

PLANNING COMMITTEE

- * Councillor Marsha Moseley (Chairman)
- * Councillor Jan Harwood (Vice-Chairman)

Councillor Jon Askew
Councillor David Bilbé
* Councillor Chris Blow
* Councillor Dennis Booth
* Councillor Colin Cross
* Councillor Angela Gunning
Councillor Liz Hogger

* Councillor Bob McShee
Councillor Susan Parker
* Councillor Caroline Reeves
Councillor Tony Rooth
* Councillor Paul Spooner
Councillor Fiona White
Councillor Paul Abbey

*Present

PL47 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from the following; Councillors Jon Askew, David Bilbé, Liz Hogger, Susan Parker, Tony Rooth and Fiona White. Councillors Will Salmon, Patrick Sheard and Chris Barrass attended as substitutes for Councillors Jon Askew, Susan Parker and Tony Rooth respectively.

The following Councillors were in attendance; Councillors Paul Abbey, Tim Anderson, Ramsey Nagaty and Catherine Young.

PL48 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

There were no disclosures of interest.

PL49 MINUTES

The minutes of the Planning Committee meeting held on 17 July 2019 were approved and signed by the Chairman.

PL50 ANNOUNCEMENTS

The Committee noted the procedures for determining planning applications.

PL51 DRAFT GUILDFORD BOROUGH HOUSING DELIVERY ACTION PLAN

The Committee received an update on the Draft Guildford borough Housing Delivery: Action Plan from Stuart Harrison, Planning Policy Manager.

The Committee noted that the Government had published the Housing Delivery Test (HDT) measurements for Local Planning Authorities (LPAs), and where housing delivery fell below 95%, Local Authorities were required to produce a Housing Delivery Action Plan. This was the case for Guildford Borough Council as Guildford's measurement was 75%. The Action Plan assessed the causes of under delivery and identified actions to increase delivery in future years. The Action Plan had to be published by the 19 August 2019 and comments were sought.

The first part of the process was assessing land availability in order to facilitate developers to make applications. Guildford had already identified its sites for housing development in the adopted Local Plan which was comprised of land of different sizes and locations. The second part of the process was the planning application process which was influenced by planning

policy and supplementary planning documents. Paragraph 3.30 of Appendix 2 detailed the actions taken by development management which involved things such as pre-application meetings and planning performance agreements that were signed prior to planning applications being made as well as efficiently dealing with reserved matters, the discharge of conditions and S106 agreements. These matters were all considered by an Executive Advisory Board under the previous administration.

The Committee noted that in terms of post-planning permission support, the Council had set up an Agent's Forum whereby the planning authority engaged with developers to understand what issues might be affecting the implementation of development sites and what could be done to assist. The Council also proactively liaised with Surrey County Council in terms of realising what could be delivered from an infrastructure perspective. The Council itself when a developer in its own rights or promoting development would have the Major Projects Team involved ensuring that schemes were carried out to a high standard such as Ash Bridge and Slyfield.

Councillors were encouraged to comment on the draft document and suggest additional ways in which housing could be delivered more quickly.

PL52 APPLICATION WITHDRAWN - 18/P/02165 - BUSHY, BACKSIDE COMMON, WOOD STREET VILLAGE, GUILDFORD, GU3 3EB

The Committee noted that the applicant had advised that the above application was withdrawn for the following reasons:

'This is due to the fact that we have made contact with the land owner and are in discussions to make West Flexford Lane our preferred entrance. This would mean that we would need to make a new application showing West Flexford Lane as our entrance to the property and not East Flexford Lane. I am hoping that by avoiding the A31, the application will get a favourable approval from Highways department and obviously council.'

PL53 19/P/00027 - CLOCKBARN NURSERY, TANNERY LANE, SEND, WOKING, GU23 7EF

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

- Mr Douglas French (object);
- Councillor Pat Oven (Send Parish Council) (object) and;
- Ms Amanda Sutton (Agent) (In Support)

The Committee considered the above-mentioned application for proposed erection of 75 dwellings with associated vehicular and pedestrian access via Tannery Lane, car parking, secure cycle storage and landscaping.

The Committee was informed by the planning officer to note the supplementary late sheets which included an amendment to condition 16, an update to the 'Legal Agreement Requirements' section, an update to the 'Recommendation' section and 'Heads of Terms' section, and a minor change of wording to condition 29.

Clockbarn Nursery was situated on the northern side of Tannery Lane within the designated inset boundary of Send having recently been removed from the Green Belt following the adoption of the Local Plan. The site was also within the 400 metre to 5km buffer zone of the Thames Basin Heaths Special Protection Area (TBHSPA) and the corridor of the River Wey. To the west of the site were residential properties and to the south were two residential properties and an office commercial building. To the north and east was open countryside and a marina serving the River Wey Navigation. The site was bounded by mature landscaping

along the northern and eastern boundaries and was allocated for housing under site allocation policy A40 of the recently adopted Local Plan for approximately 60 dwellings.

