

# PLANNING COMMITTEE

- \* Councillor Marsha Moseley (Chairman)
- \* Councillor Tony Rooth (Vice-Chairman)

- \* Councillor Jon Askew
- \* Councillor David Bilbé
- \* Councillor Chris Blow
- \* Councillor Dennis Booth
- Councillor Colin Cross
- \* Councillor Angela Gunning
- Councillor Jan Harwood

- \* Councillor Liz Hogger
- \* Councillor Bob McShee
- Councillor Susan Parker
- \* Councillor Caroline Reeves
- \* Councillor Paul Spooner
- \* Councillor Fiona White

\*Present

Councillors Joss Bigmore, Diana Jones and Patrick Sheard were also in attendance.

## **PL96 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

Apologies for absence were received from Councillors Colin Cross, Jan Harwood and Susan Parker. Councillors John Redpath and Ramsey Nagaty attended as substitutes for Councillors Colin Cross and Susan Parker respectively.

## **PL97 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS**

Councillor Paul Spooner declared a non-pecuniary interest in application 19/P/01486 – Kailyard House, Vicarage Lane, Send, GU23 7JN owing to the fact that he knew the applicant. Councillor Spooner would leave the meeting for the duration of the consideration of this application.

Councillor Marsha Moseley declared a non-pecuniary interest in application 19/P/01486 – Kailyard House, Vicarage Lane, Send, GU23 7JN owing to the fact that she also knew the applicant. Councillor Moseley would leave the meeting for the duration of the consideration of this application. Councillor Tony Rooth would act as Chairman for the meeting.

## **PL98 MINUTES**

The minutes of the meeting held on 6 November 2019 were approved and signed by the Chairman.

## **PL99 ANNOUNCEMENTS**

The Committee noted the procedures for determining planning applications.

**PL100 19/P/01313 - 11 ANNANDALE ROAD, GUILDFORD, GU2 4LR**

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

- Mr Michael Ney (to object);
- Ms Jennifer Obaditch (to object) and;
- Mr Jack Sutcliffe (Agent)

The Committee considered the above-mentioned full application for demolition of all existing buildings and the erection of two residential buildings comprising of 12 x 1 bedroom apartments, to include the construction of two bin stores and a comprehensive landscaping scheme.

The Committee noted the supplementary late sheets and the updates which had been made to conditions 2, 8 and 9 to reflect the correct plan numbers. In addition, some late representations had been received in objection to the application. A site visit had been carried out on Tuesday 3 December 2019 by members of the planning committee.

The Committee considered the application and agreed that the provision of one-bedroom apartments in a sustainable location was much needed. The Committee noted concerns that the scheme did not provide affordable housing but rather the applicant had submitted a Viability Appraisal. The Committee agreed that the applicant should be asked to sign up to a claw back agreement as part of the Heads of Terms for the S106 Agreement. This would ensure that any monies gained via the Viability mechanism could be allocated back to the Council.

The Committee supported the benefits afforded by the application such as the provision of the car club scheme and much needed one-bedroom homes. Whilst the design was subjective, overall, it fitted in well with the street scene and would provide an opportunity for younger people to buy a property close to the town centre.

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

RESOLVED to approve application 19/P/01313 subject:

- i) That a Section 106 agreement be entered into to:
  - SANG and SAMM contributions
  - Contributions towards the resurfacing of Annandale Road
  - Contributions towards off-site affordable housing subject to an overage or review provision to be agreed with the developer
  - Contributions towards the improvements of recreational open space
  - Car club membership for residents

If the terms of the S106 or wording of the planning conditions or significantly amended as part of an ongoing S106 or planning conditions 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.

Subject to the following amendments to conditions 2, 8 and 9 to reflect the correct plan numbers:

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location and Block Plan 18.005.L(PA)001 PA3 received on 06/08/2019, Proposed Lower Ground and Upper Ground Floor Plans 18.005.L(PA)015 PA3, Proposed First Floor and Roof Plans 18.005.L(PA)016 PA3, Proposed North and South Elevations 18.005.E(PA)023 PA2, Existing and Proposed Site Sections 18.005.S(PA)030 PA2, Tree Protection Plan 19178-BT1 received on 25/07/2019;

Farnham Road Elevations A18.005.E(PA)021 PA3, Landscape Strategy L90-200 Rev H received on 24/10/2019;

Proposed Site Plan 18.005.L(PA)010 PA8 received on 15/11/2019;

Proposed South and West Elevations 18.005.E(PA)024 PA2 received on 26/07/2019;

Annandale Road Elevations A18.005.E(PA)020 PA3 received on 06/08/2019.

