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BOROUGH

James Whiteman
Managing Director

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Dear Councillor

PLANNING COMMITTEE - WEDNESDAY 8TH JULY 2020

Please find attached the following:

Late Sheets (Pages 1 - 10)

Yours sincerely

Sophie Butcher, Democratic Services Officer
01483 444056

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Planning Committee

8 July 2020

Amendment/Correction/Conditions Update List

19/P/02102 (Page 13) – Land at Manor Farm, The Street, Tongham

Condition 13 amended as follows (page 29-30)

Prior to first occupation of the development hereby approved in accordance with the landscaping plans and indicative planting schedule (drawings no.s D2841-FAB-00-XX-DR-L-1000-PL02 - 1013-PL02) shall be submitted to and approved in writing by the Local Planning Authority including full details of:

- a) hardstanding surfaces;
- b) soft landscaping;
- c) boundary treatments including fences and brick walls;
- d) hop frames; and
- e) implementation schedule

Shall be submitted to and approved in writing by the Local Planning Authority.

The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented in accordance with the approved plans.

Any trees or plants whether new or retained which within a period of 10 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species in the same place.

Additional condition 23:

No development including groundworks and demolition shall take place until all supporting arboricultural information has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the:

- a) existing trees and hedges to be retained in the form of a Tree Survey and Arboricultural Impact Assessment, in line with BS5837:2012;
- b) measures taken to protect existing trees and hedges during construction, demolition, and delivery of materials / machinery, including a Tree Protection Plan;
- c) location and installation of services/utilities/drainage, including services to automated gates.
- d) methods of demolition within root protection area (RPA as defined in BS 5837: 2012) of retained trees.
- e) details of construction and installations including methodologies within a root protection area or that may impact on retained trees.
- f) full specification for the construction of any roads, parking areas, driveways, hard surfacing, including details of no dig specification and extent of the areas to be constructed using no dig surfacing.
- g) detailed levels and cross sections to show that the raised levels of surfacing, where the installation on no dig surfacing within root protection area is proposed, demonstrating that they can be accommodated.
- h) all arboricultural site monitoring and supervision required for the duration of the development.

i) methods to improve the rooting environment for retained and proposed trees and landscaping.

j) foundations designs and any other proposals involving below ground excavation inside root protection areas or that may impact on root protection areas.

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: To protect and enhance the appearance and character of the site and locality and reduce the risk to retained trees.

Additional condition 24:

All existing trees, hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed and paragraphs (a) and (b) below shall have effect until the expiration of 10 years from the first occupation of the development.

a) no retained tree, hedge or hedgerow shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars. Any pruning shall be carried out in accordance with British Standard 3998: 2010 (tree work) and in accordance with any approved supplied arboricultural information.

b) if any retained tree, hedge or hedgerow is removed, uprooted or destroyed or dies, another tree, hedge or hedgerow of similar size and species shall be planted at the same place, in the next available planting season or sooner.

Reason: To protect and enhance the appearance and character of the site and locality and reduce the risk to protected and retained landscape features.

Additional condition 25:

Prior to first occupation a plan to show the location of the proposed photovoltaic panels to be installed on the dwellings/buildings hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be retained and maintained.

Reason: To support carbon reduction measures and maintain the visual amenities of the locality.

Planning policies

Draft Local Plan: development management policies - 'Issues and Preferred Options' document (LPDMP)

Paragraph 48 of the NPPF states:

“Local planning authorities may give weight to relevant policies in emerging plans according to:

a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).”

The LPDMP is at a very early stage of preparation. Consultation on the first Regulation 18 Issues and Preferred Options document is still underway and there is currently no 'policy' in

existence – only a preferred policy approach. Additionally, whilst there has been no analysis of the consultation comments thus far – it is likely that there are unresolved objections to the preferred policy approaches which will require further consideration and potential amendments in drafting the actual policy as part of the Regulation 19 document. Adoption of the LPDMP is currently anticipated to be September 2022 and it would be some time yet before this would carry significant weight in decision making.

