full member of the Planning Committee to replace Councillor Colin Cross who was now an Independent Member.

PL71 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

18/P/01684 – Fair Winds, Manor Close, East Horsley, Leatherhead, KT24 6SB

Councillors Paul Spooner and Jenny Wicks declared a non-pecuniary interest in the above application owing to the fact an objector had made a complaint that they should not participate in the debate or vote owing to a conflict of interest. It was their view that their objectivity was not compromised but they had concluded that they would nevertheless not participate in the debate or vote.

PL72 MINUTES

The minutes of the Planning Committee held on 10 October 2018 were approved and signed by the Chairman.

PL73 ANNOUNCEMENTS

The Committee noted that application 18/P/01595 – Land east of St John's Close, The Chase, Guildford, GU2 had been deferred. Following advice from the Council's legal team it had come to light that there were issues regarding the ownership certificate signed as part of the application submission. It was considered that this issue needed to be looked into further so that the matter could be resolved before the determination of the application.

The Committee noted that Councillor Tony Phillips replaced Councillor Colin Cross on the Planning Committee as Councillor Cross had now become an Independent member.

The Committee also noted the procedure for determining planning applications.

PL74 18/P/01014 - LAND NORTH OF KEENS LANE AND TANGLEY LANE, GUILDFORD

The Chairman stated that Junior Barrister Rob Williams was in attendance for the consideration of this application only so to provide advice to Committee members as required.

The Committee considered the above mentioned hybrid planning application for the demolition of existing buildings and development of a total of 148 residential dwellings: full planning application for the development of 141 residential dwellings (Use Class C3), 70 bed care home (Use Class C2), new vehicle and pedestrian accesses off Keen Lane and Tangley Lane, 355 car parking spaces with associated landscaping and outline planning application for 7 self-build residential dwelling plots on land adjacent to Tangley Lane (amended plans received 16.08.18).

The application had been deferred from the Planning Committee meeting held on 12 September 2018 where it was deferred to allow for an adjustment to the housing mix being provided. Members had raised concerns regarding the prematurity of the decision in the context of the Submission Local Plan and the overall design of the proposed care home, which they felt could be improved upon.

The Committee noted the supplementary sheets, which detailed that a further ten letters of objection and two letters of support had been received. No new material considerations had been raised that was not already covered in the committee papers.

The application had been amended to increase the proportion of smaller market units and the design of the care home had been improved to soften its appearance and blend in with the surrounding rural landscape. The mix of units to provide a higher percentage of smaller units was welcomed but was noted that the development still consisted of a higher proportion of larger properties, which was not fully SHMA compliant. However, Planning and Policy officers recognised that a mix of urban and suburban dwellings would be more in keeping with the overall character of the area.

The Committee noted that the site was located within the Green Belt and the proposal represented inappropriate development and should only be approved where very special circumstances clearly outweighed the harm. However, the site was entirely allocated for residential development and a care home in the emerging Local Plan. The Inspector at the examination of the emerging Local Plan raised no concerns at the prospect of this allocation and as such was highly likely that the area would be removed from the Green Belt and was therefore considered to weigh in favour of allowing the development. The development would also deliver 148 new homes including 40% of those affordable and would help secure early delivery of housing that was proposed in the emerging Local Plan. In addition, it would deliver self-build plots, a 70-bed care home, highway, pedestrian infrastructure and ecology and biodiversity improvements, contributions towards healthcare and a new Worplesdon Parish Meeting Room.

In the officer's opinion, these improvements as well as the recent amendments made to the mix of smaller dwellings being offered and improvements to the design of the care home all demonstrated there were special circumstances that outweighed the harm to the Green Belt. This was further supported by the fact that the area was designated to be taken out of the Green Belt in the emerging Local Plan and allocated entirely for this type of development.

The Chairman agreed to permit ward councillor Bob McShee to speak for no more than five minutes. The Committee noted concerns raised that the development would place greater pressure upon existing infrastructural services such as Thames Water who had not objected to the scheme, yet the area suffered from sewage leakages. The additional dwellings would also increase demand upon local GP Practices, as contributions would be made only towards the

existing Park Barn Surgery. Concerns were also raised that the local primary schools were already over-subscribed to and necessitated children having to travel further.

In response to comments made by the Ward Councillor, the Planning Development Manager clarified that the application was rather a large development but certainly not substantial as had been described.