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.

8. 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 plans, Drawing No. 18.005.L(PA)010 PA8 for vehicles and cycles to be parked. Thereafter the parking areas shall be permanently retained and maintained for their designated purposes.

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

9. The development hereby approved shall not be first occupied until the proposed vehicular access to Annandale Road hereby approved has been constructed in accordance with the approved plans, Drawing No. 18.005.L(PA)010 PA8, and thereafter shall be permanently maintained.

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

#### **PL101 19/P/01282 - KINGS YARD, BURROWS LANE, SHERE, GUILDFORD, GU5 9QE**

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

- Ms Kim Graham (to object)

The Chairman permitted Councillor Diana Jones to speak for three minutes in her capacity as ward councillor.

The Committee considered the above-mentioned full application for variation of condition 5 (hours of work) of planning permission 06/P/00548 approved on 25/04/2006, to ensure that the hours of work refer to the whole site and not to one specific unit, and condition 16 (approved plans) to allow the installation of dormer windows on Block 2, Block 3 and Block 4 (amended plan received 14 October 2019).

The Committee noted the supplementary late sheets where one further objection had been received. The Committee considered the application and sympathised with the local residents regarding the proposed extension in the hours of operation to the rest of the units onsite. 7:30am in the morning was considerably different to an 8am start and continuing until 7pm in the evening would result in a detrimental impact upon the neighbouring resident's enjoyments of their amenities. The installation of a dormer window was accepted given it did not significantly increase the overall floor area.

The Planning Development Manager confirmed that the Committee did have the ability to vary the condition so the dormer window element could be agreed but in relation to the variation in hours the Committee could re-impose the previously agreed hours as part of application 06/P/00548.

A motion was proposed and seconded to approve the application which was not carried.

The Chairman therefore moved a motion to approve the installation of the dormer window but to retain the hours as originally approved as part of application 06/P/00548 which was carried.

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

RESOLVED to approve application 19/P/01282 for the installation of the dormer window but to retain the hours as originally approved as part of application 06/P/00548:

‘The use hereby permitted shall not operate other than between the hours of 8am-5:30pm Mondays to Fridays (inclusive) and 9am-4:30pm Saturdays, and shall not operate at all on Sundays or Bank or National Holidays.

Reason: To safeguard the residential amenities of neighbouring properties. In accordance with the following policy number: G1(3) of the Guildford Borough Local Plan 2003.’

**PL102 19/P/01286 - WEEKWOOD COPSE, GREEN LANE EAST, NORMANDY, GU3 2JL**

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

- Ms Phillipa Chapman (in support) and;
- Mr David Melville (in support)

The Committee considered the above-mentioned full application for change of use from private amenity woodland to private amenity woodland and recreational dog walking area (retrospective application).

The Committee noted the supplementary late sheets which detailed an error that had been made on page 125 of the agenda.

The Committee noted that the site was let to a commercial dog walking business during the week and the concern was that as such the site was not used for recreational dog walking and would be detrimental to the Green Belt.

The Committee discussed whether a temporary permission could be applied for one year and then delegated to the Director of Planning for approval. Given it was a retrospective application, the Committee agreed that a condition was added so that within 3 months the applicant had to submit a business management plan detailing the activities undertaken onsite.

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

RESOLVED to approve application 19/P/01286 subject to the conditions and reasons as detailed in the report and additional condition:

7. Within 3 months of the grant of this planning permission a business management plan, including details of log keeping of activities on the site, shall be submitted to be approved in writing by the Local Planning Authority. The approved management plan shall be adhered to

thereafter and evidence of a completed yearly log book shall be submitted to the Local Planning Authority every 12 months as a record.

Reason: Having regard to the nature of the development the Local Planning Authority wishes to retain control over any future activities at the premises in order to safeguard the Green Belt.

**PL103 19/P/01486 - KAILYAIRD HOUSE, VICARAGE LANE, SEND, GU23 7JN**

The Chairman, Marsha Moseley and Councillor Paul Spooner left the meeting for the consideration of this application. The Vice-Chairman, Councillor Tony Rooth therefore acted as Chairman for this item.

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

- Mr Max Goode (Agent) (In Support)

The Chairman permitted Councillor Patrick Sheard to speak for three minutes in his capacity as ward councillor on the above application.

The Committee considered the above-mentioned full application for erection of 6-bed detached dwellinghouse with basement garaging and attached car port with residential accommodation above.

The Committee noted the supplementary late sheets where an additional letter of representation in support of the application had been received from the Agent as well as other additional information.