In terms of the layout, the proposed vehicle access was located at the south western corner of the site close to the centre. There was a central access road running through the site which wrapped around the larger circular area of open space. There were two further areas of open space, one fairly central within the site and one to the eastern access where there's a secondary pedestrian access. This also allowed connection to the wider public rights of way. A soft landscaping buffer zone was proposed along the western and northern boundaries. Visitor parking had been increased and was above the requirements as laid out by the Council. The layout as proposed was the result of a number of amendments made during both the pre-application and application process to reduce the scale of the development, improve the mix of housing, design and layout of the scheme. The current proposal was above the approximate allocation of 60 and in the planning officer's view provided an acceptable housing mix for this location. It was considered to be a good quality design which created an attractive residential environment and respected its edge of centre of village location.

All of the proposed dwellings were two-storey in height ranging between 8 and 9 metres, were of a simple traditional design with the use of brick render and tile hanging. The one-bedroom units had been designed to appear as a terraced row and the bulk had been broken up through the use of varying materials and gabled elements.

The Committee noted that the site was allocated and inset from the Green Belt. Whilst there would be a change in the character and appearance of the land and size of the settlement, the principle element has been found acceptable by the Local Planning Inspectorate. The proposal complied with the development plan and mitigated the identified character and landscape harm in accordance with Policy A40. The application would provide a net gain of 75 units which would be in accordance with the housing delivery commitments in the Local Plan that included the provision of 30 affordable housing units which were of a size and mix acceptable to the Council's Housing Team. The mix of the market housing had also been improved during the course of the application. The proposed dwellings were considered to provide a good level of internal and external amenity for future residents which was fully compliant with the National Space Standards. There would be no unacceptable harm to neighbouring residents parking provision which was above the maximum requirements of the Council's parking standards and provided a good level of visitor parking. The application was subject to conditions to cover other elements of highway safety, trees, ecology, archaeology, contamination and sustainable construction and a legal agreement covering the Heads of Terms.

In response to comments made by public speakers, the planning officer confirmed that Surrey County Council had not raised any highway objection to the application in terms of highway safety or parking. In terms of the double yellow line issue raised by Send Parish Council, officers had secured via the S106 Agreement an extension of the double yellow lines all the way to the proposed access. Also, as part of condition 16, highway improvements were included as part of that to improve the pedestrian access from the site up to Send Road.

The Committee debated the application, it was noted that the site was affected by Japanese knotweed and wanted to confirm how this would be dealt with. Planning officers confirmed that as it was a notifiable species it needed to be removed by Licensing as it was an environmental health concern and was not a material planning consideration.

The Committee considered concerns raised that the proposed number of houses represented a 25% increase in the Local Authority figure which took the density of the proposed development to between 31 and 32 houses per hectare which was 50% above the average Local Authority sites in the approved plan. The Committee noted concerns that if approved, the development would be quoted as an example by other developers as what was acceptable to the Council which would lead to further over-development exacerbated by some thirty-five additional

windfall sites already earmarked for housing in Send. The proposed development was out of character with Send whose average plot size was double that compared to what was proposed on this site.

The Committee considered concerns raised that by increasing the extent of the yellow lines from the access road to Send Road would remove parking for those people who had no off-street parking facilities. In addition, the parking statement assumed that everyone would turn left from the site however, if they were travelling to the A3, they would more likely go down Send Marsh Road through Ripley which would contribute to the parking and pollution problems of Ripley village overall. The Committee was also concerned about access onto the site for vehicles as the access was very close to the junction with Send Lane.

The Chairman confirmed that the Committee could only consider the application before it and could not consider what might be happening elsewhere in other villages. Each application had to be judged on its own merits. In addition, Surrey Highways had not objected to the scheme and had found the access and egress onto the site to be acceptable.

The Committee noted that as a better mix of housing had been provided of 2-3 bed homes, a higher density would therefore result. Given it was an allocated site in the newly adopted Local Plan that had been amended to provide a high-quality scheme the principle of development was acceptable. The allocated number given for this site in the approved Local Plan was "approximately 60" and this was only given as an estimate and was not a cap. The number was decided in the Local Plan based upon the best available evidence at the time the plan and Land Availability Assessment was being prepared.

The Committee considered concerns raised again, that 60 units should be the cap allowed on this site and that by having 60 houses it would make the site appear more open which would be aligned with what the residents wanted.

The Chairman invited Laura Howard, Principal Policy Planner to clarify the issue for the Committee regarding the number of houses to be permitted on this site. The Committee noted that the number of houses of 60 given for this site in the Local Plan was not a cap but rather a guide. The figures were devised when preparing for the plan and done before undertaking any detailed master planning. As stated at the Local Plan hearing sessions, the numbers within the plan were a conservative estimate. If the Council had over-estimated on sites through the master planning process the likelihood of delivering a robust housing trajectory would fail. The Council had committed to providing and maintaining a five-year supply of housing, so the approach of the Council had always been to set numbers at the lower end of what was achievable on site. The key question which the Committee should ask themselves was what was the harm caused by 75 dwellings compared to 60 dwellings.

The Committee considered that if the application was located in an urban area the density of housing would most probably be higher. The over-provision of parking, provision of 40% affordable dwellings and a good mix of housing weighed in the applications favour.

A motion was moved by the Chairman and seconded by Councillor Jan Harwood to approve the application which was lost.