Rob Williams was invited to comment; who stated that the recent figures released by the ONS stated that the 2016 based household projections was the starting point for assessing the objectively assessed need, which was then uplifted. The OAN was previously calculated not based on the household projections but upon the economic growth projection. The Council had put forward its submission in light of the recent household projections, which suggested there was a reduction in need, in the region of 300 dwellings per annum. This matter would be debated at future examination hearings.

The Committee considered concerns raised regarding whether very special circumstances had been demonstrated and what weight should be attributed to the emerging Local Plan. The Inspector at the examination of the Local Plan had accepted that the OAN would most likely be reduced but this had not yet been determined.

The Committee considered that whilst the proposal was currently sited in the Green Belt, the issue of prematurity had been fully assessed by planning officers who had found in favour of the development given the site was allocated for this type of development in the emerging Local Plan. The Committee supported this approach and was mindful that the application was recommended to be referred to the Secretary of State who would determine the issue of prematurity accordingly. The Committee supported the larger allocation of smaller dwellings and the 40% provision of affordable homes.

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

RESOLVED to approve application 18/P/01014 subject to being referred to the Secretary of State. As the proposal consisted of the provision of buildings in the Green Belt where the floor space to be created by the development is 1,000 square metres or more, in accordance with the Town and Country Planning (Consultation) (England) Direction 2009, the application must be referred to the Secretary of State.

Subject to this, the conditions set out below and an s.106 agreement, which secures the following (exact requirements specified in the report):

- SANG and SAMM contributions;
- Education contributions;
- Sports ground / playing field contribution;
- Healthcare contribution;
- Policing contribution;
- Contribution towards improved operational facilities for Worpleston Parish Council (Parish Council offices / meeting room);
- Affordable housing provision;
- Self-build housing provision;
- Highways requirements and contribution;
- Environmental improvements to Chitty's Common; and
- Care home restrictions of use and operation.

PL75 18/P/01684 - FAIR WINDS, MANOR CLOSE, EAST HORSLEY, LEATHERHEAD, KT24 6SB

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

- Mr George Kalorkoti (objected)

The Committee considered the above-mentioned full application for erection of timber entrance gates and concrete piers (part retrospective).

The planning officer informed the Committee that the application site was located within the Green Belt and inside the settlement boundary of East Horsley. The proposal was also sited in a cul-de-sac and the surrounding area was residential in character. The concrete piers were 1.7 metres in height, the timber entrance gates would be of solid appearance and up to 0.6 metres in height, with a bar and gap design, which would provide a more open appearance. In the planning officer's view, the proposed development was not considered to have a detrimental impact on the character of the surrounding area or on neighbouring amenity, and was therefore recommended for approval.

The Committee considered the application and noted that the previously refused scheme in April 2018 was owing to the gates solid design and being fully enclosed. This proposal was with a bar and gap design that was in keeping with the surrounding area. The size of the proposed gates was also not perceived to be detrimental to neighbouring properties and posed no amenity issues.

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

RESOLVED to approve application 18/P/01684 subject to the reasons and conditions as detailed in the report.

PL76 18/P/01724 - 22 ST OMER ROAD, GUILDFORD, GU1 2DB

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

- Mr David Barclay (objected);
- Mr Rob Sewell (objected) and;
- Mr Russell Barnes (Agent)

The Committee considered the above-mentioned full application for demolition of existing chalet bungalow and construction of two 4/5 bedroom detached family homes with one new access (amended plans received on 15/10/2018).

The Committee noted the supplementary late sheets, which included the summary of two further letters of objection. The application site was located within an urban area, which was residential in character and comprised a mixture of two-storey properties and bungalows. The proposed dwellings would be two-storey in height with accommodation in the roof space and basement. The dwellings were traditional in design with hipped roofs and gable projections.

It was the planning officer's opinion that there was adequate spacing between the neighbouring properties and the proposed dwelling and would easily integrate into the varied streetscene. There was adequate spacing between the neighbouring properties located to the rear and maintained a separation distance of 23 metres. The height of the proposed property would also be very similar to the neighbouring properties and no harm was therefore identified to

residential amenities. The proposed development was considered to represent appropriate development in an urban area and would have no detrimental impact on the character of the site or surrounding area. County Highways were also satisfied that there would be no detrimental impact on Highway safety. The development would result in the net gain of one residential unit, which would contribute toward the Council's identified housing need. The application was therefore recommended for approval subject to an s.106 contribution.