The Committee noted that the application was similar to a previous scheme that had been refused, 17/P/00482 which was dismissed at appeal by the Planning Inspector. The Committee considered that the application site was located outside of the village of Send and agreed that the development would have a harmful impact on the openness of the Green Belt. There were no special circumstances that would outweigh the harm done caused by virtue of the development's bulk, scale and height.

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

RESOLVED to refuse application 19/P/01486 for the reasons as detailed in the agenda.

**PL104 19/P/01665 - 179 SEND ROAD, SEND, WOKING, GU23 7ET**

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

- Mr Ian Ellis (Agent) (In support)

The Committee considered the above-mentioned full application for erection of a single storey side/rear extension, conversion of loft into habitable space, two rear dormer extensions, covered veranda to rear and changes to fenestration.

The Committee noted the supplementary late sheets which detailed two additional letters of representation that had been received.

The Committee noted that a similar proposal had been previously allowed at appeal under planning application 18/P/01733 which was material planning consideration. The only new

additions to the previously allowed proposal were two rear dormer windows instead of rooflights. The proposed development was considered to be subservient to the host dwelling and would not appear unduly prominent.

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

RESOLVED to approve application 19/P/01665 subject to the conditions and reasons as detailed in the report.

**PL105 19/P/01796 - 17 ROMANS CLOSE, GUILDFORD, GU1 2ST**

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

- Mr Steve Clifton (to object);
- Mr Michael Timewell (Management Co.) (to object) and;
- Mr Rakesh Jayeswal (Applicant) (in support)

The Chairman permitted Councillor Joss Bigmore to speak in his capacity as ward councillor in relation to the above application.

The Committee considered the above-mentioned full application to raise adjoining land to and incorporate with the existing garden level. Change of use of adjoining land from amenity to residential (amended plans received on 13/11/2019).

The Committee noted the supplementary late sheets which detailed one additional representation that had been received in objection to the application.

The Committee considered the application and discussed concerns raised that the development was proposed to be undertaken on what had previously been allocated as public amenity space. The developer had subsequently sold the land to the applicant. The applicant wished to extend his property so that suitable adjustments could be made for his son who had a long-term medical condition that required him to have a safe space at home. The Committee sympathised with the families' situation however medical conditions were not a material planning consideration.

The Committee noted that the S106 agreed for the development originally did not prohibit the sale of this land. The Committee considered the development of such land would set a precedent that would result in more land, previously used as amenity space for residents' being turned over for private purchase. The development proposed would also result in a loss of open space and affect the visual amenity of Boxgrove Gardens Estate.

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

A subsequent 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/01796 for the following reasons:

1. The proposed development would result in loss of open space, which contributes to the visual amenity of Boxgrove Gardens Estate, harming the amount of available open green space and would therefore result in harm to the character of the estate contrary to policies G1 and G5 of the Local Plan 2003 and policies D1 and ID4 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034.

**Informatives:**

1. This decision relates expressly to drawing(s) 327/03 Rev A, 327/04 Rev A, 327/01 Rev A, 327/02 Rev A received on 13/11/2019.
2. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:

- Offering a pre application advice service
- Where pre-application advice has been sought and that advice has been followed, we will advise applicants/agents of any further issues arising during the course of the application
- Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

However, Guildford Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application is required.

In this case pre-application advice was sought and provided which addressed initial issues. Further changes were requested during the assessment of the application. Whilst officers considered the application was acceptable, the Council's Planning Committee resolved to refuse consent for the reasons set out in the decision.

**PL106 18/P/02456 - LAND AT ASH MANOR, ASH GREEN ROAD, ASH GREEN, GUILDFORD, GU12 6HH**

The Committee considered the above-mentioned full application for erection of 73 dwellings with associated vehicular and pedestrian access from Ash Green Road, parking and secure cycle storage, on site open space, landscape and ecology management and, servicing.

The Committee noted that the application was originally presented to the Planning Committee meeting on 9 October 2019 where it was deferred to allow for a site visit and possible changes to the layout and design of the scheme. A site visit was held on Tuesday 3 December 2019.

The Committee noted the supplementary late sheets where further letters of objection had been detailed as well as additional and amended conditions. The Committee was informed that following the consultation, planning and legal officers were satisfied with the amended plans submitted. Several changes to the layout had been achieved since the deferral of the application, reducing the number of units proposed from 77 to 73. An increase to the buffer between the proposed development and Ash Manor as well as changes to the landscaping arrangements. The apartment buildings were previously three-storey in height and had subsequently been reduced in height to two storeys. An indicative landscaping plan had been submitted which introduced a walkway along the pond as well as introducing a greater gap between the pond and the residential units. The applicant had listened to the concerns of the Committee and had increased the separation distance between the residential dwellings proposed and the Grade II listed property at Ash Manor. Planning officers supported the improvements that had been made to the scheme since it was last presented to the Committee and therefore recommended it for approval.