The proposed reasons for refusal discussed by the Committee were:

- The proposed development was contrary to Policy G11 in relation to the obstruction of views of the River Wey,
- The proposed development was contrary to Policy G1 in relation to traffic;
- The proposed development was contrary to Policy ID3 in relation to the extension of yellow lines outside people's houses forcing people to park on the A247.

-To defer the application based upon the Council's recent motion in support of a climate emergency so that the applicant can reduce the number of houses proposed based upon a reconsideration of its sustainability assessments.

The Committee received advice from officers that the reasons given could not be successfully upheld on appeal if the application was refused or deferred and the applicant appealed for non-determination. The Council needed robust evidence to defend an appeal and the Committee therefore risked exposing the Council to an award of costs which could be very substantial. Surrey Council County Highway Authority had not objected to the application subject to conditions and the implementation of a Construction Transport Management Plan and therefore any reasons to refuse the application on highways grounds could not be successfully defended.

Deferring the application so that the applicant could reduce the number of houses proposed was strongly advised against by officers too given the site was allocated in the newly adopted Local Plan for approximately 60 under policy A40. The total number of houses had been reduced through negotiations between the developer and the officers which included 30 affordable units and a high-quality scheme overall. The Committee had already been advised that the number of 60 was an approximate figure and was not a cap for development on this site.

The Committee received advice from the Planning Lawyer that the matter of neighbour opinion or even objection had been a matter of consideration in case law and the Courts stated that opinion of itself was not enough and had to be based on evidence. The Committee was advised that given the fact that no robust defensible reasons for refusal or deferral had been provided, the initial vote to refuse was incomplete and invalid and the Chairman would move the officer's recommendation to approve the application again. The Planning Lawyer advised that some committee members may wish to abstain in the vote. It was the legal obligation of the officers to give the Committee frank advice based on the law and proper procedure which was supported by the Chairman and planning officers as the way forward.

The Chairman therefore moved the motion to approve the application which was seconded by Councillor Jan Harwood and carried.

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

RESOLVED to approve application 19/P/00027 subject:

- (i) That a S106 agreement be entered into to secure:
- The delivery of 30 affordable housing units (a minimum of 70% to be affordable rent with mix by the Housing Manager);
 - Provision £447,014.22 of SANG and £50,247.72 towards SAMM (or in accordance with the uplifted tariff);
 - A contribution of 14,736.05 towards Police infrastructure;
 - Open space provision on site in perpetuity;
 - £210,000 Towards Open Space Provision within Send and improvements to Send Parish Council's Recreation Ground, including modernising and improvements to the existing Pavilion
 - £26,000 towards environmental improvement projects to local community areas
 - A contribution of £263,734 towards secondary education project;
 - A contribution of £50,875 towards health care infrastructure, and
 - A contribution of £5,000 towards the implementation of waiting restrictions on Tannery Lane.

If the terms of the S106 or wording of the planning conditions are significantly amended as part of ongoing or planning condition(s) negotiations any changes shall be agreed in consultation with the Chairman of the Planning Committee and lead Ward Member.

- (ii) That upon completion of the 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.

This was subject to the following amendments:

Condition 16:

Following further correspondence from Surrey County Council it is recommended to remove point ii) so that the condition would now read:

“Prior to the first occupation of the development hereby approved, the following package of improvement measures shall be implemented, through a S278 agreement, at the applicant’s expense, in accordance with Section 5 and Appendix A10 of the Transport Assessment by Icen Projects Limited dated March 2019:-

i. The improvement of the two bus stops located to the left of Tannery Lane on exit, to include:

- for the south eastbound stop, a new True form flag, pole and timetable case to be added.

- both stops need to be accessible, so this will require a 140mm kerb height with 9000mm hardstanding in length.

- For both bus stops, it will be necessary to have the appropriate clearway enforced, with suitable bus cage markings provided. The bus cages need to be 19m.

ii. A pedestrian refuge shall be provided on Send Road near to the junction with Tannery Lane.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.”

The now deleted point ii) which related to the provision of waiting restrictions down to the proposed site access on both sides of Tannery Lane, and up to the pedestrian refuge island will now be addressed through the S106 in the form of a £5,000 contribution to Surrey County Council Highway Authority to enable the Highway Authority to undertake the required Traffic Regulation Order process.

Update to ‘Legal Agreement Requirements’ Section:

“Highways

Part of the highway improvements proposed as part of the development are in relation to an extension to the parking restrictions along Tannery Lane by extending the double yellows. This requires a Traffic Regulation Order (TRP). Surrey County Council has requested a financial contribution to cover the administrative process and implementation of the works. This is considered to meet the requirement of Regulation 122.”

Update to Recommendation Section and Heads of Terms Section:

As a result of the additional S106 requirement the following is recommended to be added to the Recommendation Section (i) on page 77 of the agenda and to the Heads of Terms on page 110 of the agenda.

“A contribution of £5,000 towards the implementation of waiting restrictions on Tannery Lane”.

Condition 29:

Minor change to wording of condition 29 with the addition of ‘relevant’. Condition would now read:

“The development shall be built in accordance with the measures set out in the Energy Statement ref. BEWL181024, dated May 2019, by Thrive which sets out how the scheme will achieve a 20.48 per cent reduction in carbon emissions against the TER through fabric first and PV panels. The measures shall be implemented in full prior to the first occupation of each relevant unit and retained as operational thereafter.