The Committee discussed the application and accepted the principle of development on the site given the fact that similar developments had now been permitted along St Omer Road. The Committee nevertheless remained concerned regarding the potential for overlooking owing to the forward building line as well as the size of the proposed dwelling, the expanse of flat roof and the effects on neighbouring properties by the proposed construction of a basement. Given these concerns, the ward councillor requested that he be consulted on all landscaping materials to be used, to have permitted development rights removed, to have obscure glazing installed in the top rear large window and requested for contributions towards the removal of the on-street parking spaces.

The Planning Development Manager confirmed that the ward member would be consulted on the materials and landscaping conditions to be used, recommended to include a condition in relation to the prevention of any further extensions and outbuildings (classes A, B and E). In terms of the s.106, the Heads of Terms could be further explored regarding the removal of the on-street parking spaces. The Committee was advised that it was not reasonable to request that the top rear large window was obscure glazed given the fact it was part of a Juliet balcony window that could be opened for any length of time.

The Committee also discussed concerns regarding the chimney design and whether it could be revised and was advised that the chimneys had to be considered as per the current plan. The Committee also recommended that a permeable parking surface be installed. The planning officer confirmed that the parking surface was permeable and had to conform with the building regulations specified. In addition, various neighbouring properties opposite already had a hard surface parking area and were therefore not uncharacteristic of the area.

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

RESOLVED to approve application 18/P/01724 subject to:

- That Councillor Matt Furniss be consulted on materials and landscaping conditions;
 - To remove permitted development rights via the inclusion of a condition to prevent any further extensions and outbuildings (classes A, B and E);
 - to look into amending the Heads of Terms of the s.106 Agreement to secure monetary contributions towards the removal of the on-street parking spaces. The final agreement to be delegated to the Planning Development Manager.
- (i) That a S106 agreement be entered into to secure:
- A SANGS contribution and an Access Management and Monitoring Contribution in accordance with the adopted tariff of the SPA Avoidance Strategy to mitigate against the impact on the Thames Basin Heaths Special Protection Area.
- (ii) That upon completion of (i) above, the application be determined by the Director of Planning and Regeneration. The preliminary view is that the application should be granted subject to conditions.

**PL77 18/P/01436 - HOLLOWFIELD COTTAGE, LITTLETON LANE, GUILDFORD, GU2
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The Committee considered the erection of a replacement dwelling following demolition of the existing dwelling and outbuildings.

The planning officer informed the Committee that the application site was located in the Green Belt, outside of an identified settlement area and was within the Littleton Conservation Area and an Area of Great Landscape Value. The existing site comprised of a detached bungalow and a number of single storey outbuildings. The site was located on elevated ground and to the east and west was open countryside; some residential properties were located to the south of Hollowfield Cottage.

The existing dwelling was modest in size being only single-storey with the proposed replacement dwelling being two-storey in height with an increased footprint and substantial bulk. At roof level, it would be greater in height compared to the existing dwelling due to the inclusion of a first floor level, which would result in an uplift of the floor area, by 95%. This would represent a dwelling that was materially larger than the one it would replace and was therefore inappropriate development in the Green Belt. A number of outbuildings were proposed to be demolished to offset the increase in the floor area however the proposed dwelling was a more prominent and permanent brick built structure. The increase in bulk and mass was not directly comparable to the low height single storey structures. The removal of the outbuildings carried limited weight in terms of harm caused to the Green Belt from the proposed dwelling. In order to reduce the visibility of the dwelling in the Green Belt, it was proposed to excavate and set down the building from the existing ground level. However, it was the planning officer's view that this did not alter the increase in bulk and mass as the test was not an assessment of visibility and the lowering of the ground did not lessen the impact on the Green Belt. The artificial lowering of the ground level would also undermine the character and landscape within the Conservation Area.

The Committee noted that a previous application for a replacement dwelling on this site was refused and dismissed at appeal. The main concerns raised in the dismissed appeal were the same as the concerns raised by the planning officer in this application.

In the planning officer's view, it was considered that the proposed dwelling would be materially larger than the one it would replace in terms of floor area uplift and increasing substantial bulk and mass and would be inappropriate development in the Green Belt. The substantial ground excavation would have a detrimental impact on the landscape character of the Conservation Area and the application was therefore recommended for refusal.

The Committee discussed the application and noted concerns raised in relation as to whether the replacement dwelling did in fact represent an inappropriate form of development. The Committee considered the assertion that the replacement dwelling only represented a 14% uplift, was not materially larger, and was less than what was currently there. The Committee also noted the claim that pre-application advice given to the applicant had not been consistent.