The Committee considered the application and agreed that the overall layout and reduction in the number of residential units proposed onsite represented a significant improvement. The

new scheme had been reduced both in size and bulk and was more in keeping with the character of the surrounding area, enabling resident's greater enjoyment of their amenities.

The Committee sympathised in relation to the loss of the 250-year old oak tree onsite that would be removed as a result of the development. The Council's Arborculturalist officer supported its removal given that most of its crown was dead. The Committee also noted that the SUDs and drainage scheme was supported by the Lead Local Flood Authority (LLFA).

The Committee agreed that overall the scheme represented a vast improvement on the previously proposed application.

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

RESOLVED to approve application 18/P/02456 subject:

- (i) That a S106 agreement be entered into to secure:
- The delivery of 31 affordable housing units (a minimum of 70% to be affordable rent with mix as agreed);
  - Provision of SAMM contributions; contribution towards Police infrastructure;
  - Contribution towards early years, primary and secondary education projects;
  - Contribution towards health care infrastructure;
  - Contribution towards children's playspace infrastructure in the area'
  - Contribution towards amendment of TRO on Foreman Road;
  - Contribution towards highway safety improvements and pedestrian and cyclist infrastructure improvements in the area;
  - Contribution towards Ash road bridge and
  - Contribution towards provision of public art in the area.

If the terms of the s.106 or wording or the planning conditions are significantly amended as part of the ongoing s.106 or planning condition(s) negotiations and 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.

The application is also subject to the following additional conditions:

Before the felling of the Oak (T67 / TPO 4 of 1974), the applicant shall submit a scheme detailing how it will be re-used on the site following its felling. The scheme shall include a method statement for the careful felling of the tree and its storage and details of how and where the tree will be re-used within the site. The agreed scheme shall be implemented before the occupation of the 50<sup>th</sup> dwelling.

Reason: To improve the ecological biodiversity of the site and to retain the tree within Ash Manor.

No above ground works shall take place (excluding ground works and construction up to damp proof course (dpc) and the construction of the access) until details of the boundary treatment along the western side of the northern open space area have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the first occupation of the development.

Reason: To help screen the open space area from the neighbouring residents.

At the request of the County Highway Authority, the applicant has agreed to extend the proposed high friction surfacing in the vicinity of the site access. To account for this change, condition 16 has been amended as set out below (change highlighted in italics and underlined):

Prior to first occupation the following package of measures shall be implemented at the applicant's expense through a S278 Agreement in accordance with details to be submitted to and approved in writing by the Local Planning Authority:

i) a 2 metre footway shall be provided on the southern side of Foreman Road from the site access towards The Croft, generally in accordance with drawing number ITB13403-SK-011,B

ii) high Friction Surfacing shall be implemented on Foreman Road on the approach to the site access, generally in accordance with drawing number ITB13403-SK-006, Rev D, but the area covered should be extended on the southbound of the carriageway up to the start of the proposed anti-skid for the northbound direction near the existing bus stop

iii) the speed limit shall be reduced from 40mph to 30mph with associated speed reduction measures generally in accordance with drawing number ITB13403-SK-019, subject to TRO approval.

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

#### **PL107 19/P/00407 - PLOT 5, GUILDFORD BUSINESS PARK, GUILDFORD BUSINESS PARK ROAD, GUILDFORD, GU2 8XG**

The Committee considered the above-mentioned full application for proposed six storey purpose-built student accommodation block including 360 bed spaces, support ancillary student services (such as study spaces, gymnasium, games rooms, lounge areas, student hub), car and cycle parking, access and landscaping arrangements.

The application was deferred from the Planning Committee meeting on 9 October 2019 to allow further consideration of late information in the form of a Counsel's Opinion prepared on behalf of the Applicant, which was submitted by the applicant and for the Council to seek its own advice. The Committee had also undertaken a site visit on Tuesday 3 December 2019.

The Committee noted that the applicant had submitted further late legal advice which alleged errors in the officer's report to committee. The Committee resolved that it would be sensible to defer the application given the legal advice had been received late and would enable officer's to give due consideration to the information.

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

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

RESOLVED to defer application 19/P/00407 to a future meeting of the Planning Committee.

#### **PL108 PLANNING APPEAL DECISIONS**

The Committee noted the planning appeal decisions.

The meeting finished at 9.50 pm

Signed .....

Chairman

Date .....