Reason: To reduce carbon emissions and incorporate sustainable energy in accordance with Policy D2 of Guildford Borough Local Plan : Strategy and Sites (adopted 25 April 2019).”

PL54 19/P/00851 - 120-124 ASH STREET, ALDERSHOT, GUILDFORD, GU12 6LL

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

- Mr Ben Lewis – To object;
- Mr Tom Cooper (from Instinctif Partners) – in support and;
- Mr Jonathan Rainey (Agent) – in support

The Committee considered the above-mentioned application for proposed erection of a two storey building comprising a convenience store (Class A1) and three residential apartments (Class C3) with associated plant, parking, landscaping and access works following demolition of the existing building.

The Committee was informed by the planning officer that the site was located on the southern side of Ash Street and to the west of the junction with Grange Road. The site currently contained a two storey building which was now vacant and what was previously used as a local police station. There was a section of parking and hardstanding to the rear of the site and the surrounding area was mainly residential in character. There was a three storey apartment block neighbouring the site and to the west was a mix of detached and semi-detached two storey dwellings.

The site was in the urban area of Ash and within the 400 metre to 5km buffer zone of the TBHSPA. The new building would be set back from and slightly behind the properties on either side. A total of 13 parking spaces would be provided to the front of the A1 retail unit with 4 parking spaces proposed to the rear for residential use along with a sizeable garden area. Delivery vehicles would park across the five bays to the front and the process managed by staff and secured as part of the submitted Service Management Plan.

The new buildings had adequate gaps to the neighbouring properties and there would be no harm caused to their amenity. The Council has controlled the delivery times and condition 10

had been amended in this regard to strengthen it further as detailed on the supplementary late sheets.

The proposal included one, one bed flat and two, two bed houses that all met the national space standards as set out in the Local Plan. The Council had refused a similar scheme in 2017, however, the proposal had been significantly reduced in size and was also not as wide as the existing building on site allowing more generous gaps to the side boundaries. The design was modern in appearance and fitted in well with the mixed architectural styles which were evident in the local area.

In conclusion, it was the planning officer's view that the site was deemed to be an acceptable location for the proposed A1 retail unit and the three apartments which were in a sustainable location and would replace a currently vacant building. The design, scale and size of the structure would be in keeping with the context and character of the surroundings and would not cause any harm to neighbouring amenities. No concerns had been raised regarding highway safety or capacity by the County Highway Authority. The application was subject to a S106 Agreement.

The Chairman permitted Councillor Paul Abbey to speak in his capacity as ward councillor for three minutes.

The Committee considered concerns raised that the new store proposed would cause highways problems in terms of delivery trucks causing blind spots for drivers along with fast moving vehicles exiting and entering the site creating dangerous conditions for pedestrians around the site. Flooding was also raised as a potential problem owing to constantly blocked drainage systems within the vicinity.

In response to points raised by the public and ward councillor speakers, the planning officer confirmed that condition 10 had already been amended to restrict the hours of delivery to the site as well as condition 11. A sewer service management plan had been approved and submitted as part of the application. In addition, the County Highway Authority had considered parking and highway safety issues leading onto the site and in the surrounding area and had not raised any objections. The application had also been assessed by the Lead Local Flood Authority who hadn't raised any objections and a condition was included to deal with the SUDs scheme to be implemented onsite.

The Committee considered that the scheme represented an acceptable form of development in terms of its size and scale and also had adequate conditions applied to control parking, the hours of delivery and flooding.

The Committee agreed that the hours of operation should be approved as per the application but for a temporary period of 12 months. If in that time, the store proved to not be a good neighbour, there would be scope to vary the hours of operation at that point.

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

RESOLVED to approve application 19/P/00851 subject to the hours of operation being approved for a temporary period of 12 months:

- (i) That a S106 be entered into to secure:
 - Provision £10,529.88 of SANG and £1,154.32 towards SAMM (or in accordance with the updated tariff);

If the terms of the S106 or wording of the planning conditions are significantly amended as part of ongoing S106 or planning condition(s) negotiations any changes shall be agreed in consultation with the Chairman of the Planning Committee and lead Ward Member.

- (ii) That upon completion of the 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.

Amended Condition 10:

Excluding delivery of newspapers and bread, deliveries will be only taken at or dispatched from the site between the hours of 09:00 to 14:00 Mondays to Saturdays, and between the hours of 10:00 and 16:00 on Sundays, Bank or Public Holidays.

No more than one delivery of newspapers and no more than one delivery of bread shall take place between the hours of 07:00 and 12:00 midday Mondays to Sundays including Bank Holidays.

Apart from those deliveries specified above, the operation of any commercial vehicle including forklift trucks shall be carried out between the hours of 08:30 and 18:00 Monday to Saturday and between 10:00 and 16:00 on Sundays and Bank or Public Holidays.

PL55 19/P/00919 - 48 NEWARK LANE, RIPLEY, WOKING, GU23 6BZ

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

- Mr Daniel Hill – in support

The Committee considered the above-mentioned full application for proposed 2-bedroom detached dwelling and extension to existing dropped kerb.