The Planning Development Manager rebutted the claim and confirmed that the pre-application advice given back in March 2018 was consistent with the advice given throughout, in that the two-storey replacement represented a considerable increase and would result in a detrimental impact upon the Green Belt. The lowering of the ground level for the proposed property was not acceptable and it was acknowledged that the removal of the outbuildings would assist.

The Committee agreed that the proposal represented inappropriate development in the Green Belt resulting in an uplift of 95% in floor area that would undermine the character and landscape

of the Conservation Area. The Committee considered that there was little difference between the previously refused application upheld at appeal and the current application. The increase in the overall height of the proposed dwelling negated any benefit gained by the removal of the outbuildings.

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

RESOLVED to refuse application 18/P/01436 for the reasons as detailed in the report.

PL78 18/P/01155 - KERNEL COURT, WALNUT TREE CLOSE, GUILDFORD, GU1 4UD

The Committee considered the above-mentioned full application for proposed construction of a part-4, part-5, part-7, part-8 storey student accommodation building (Sui Generis) and a basement plus part-3, part-4 storey co-living accommodation building (Sui Generis) with associated works including, parking, access, landscaping, plant, cycle and refuse enclosure, following demolition of existing structures.

The Committee was informed by the Planning Officer that the site was currently comprised of two large warehouse buildings and all of the units were vacant. In the planning officer's view, the proposal represented a sustainable form of development on a brownfield site that was close to the town centre and within walking distance of the university that would deliver high quality purpose-built student accommodation. This proposal had the potential to free up family housing, which was currently rented to students. It would also deliver an innovative form of co-living accommodation, which would contribute to the Council's need for general housing and would meet the objectives of the emerging Local Plan allocation for the site.

The Committee noted that it was not practical to secure affordable housing accommodation within this type of development and therefore in this instance an offsite contribution was considered appropriate. Whilst some of the buildings were significant in height, these were located towards the rear of the site adjacent to the railway where they were not part of the streetscene. The buildings taken as a whole were considered appropriate and carefully designed and would fit well within the existing development on this part of the street. The planning obligation would secure contributions for the provision of an additional car club space. An existing traffic regulation order would be amended to ensure that the occupants of the development would not be eligible for parking permits for on-street parking and it would therefore not increase pressure for parking provision. The application was therefore recommended for approval subject to the additional conditions as listed on the supplementary late sheets.

The Committee discussed the application and considered that the development would provide much needed accommodation that greatly assisted in delivering housing, not only for students but also to young professionals in Guildford. The Committee also commended the work undertaken by the planning officers in bringing the application to fruition through the Design Review Panel, which involved joint working with officers, councillors and the applicant. The Committee agreed that the proposal would make a big difference to Walnut Tree Close that would be well designed with high quality landscaping.

The Committee discussed their concerns regarding the height of the student accommodation adjacent to the railway line, which may become more visible in winter when the trees lose their leaves. However, on balance, the design with the higher buildings at the back offered the best option and was not considered to obscure the view of the cathedral. Planning officers also confirmed that they had undertaken some analysis of long-range views and found that areas like the Castle, the Jellicoe Building and the Cathedral were not sensitive in relation to the

development. The Committee also noted that the building was well articulated and that views would be seen from the expanse of track rather than from the station itself.

The Committee was also supportive of the cycle spaces provided, the contribution secured towards the car club scheme and the removal of the parking permit eligibility for residents of the accommodation, which was situated in a highly sustainable area.

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

RESOLVED to approve application 18/P/01155 subject to:

A Section 106 Agreement securing:

- SANG and SAMM contributions
- An off-site affordable housing contributions
- Contributions to secure amendments / new Traffic Regulation Order
- Provision of Car Club memberships
- Improvements to public footpath to the University

and subject to the conditions as detailed in the report and the following additional conditions:

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- No part of the development shall be first occupied unless and until the proposed vehicular / pedestrian access to Walnut Tree Close has been constructed and provided with visibility zones in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

Reason: In the interests of highway safety.

- The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plan, Drawing Nos. P16 and P17, for vehicles / cycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking /turning area shall be retained and maintained for their designated purpose.

Reason: In the interests of highway safety.

- Prior to the occupation of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework and Surrey County Council's "Travel Plans Good Practice Guide". And then the approved Travel Plan shall be implemented upon first occupation and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

Reason: To promote sustainable transport choices.