Planning considerations.

Amendments and corrections.

Page 16 & 39-40

The PPG (Paragraph: 006 Reference ID: 21b-006-20190315) ‘How must decisions on applications for planning permission be made?’

“Development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (see section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 – these provisions also apply to appeals)”

When the outline planning permission was granted on 28.01.2018 the Guildford Borough Local Plan: strategy and sites (LPSS) had not been adopted. Therefore, the policy requirements were not a relevant material consideration and could not be applied as matter of law.

Following adoption of the LPSS on 25.04.2019, the policies relevant to the reserved matters can be applied to the proposed:

- appearance
- landscaping
- layout
- scale

Planning matters that were addressed under outline planning permission cannot now be re-evaluated under the LPSS. These principles have been established and there are conditions and S106 planning obligations in place.

Highway matters from the outline permission (page 17-18)

Bus services

The Travel Plan submitted and approved for condition 20 of the outline permission (16/P/00222) provided details of the how local facilities and amenities could be accessed by public transport.

The Inspector considered the proximity of bus stops and frequency of bus services in their decision and was satisfied that that the bus would provide an alternative mode of travel. The site also has an approved Travel Plan which takes into account the change in bus routes and was found acceptable to the County.

Any bus strategy for Ash would be implemented by Surrey County Council and they have confirmed that they would be using S106 contributions from other developments towards this. The Council have been given no details of this. However, the development was deemed acceptable in terms of access to the bus by the Inspector and the Travel Plan that was discharged, without any bus strategy.

The accessibility to public transport is only one strand to sustainability as the development would contribute and facilitate significant improvements to the pedestrian and cycle network across the site and within the local area.

These are matters of principle and are not to be re-evaluated as part of this reserved matters application.

The layout of the development and the scale and appearance of the buildings

Street design (page 45)

An additional plan (drawing no. P105) has been provided showing that the widths of the roads (carriageways) ranging from 6 metres at the site entrance, to 5.5m along main spine roads and 4.8m minimum elsewhere.

All of the roads have been designed to adoptable standards. The developer has confirmed that technical drawings of the proposed internal roads have been completed and a Stage 1 highway safety audit has been undertaken. The developer are now in a position to submit a S38 application for road adoption to Surrey County Council.

There has been no objections received from the County Highways Authority and the Council's Waste Officer. The development would provide safe access to vehicles and refuse vehicles.

Landscaping and trees (page 56-57)

In the professional opinion of officers including Council's Tree Officer, and the applicants Landscape Architect, it is recommended that all of the remaining 27 Poplars along The Street are removed in favour semi-mature, native replacement trees. These are likely to comprise a range of large trees: Hornbeam, Beech, English Oak, Common Alder and small leafed lime. The medium sized trees would be a range of: fastigate form of Hornbeam, Field Maple, Wild Cherry and 'Chanticleer'. The Tree Officer has confirmed these would be suitable species.

All trees south of the Hogs Back Brewery entrance (48 trees) and 7 trees in north eastern corner of the site are approved to be lost for the permitted pedestrian access onto The Street and highway improvement works. So, of the 82 Poplars along The Street 66%, two-thirds are already approved to be removed.

In response, to the additional objection raised by third parties following the publication of the agenda. The developer has agreed that should the committee be minded to approve the reserved matters with the 27 Poplar trees (34%, one-third) retained they would accept this. This would require the drawing numbers referred to in conditions to be amended and two additional conditions to reduce risk to these trees with a Arboricultural Method Statement (AMS), Tree Protection Plan (TPP) and retention.

Sustainable design and construction (page 19, 58-59)

The Energy Strategy submitted and approved for condition 10 of the outline permission (16/P/00222) has an indicative solar photovoltaic layout to achieve the 20% reduction in carbon emissions. The summary box states that 74 dwellings/buildings would have solar panels on the roof.

As this is an indicative layout, condition 23 has been suggested for a final plan of the location of the solar panels, for greater certainty.