The Committee was informed by the planning officer that the site was located in the Green Belt within the identified settlement area of Ripley and Conservation Area. There was a mature yew tree situated in the rear of the garden of the neighbouring property which was subject to a Tree Preservation Order (TPO). The application was in a side garden on 46 Newark Lane which had an end of terrace cottage fronting Newark Lane. The proposed dwelling would be limited infilling in a village and was considered appropriate development in terms of Green Belt policy.

The proposed dwelling would have traditional design and materials with a hipped roof. 48 Newark Lane is a small end terraced cottage, the terraces are separated from neighbouring properties with large gaps to the side boundaries. The historic and visual gap added to the character and significance of the site and the conservation area. The proposal would infill the small plots with a substantially scaled dwelling positioned tight against the boundaries and retaining only a 1.5 metres separation gap on each side. The new building owing to its height and scale compared to the cottage would appear overbearing and dominant within the small plots. The front of the original house would be taken over by parking and result in a small rear garden for both dwellings which results in a cramped and cluttered appearance. It was the officer's view that the overall cramped and contrived nature of the development would fail to preserve or enhance the character and significance of the identified heritage asset and the significance of Ripley Conservation Area. The proposed dwelling would extend approximately 2 metres beyond the rear elevation of the neighbouring property 52 Newark Lane. The proposal was considered to have an adverse overbearing impact that would be exacerbated by the fact the neighbouring property had a mature protected tree towards the rear of the site.

In conclusion, it was the planning officers view that the proposed development by virtue of its scale and design would fail to respect the scale and character of the area which would be detrimental to the significance of the Ripley Conservation Area. The proposed development would result in a harmful impact on the amenities of the neighbouring properties. The proposal would result in the provision of one additional residential dwelling however the combination of the adverse impacts would significantly and demonstrably outweigh the benefits of the proposed development when it was assessed against the Development Plan and national guidance.

The Committee was advised by the planning officer, in response to comments made by public speakers that as the application was recommended for refusal there was no legal agreement in place to mitigate against the potential impact. The strategy stated that in relation to the Thames Basin if there is any additional net gain in housing then there would be harm to the SPA. If members were minded to recommend the application for approval, then a S106 would be required to overcome that reason.

The Committee considered concerns raised that in the area in which the dwelling is located of 45 of the houses, 23 were new builds built since World War II and 22 of them were original being between 100 and 200 years old. None of the houses were listed and it was an area of mixed character. The dwelling in question was not an important heritage asset set in that context and the additional dwellings proposed would not upset that balance. The Committee noted concerns raised that the Council had ignored the 2017 Ripley Conservation Area Appraisal which stated that the character of the village centre was defined by many relatively small-scale domestic buildings lining the high street and Newark Lane showed examples of sympathetic small-scale modern infill. This application was faithful to this design and its modest scale offset the larger neighbourhood properties and would create a more balanced street scene.

The Committee discussed the parking arrangements proposed for the development and noted that in order to create parking for both properties the access would have to be widened with an increased area of hardstanding and would necessitate the removal of the boundary wall which added significance to the Conservation Area.

The planning officer also confirmed that the Council's own Conservation Officer's had concluded that the proposal would harm the Ripley Conservation Area despite the different conclusions drawn by the Heritage Statement carried out on behalf of the applicant in February 2019.

A motion in accordance with the Officer Recommendation to Refuse was moved to refuse the application which was seconded and not carried.

The Chairman invited the Committee to propose an alternative motion.

Prior to an alternative motion being put forward, the Committee received advice from the Principal Planner that harm had been identified to the Heritage Assets in relation to this application. The NPPF required that considerable weight and importance was assigned to this. The Committee was advised to consider whether harm would be caused to the heritage asset or neighbouring property. If not, then the Committee could progress to approve the application, subject to a S106. If the Committee considered that some harm would be caused to the heritage asset in the Conservation Area, even if it was very small, they had to assign considerable weight and importance to that factor. The Committee needed to identify what the public benefit was that outweighed that harm and was not sufficient to say that the public benefit afforded by one additional dwelling would outweigh the damage done to the heritage asset.

The Committee noted that Councillor Cross wished to propose a motion to approve but requested further advice from planning officers.

The Principal Planner advised that the Committee could propose a motion to approve but needed to have material planning reasons to do so. The Committee needed to decide that there was no harm caused to the heritage asset or neighbouring property or if there was harm to the heritage asset what public benefits were afforded that outweighed that harm.

Councillor Cross stated that the Heritage Statement provided by the applicant stated that no harm would be caused to the character or appearance of the Ripley Conservation Area which was also supported by Ripley Parish Council.

The Principal Planner stated that if the Committee were able to determine and accept the applicant's heritage statement evidence over the Council's own evidence provided by the Heritage Officer, that was the Committee's decision, however, they also needed to decide whether the harm to the neighbouring property was acceptable or not.

Councillor Cross referred the Committee to the drawing on page 138 whereby you could clearly see the house at no.52, next door, was closer to the boundary than was being proposed by no.50. It was only a 1 metre wide boundary and on the other side, there was no gap at no.52 as it had been built right out to the boundary line. No.50 would therefore have a 1.5 metre gap either side of its boundary which was in excess of what No.52 currently had. This was considered to be an improvement overall and that you could not see through to Ripley Green Conservation Area.