- The development hereby approved shall not be occupied unless and until all of the available parking spaces are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase

dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: To promote sustainable transport choices.

- The development hereby approved shall not be first occupied unless and until a plan specifying arrangements for deliveries to and removals from the site, to include details of:
 - (a) The types of vehicles to be used and hours of their operation
 - (b) The design of delivery areas within the development site
 - (c) The dimensions and layout of lorry parking area and turning space
 - (d) Student drop off and collection arrangements, to include details set out in a-c above

PL79 REVIEW OF REDUCTION OF COUNCILLORS ON PLANNING COMMITTEE IN ITS FIRST 12 MONTHS MAY 2017 - MAY 2018 AND REVIEW OF MULTIPLE PROCESS CHANGES

The Committee received a report from the Planning Development Manager that outlined the findings of the reconvened Planning Committee Review Group following the 12-month review.

The Committee noted the key changes being the reduction of the Planning Committee from 23 to 15 members, which was agreed by Council at its meeting on 11 April 2017. Several process changes were also initiated at the same time. The Planning Development Manager noted that the following had worked well:

- The reduction from 23 to 15 members;
- Up front site visits, prior to the application being considered and;
- The provision of bite-sized training prior to Planning Committee meetings.
- One concern highlighted on page 155 was that Ward Councillors (who are not committee members) are currently permitted, subject to the Chairman's agreement to address the committee for up to 5 minutes. Following the review, it was recommended that Committee members would not be permitted to speak at meetings as if they were ward councillors not on the committee. Ward councillors (who are not committee members) must be registered to speak by midday on the day prior to the Planning meeting and if speaking in that capacity, cannot also attend as a substitute member. A member attending the Committee as a ward councillor should now only be permitted 3 minutes to speak (as per committee members) rather than 5 minutes.

Planning officers had also identified areas for improvement such as:

- publicising to interested parties and ward councillors when applications, which had been deferred by the Committee, would be considered again. Sometimes, deferred applications would not be considered until 2-3 cycles had passed.
- To arrange a half-day Planning Tour of the borough as this had proved useful to councillors previously and last been held some 3-4 years ago.
- Committee Services were undertaking some work as part of the ongoing review of the Constitution to review the Probity in Planning: Local Code of Practice, which was in Part 5 of the Constitution in order to ensure that it was up to date, relevant and reflected current law and best practice. After the review, the revised Local Code of Practice would be referred to the Planning Committee for comment, prior to consideration by Council. With next year's elections in mind, officers would be seeking to merge the

revised Local Code of Practice together with other practice and procedural documents relevant to Planning and the Planning Committee, including various matters discussed in this review into one document, which would become a helpful 'handbook for Planning Committee Members'.

The Committee discussed the review findings and considered whether by reducing the members on the Planning Committee had resulted in an improved standard of debate and resultant decision-making process. The Committee noted that the 23 members who previously constituted the Committee represented each ward of Guildford. The Committee debated whether the reduction in members had thereby reduced the local knowledge available to the Committee. The Committee concluded that the Planning Committee had to robustly determine applications in line with planning policy rather than in line with ward interests. Ward councillors (who are not members of the Committee) were permitted to register to speak at Committee and therefore ward views could be conveyed in this way. In addition, the public speakers also conveyed their local knowledge. The Committee agreed on balance that there had been too many members previously.

The Committee considered whether the trigger for minor/major applications set currently at 20 letters/emails of representation should be reduced. The Committee agreed that 20 was an appropriate number. The Committee noted that for household and other applications, the trigger was 10 letters/emails of representation and adequately demonstrated the level of public interest.

The Committee agreed that up-front site visits had worked well and had reduced the number of visits called for at a meeting. The Committee felt that the number of members attending bite-sized training prior to Planning meetings could be improved upon.

The Committee had also been encouraged to not rely upon pre-prepared speeches at meetings, as it was important for the public perception that members were seen to make decisions with an open mind. Members still had bullet point notes to refer to.

The Committee also agreed that it would be useful to receive a report analysing the planning appeal decision results to date.

In conclusion, having taken account of all the points raised, the Committee

RESOLVED to agree to the findings of the reconvened Planning Committee Review Group following the 12-month review and to review the Planning Committee processes in 12 months time.

PL80 PLANNING APPEAL DECISIONS

The Committee noted the planning appeal decisions.

The meeting finished at 9.10 pm

Signed

Date

Chairman