The impact on residential amenity
Occupier amenity (page 18, 53-54)

The Inspector considered the principal of development adjoining a slip road and A31, Hog's Back. Both air quality and noise impacts were considered with reports produced by the appellant and Council. In paragraph 66-64, they were satisfied the residential site would not experience undue levels of pollution and that appropriate noise mitigation would manage noise impacts. These are matters of principle and are not to be re-evaluated as part of this reserved matters application.

Noise mitigation

The Noise Assessment submitted and approved for condition 10 of the outline permission (16/P/00222) include the following measures:

- dwellings/buildings positioned further into the site to increase the separation distance from the A31 and northern boundary near the A331;
- arranged in clusters around central garden areas to provide shelter;
- enclosed, high ridge garages and car barns to provide almost continuous screening around garden;
- short sections of fence would supplement the garden fences;
- 3m high fence along the western and the majority of the southern boundary to the A31;
- enhanced glazing and ventilation.

There would be no groundworks to change land levels or create a bund. The mitigation measures above would meet the requirements, for 55 decibels required by the Inspector in their decision. These are matters of principle and are not to be re-evaluated as part of this reserved matters application.

SANG

The works to create the SANG are proceeding and a formal agreement with The Land Trust has been entered into for Lease with the owners of the SANG and the Land Trust (the Agreement). Under the provisions of the Agreement, following completion of SANG Works Phase 1 (as defined in the Section 106 Agreement), provided the conditions under the Agreement have been met then a lease of Phase 1 of the SANG in the form appended to the Agreement will be granted to the Land Trust. Phase 1 SANG is required to be operational by the first occupation of the residential development and it is very likely the SANG would be operational and open for use ahead of this, together with the pre-requisite pedestrian crossing improvements to the A331/A31 roundabout.

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Planning Committee

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Late Representations

Since the last date for the submission of views on applications/matters before the Committee this evening, representations in respect of the under mentioned applications/ matters have been received. The letters, copies of which will be available for inspection by councillors at the meeting, are summarised below.

Item 5 – Planning Applications

19/P/02102 – (Page 13) – Land at Manor Farm, The Street, Tongham

Third party comments: (page 37-38) updated

42 individuals have objected. The concerns raised are summarised below:

- impact of traffic on existing highway network
[officer comment: highway improvement works were agreed under the outline planning permission]
- loss of parking on The Street
- lack of new infrastructure proposed – healthcare, education, shops
- lack of homes suitable for first-time buyers
- EIA development
[officer comment: this did not constitute EIA development when the outline application was screened and the reserved matters does not either]
- out of character
- loss of Poplar trees
- foul and sewerage capacity
- surface water flooding risk
- pedestrian access to SANG
- poor public transport
- construction traffic
- overdevelopment
- proximity of homes to A31 Hog's Back
[officer comment: several of the objections raised above relate to matters that were addressed on the outline application and were deemed acceptable subject to conditions and a planning obligation]
- location of apartments
- harm to the Green Belt
[officer comment: the site is not in the Green Belt and was not inset from the Green Belt, it was previously Countryside Beyond the Green Belt]
- noise and disturbance during construction
- loss of wildlife habitat

At the time the agenda was published there were 6 responses, an additional 36 were received after 30.06.2020

Members have been made aware in advance by the Council's Solicitor that this item does not qualify for public speaking, as at 30.06.2020 when the agenda was published the Council had received only 6 letters in respect of this application (and so, fewer than 20 letters).

Planning Committee

8 July 2020

List of Ward and Non-Ward Councillors Speaking

ITEM 4 – Planning and Related Applications

PAGE NO(s).	APPLN. NO	SITE	DETAILS OF SPEAKERS	
13.	19/P/02102	Land at Manor Farm, The Street, Tongham	1.	Ward Councillor Paul Abbey
			2.	Ward Councillor Graham Eyre
			3.	Non-Ward Councillor Tony Rooth

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