The Chairman proposed that the Committee carried out a site visit. A motion was subsequently moved to defer the application for a site visit in order to more fully appreciate the site surroundings dimensions of the plot and impact which the development might have on the surroundings which was seconded and carried.

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

RESOLVED to defer application 19/P/00919 so that a site visit could be held on Tuesday 10 September at 9:30am. This was to enable the Committee to see the potential harm to the Conservation Area and heritage assets. The application would next be considered by the Planning Committee at its meeting on Wednesday 11 September 2019.

PL56 19/P/00924 - BARN END, THE STREET, WEST CLANDON, GUILDFORD, GU4 7TG

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

- Mr Malcolm Jux (Architect) – in support

The Committee considered the above-mentioned full application for erection of 2 x two-storey detached dwellings, served by the existing access off Bennett Way, following demolition of the existing stable buildings and tennis court.

The Committee was informed that the development was located off The Street in West Clandon which had a private driveway. There was also secondary access from Bennett Way which was a residential cul-de-sac and adjoins onto The Street. Currently, the site was blocked off from Bennett Way by a set of gates and some peers. The site was located in the Green Belt but was within the identified settlement boundary of West Clandon. The trees on the western boundary were protected by a Tree Preservation Order in addition to one tree near the existing access.

The proposed dwellings would be set on either side of the secondary access and would each have an integral garage with additional on-street parking to the front of the dwellings as well as a large area of private open space. The new dwellings would be set broadly in line with the existing properties in Bennett Way and would be similar in terms of their plot size. Adequate gaps would be provided to both properties and the existing boundary treatments would be retained. There would be no loss of amenity to the existing neighbouring properties.

In relation to plot 1, while its relatively large, its bulk, scale and massing has been minimised through the use of the roof for the first-floor accommodation and these have hipped roofs and small gable features on the front and rear elevations. The materials consist of brick and stone and would reflect the appearance of the barn and ensure the property would integrate into the site in an acceptable manner.

In conclusion, it was the planning officer's view that the site was located within an identified settlement area. The Green Belt policy of the 2019 Local Plan states that limited infilling maybe appropriate in these areas. Limited infilling is considered to be the development of a small gap in an otherwise continuous built up frontage and officers considered that the proposed dwellings would infill an existing small gap on either side of Bennett Way and as such it had been concluded that the proposal represented limited infilling in the identified settlement area and therefore represented an appropriate form of development in the Green Belt. The proposed dwellings size, design and scale were also appropriate to the locality without resulting in any adverse impact on the character of the area nor harm to the amenity of neighbouring properties. The proposal would not result in any significant increase in vehicle movements along Bennett Way and there were no concerns regarding highway safety or capacity. The proposal was considered to be compliant with local and national policies and subject to the completion of a S106 Agreement and the conditions outlined in the report, the application was recommended for approval.

The Chairman permitted Councillor Tim Anderson to speak in his capacity as ward councillor for three minutes.

The Committee considered concerns raised that the application did not comply with the Local Plan as it did not represent limited infilling. Bennett Way was part of a built-up frontage with spacious houses which were relatively similar in size and appearance and were all located quite close to each other. Its regular frontage comes to a very clear stop at the end of Barnett Way which was a cul-de-sac. Barn End stood alone as a large house surrounded on all sides by its own substantial grounds and ancillary buildings and had no spatial relationship to Bennett Way. The concern was that it would be wholly artificial to suggest that filling in this quite significant gap between the regular frontage of Bennett Way and the single larger house in its own grounds could be a development of a gap in an otherwise built up frontage.

In response to comments made by the public speakers and ward councillor the planning officer confirmed that the previous application on this site which was refused was when the site wasn't allocated in the identified settlement area as per the 2003 Local Plan. It was now the officers view, in accordance with the newly adopted Local Plan that the two dwellings would be an extension of Bennett Way.

The Committee received clarification that the site was within the Green Belt but was also within the village boundary. The Committee considered overall that that the application represented limited infilling of a small gap in an otherwise continuous frontage. The houses were in scale with the surrounding properties and did not harm neighbouring amenities.

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

RESOLVED to approve application 19/P/00924 subject:

- (i) That a S106 agreement be entered into to secure:
- Provision £18,241.16 of SANG and £1999.64 towards SAMM (or in accordance with the updated tariff);

If the terms of the S106 or wording of the planning conditions are significantly amended as part of ongoing S106 or planning condition(s) negotiations any changes shall be agreed in consultation with the Chairman of the Planning Committee and lead Ward Member.

- (ii) That upon completion of the 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.

PL57 19/P/01017 - WEST HORSLEY PLACE, EPSOM ROAD, WEST HORSLEY, LEATHERHEAD, KT24 6AN

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

- Mr Morten Frisch – to object;
- Ms Catherine Gray – to object and;
- Mr Simon Goddard – in support
- Councillor Catherine Young (West Horsley Parish Council) – in support

The Committee considered the above-mentioned full application for details relating to the grant of permission to provide parking within the Brewhouse Meadow, as approved under application 16/P/00019. Formation of earth bunds to the east boundary. Provision of gravel hard standing to the east of the Manor House. Widening of track across the copse east of the Manor House. Reduction to width of the track to the south of Place Farm, including landscaping. Formation of southern link track between the farm track and main drive.

The Committee was informed by the planning officer that the site contained the Grade I listed Manor House along with various Grade II listed stable barns, coach houses as well as the Opera House which was operated by Grange Park Opera. The site was located within the Green Belt outside of a village and had extensive planning history.

The Committee noted that in relation to the objections received in relation to the application there had been some misunderstanding from members of the public. It was not the case that this application proposed an additional 400-500 parking spaces, that Brewhouse Meadow was being tarmacked and that the public bridleway which ran along the eastern boundary of the site was being closed off. This proposal simply sought to provide further details on how the parking arrangements would be laid out. The parking spaces had already been approved as part of a previous scheme. Parking would be provided to the east of the Opera House in a field which would only be used for parking when events were taking place. The only change was the inclusion of reinforced grass meshed areas and sectioned off by low level posts connected with rope. These will be removed when there are no performances being held. A bund was also proposed along the eastern boundary of the field which would be up to a maximum height of five metres and planted with native trees and hedgerow species. The bund was proposed to further reduce the potential for noise and light spillage beyond the site and would not affect the bridleway which ran parallel to the Brewhouse Meadow. A new service track was proposed which would allow larger vehicles which are travelling to the Opera House to avoid the area and Manor House and Place Farm which reduces any potential harm to the listed buildings, walls and pedestrians. Finally, a small gravelled parking area was to be created to the east of Manor House and would provide space for smaller delivery vehicles.

On the southern half of the site, a small bund was proposed to plug the gap and would again be planted with native species. Improvements were also proposed to be made to the front of Place Farm Barn as there was currently a wide access road that would be reduced in size, so it provided a more attractive setting.

In conclusion, it was the planning officer's view that the new gravelled parking area for the east of the Manor House was informally used for parking at the moment and the plans for the area would significantly improve the setting of this part of the Manor House. The various works proposed throughout this application were deemed to be acceptable in Green Belt terms as most of the works can be classed as appropriate development and there are very special circumstances to offset the minimal harm caused by the new service access to the opera nor harm to the listed buildings or their setting. The diversion of the heavy goods traffic away from the listed buildings would improve the setting of the site. The proposal also complied with policy WH9 of the West Horsley Neighbourhood Plan which supported the restoration of the estate and the creation of a tourist and cultural destination. The proposed bunds would further help to mitigate the impact of the developments in terms of light spillage and noise and no harm had been identified to neighbouring amenity. The proposal was therefore recommended for approval.

In response to comments made by public speakers, the planning officer confirmed and reiterated that the parking for 400 vehicles had already been approved through the 2016 planning application. This application seeks to set out how the parking will be laid out and what measures would be undertaken. The lighting in the parking area would not be a permanent feature but as set out in the Design and Access Statement the parking area would include some low-level lighting by lanterns which will be put on the ground pointing downwards and taken away when the field was not in use. The bridleway was not being built on, was not being moved and would remain open and was not being affected by the proposal.

The Committee discussed the application and agreed with West Horsley Parish Council that the proposals were in keeping with the Grade II Listed stable barns and Grade I listed Manor House and fully met the objectives of the West Horsley Neighbourhood Plan, specifically policy WH9. The Mary Roxburgh Trust was committed to the restoration of West Horsley Place and had created a much-valued community asset benefit to the local community. Whilst the Committee recognised the importance of protecting the Green Belt the minor additions proposed would not cause significant harm to its openness and could be seen to ensure its further protection because of the sensitive way in which the works would be carried out. The measures taken to blend new additions such as the sunken path and earth bunds with the existing natural environment was to be commended.

The Committee received clarification that the bunds would be constructed from left over earth which was currently located by the Opera House and so was using existing resources already available onsite.

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

RESOLVED to approve application 19/P/01017 subject to the conditions and reasons as detailed in the report.

PL58 19/P/00970 - STIRLING HOUSE, THE WARREN, EAST HORSLEY, LEATHERHEAD, KT24 5RH

The Committee considered the above-mentioned full application for erection of a traditional oak framed double garage.

The Committee was informed that the application site was located in the Green Belt and was part of the East Horsley Neighbourhood Area and also fell within the identified settlement boundary of East Horsley. The proposed development consisted of the construction of a detached double garage in the front garden which was partly laid to lawn with landscaping and a gravelled driveway. Domestic outbuildings were no longer considered to form an extension to the main dwelling following the adoption of the Local Plan in April 2019. The construction of new buildings must be regarded as inappropriate unless falling under a particular set of exceptions. The proposal had been found to fail to meet any exceptions listed in the NPPF and so did not represent appropriate development in the Green Belt.

The external dimensions of the garage was 6 metres in width by 5.6 metres in depth and would not accommodate two cars. In addition, the construction of the garage would have no material effect on parking provision on site due to the existing number of spaces available on the sizeable driveway. The proposed garage would have a pyramid hipped roof to a height of 4.8 metres and would be clad in materials appropriate to the traditional Surrey vernacular.

The Committee noted that there was an application made in 1983 to extend the house including an integral double garage as well as other extensions which have been made over time. The proposed garage would remain the dominant feature of the site due to its scale and bulk and would create a poor relationship with the host dwelling. It would not be read as a subservient or ancillary structure and its prominent position within the site which is atypical of the character and spacing along The Warren and directly contradicted the requirements of policy H7A of the Neighbourhood Plan.

It was noted that the supporting letter provided by the agent and circulated by email mentioned that it was generally accepted by local authorities within Surrey that there is a reasonable need for a house of this size to have a secure garage for two family cars and that this constituted very special circumstances to allow such a development in the Green Belt. A historic application demonstrated that there was pre-existing garaging at the properties to support one or two vehicles but had since been converted to habitable accommodation, evidenced in the floor plans provided. It was the planning officers view that this was down to individual preference rather than a tangible matter of planning consideration. In conclusion, the application remained unacceptable in principle on Green Belt grounds and in terms of its harm to the context and character of the site and local area and was therefore recommended for refusal.

The Chairman permitted Councillor Catherine Young to speak in her capacity as ward councillor for no longer than three minutes.

The Committee considered concerns raised that from a practical point of view the application should be reconsidered as the proposed garage would not result in any material change to the character or appearance of the local street scene, the surrounding rural environment or cause significant harm to the openness of the Green Belt. The Committee considered the view that there was no uniform pattern of development along this part of The Warren which predominantly had garages located in front and to the side of the main dwelling. The property was also located on a bend in the road which restricted visibility into the driveway and was on a significantly large plot enclosed with mature planting and trees which would provide natural screening. The building would be visually attractive and blend in well with the rural character of the area and created harmony with the existing dwelling. The Committee noted that East Horsley Parish Council had not objected to the application and there had been no objections from residents.

In response to points raised, the planning officer reiterated the new stance in the Local Plan which had recently been adopted in that the construction of domestic outbuildings in the Green Belt were no longer considered to be extensions to the main dwelling house and were regarded

as separate buildings. The only exception to this would be if the garage proposed was replacing an existing one, however, this was an entirely new outbuilding.

Whilst the Committee sympathised with the applicant in the practicalities of needing a garage, there were no exceptions which would permit such a development in the Green Belt in policy terms. The structure was overbearing in its location directly in front of the house with significant bulk which detracted from the leafy and sweeping nature of the plots along The Warren.

A motion was moved and seconded to refuse the application which was carried.

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

RESOLVED to refuse application 19/P/00970 for the reasons given in the report.

PL59 18/P/02222 - 21 SEND BARNES LANE, SEND, GU23 7BP

The Committee considered the above-mentioned full application for demolition of the existing 6no. outbuildings and replacement with 3 new detached dwellings, together with associated refuse, cycle and parking facilities. (Amended description and amended plans received 31 January 2019).

The Committee was informed by the planning officer to note the supplementary late sheets. The site was located within the inset boundary of Send having recently been removed from the Green Belt. The site was also within the 400 metre to 5km buffer zone of the TBHSPA. The proposed three detached dwellings would be located to the east and rear of the already approved dwellings that front onto Send Barnes Lane. The proposed dwellings would be of a traditional design incorporating pitched roofs with clay tiles and subservient gable projections to the front of each dwelling. The proposed access road would run down the right-hand side of the existing dwellings. In conclusion, it was the planning officers view that there was no objection to the principle of development as the proposal would deliver a net increase of three new homes in a sustainable location. The development would not affect the character or appearance of the surrounding area and would not materially impact on the residential amenities currently enjoyed by the occupants of the surrounding properties. The application had satisfactorily addressed concerns regarding flooding risk and ecology and there were no highway objections either. On that basis, the application was therefore recommended for approval subject to a S106.

The Committee considered concerns raised in relation to the development's proximity to the villages medical centre and potential overlooking. Concerns were also raised in relation to the footpath between the access to 22 Send Barnes Lane and a pavement which doubled as a cycle track which could prove dangerous to pedestrians when cars were accessing and leaving the site. A crossing was desperately needed to assist parents and their children on their journey to the local school as crossing here was particularly hazardous ordinarily.

The Committee noted that the County Highway Authority had not objected to the scheme. The provision of a school crossing was better sought through the lobbying of the Guildford Joint Committee. The planning officer also confirmed that there was an existing boundary treatment between the proposed development and medical centre and the distance between the development and medical centre was some 40 metres away. The Committee also received confirmation that the garden sizes of the extant scheme at the front of the site had not been changed to accommodate the new units.

The Committee considered that the proposal would deliver three new homes in a sustainable location that would not materially affect the character or appearance of the surrounding area or

the residential amenities of local residents. The principle of development was therefore accepted.

A motion was moved and seconded to approve the application which was carried.

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

RESOLVED to approve application 18/P/02222 subject:

To a Section 106 Agreement securing SANG and SAMM contributions the decision is to:

(i) That a S106 agreement be entered to secure:

- SANG and SAMM contributions

If the terms of the S106 or wording of the planning conditions are significantly amended as part of ongoing S106 or planning condition(s) negotiations any changes shall be agreed in consultation with the Chairman of the Planning Committee and lead Ward Member.

(ii) That upon completion of the 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.

PL60 PLANNING APPEAL DECISIONS

The Committee noted the appeal decisions.

The meeting finished at 10.25 pm

Signed

Chairman

Date