



GUILDFORD  
BOROUGH

**James Whiteman**  
Managing Director

**[www.guildford.gov.uk](http://www.guildford.gov.uk)**

Dear Councillor

**PLANNING COMMITTEE – WEDNESDAY 3 NOVEMBER 2021**

Please find attached the following:

**Agenda No    Item**

8.    **Late Sheet - Amendments/Corrections/Updates and Late Representations**  
**(Pages 1 - 16)**

Yours sincerely

Sophie Butcher, Democratic Services Officer

Encs

This page is intentionally left blank

## **Planning Committee**

**3 November 2021**

### **Update/Amendment/Correction/List**

#### **Planning Committee Minutes – 6 October 2021**

Please find attached a copy of the draft Planning Committee minutes from 6 October 2021 for the Committee to approve.

#### **21/P/00917 – (Page 15) – Land at Oakland Farm, Green Lane, Ockham, GU23 6PD**

Attached is correct proposed block plan not the one in the agenda.

Further detail on flood risk and drainage: The predominant risk on site is from surface water flooding with a small area of fluvial flooding risk in the northern section of the site. The existing greenfield rate of runoff is 7.4 litres per second (calculated for the mean annual flood event), the proposed development would not exceed a total peak flow rate of 7.4l/s into the culvert, therefore, maintaining the existing drainage situation. However, the proposed drainage strategy and attenuation measures would manage the drainage on site for flood events up to a 1 in 100 year event. The existing site in the event of a 1 in 100 year flood would discharge at 23.5l/s which would likely lead to significant flooding, however, with the proposed development this can be contained and as such would not exacerbate flood risk either within or outside of the site allowing future flood events to be managed more effectively.



Line of existing culvert  
Existing access widened to 5m

Squirrels

Floaters

Pointers Lea

Littleholme

Sandy Croft

Wood View

Pousro

Oakland Farm

No. 1

No. 2

No. 3

Maeborvale

2500sqm Ecological Area

1440sqm amenity space along eastern boundary with potential connections to adjoining site

Natural play space beneath existing trees

Pedestrian and cycle connection through wider allocation / Oakham Road No

Shepherds Cottage

Lane Cottage

## PLANNING COMMITTEE

- \* Councillor Fiona White (Chairman)
- \* Councillor Colin Cross (Vice-Chairman)

- \* Councillor Jon Askew
- \* Councillor Christopher Barrass
- \* Councillor David Bilbé
- \* Councillor Chris Blow
- \* Councillor Ruth Brothwell
- \* Councillor Angela Goodwin
- \* Councillor Angela Gunning
- \* Councillor Liz Hogger
- \*The Mayor, Councillor Marsha Moseley
- \* Councillor Ramsey Nagaty
- \* Councillor Maddy Redpath
- \* Councillor Pauline Searle
- Councillor Paul Spooner

\*Present

Councillors Joss Bigmore, Dennis Booth (The Deputy Mayor), John Redpath and Catherine Young, were also in attendance.

### **PL1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

Apologies for absence were received from Councillors Chris Barrass, Ruth Brothwell and Paul Spooner. Councillors Deborah Seabrook, Bob McShee and Nigel Manning attended as substitutes respectively.

### **PL2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS**

There were no disclosures of interest declared.

### **PL3 MINUTES**

The minutes of the Planning Committee held on 8 September 2021 were approved and signed by the Chairman as a true record.

### **PL4 ANNOUNCEMENTS**

The Committee noted the procedures for determining planning applications.

### **PL5 21/P/00153 - 20 PIT FARM ROAD, GUILDFORD, GU1 2JL**

The Committee considered the above-mentioned full application for the construction of a 1-bedroom bungalow and the recombining of 20 Pit Farm Road from two flats into a single dwelling with minor fenestration changes.

The Committee received a presentation from the Specialist Development Management – Majors Officer, Kelly Jethwa. The Committee noted that the surrounding area was comprised of large-detached properties. The proposal was for the conversion of the main house into a single dwelling and to build a bungalow in the side garden and shared parking provided at the front. When reviewing the planning history for the site it was noted that a number of planning applications had been submitted to achieve the result of creating one home in the main building. However, the loss of a dwelling also needed to be considered given the existing house was currently converted into two flats. To address that matter, the bungalow was

proposed so that no net loss of housing would result. Changes to the windows and doors at ground floor level would also be made and had been assessed as acceptable.

The bungalow would be small and out of character due to its scale and design. The Council's Residential Design Guide SPD described how this area was distinct due to the large-detached houses that dated from the Victorian and Edwardian era, with traditional detailing, landscaped gardens and street alignment. The bungalow would not respect the scale of the roofscape, appearance of existing dwellings and would lead to a loss of space between buildings. The proposed dwelling would be overlooked by the side-facing windows in the existing property at 20 Pit Farm Road. It would also overlook the proposed small private amenity garden. Such overlooking would be harmful to the occupants of the new bungalow and the application was therefore recommended for refusal.

The Chairman permitted Ward Councillors Dennis Booth and Joss Bigmore to speak for three minutes each respectively.

The Committee noted concerns raised that the existing dwelling had already been split into two flats which were comparatively smaller than their neighbouring dwellings. The amenity area for the new dwelling was rather considered as adequate and in proportion for the size of the bungalow. The architect had incorporated many of the features of the surrounding buildings in the design. The new bungalow would not create excess bulk and the distance between it and neighbouring properties was similar to that which already existed of between 1m and 3m. Neighbouring residents supported the scheme and no objections had been received.

The Committee noted clarification received from the Specialist Development Management – Majors Officer, Kelly Jethwa that the side facing windows could not be obscure glazed owing to those windows serving habitable rooms.

The Committee discussed the application and noted the significant planning history associated with the site which had resulted in either refused or withdrawn schemes. The Committee noted that clarification was sought on how the size of a bungalow was assessed given it was of a similar size to garages found locally. In addition, why were habitable rooms excluded from having obscure glazing.

The Specialist Development Management – Majors Officer, Kelly Jethwa confirmed that whilst there were examples of garages in this locality of varying sizes, they were outbuildings which were not for occupation. Comparisons should be made to the sizes of the residential houses in the neighbourhood not to the garages. A habitable room was a room that was occupied for domestic purposes and needed a good degree of sunlight such as a bedroom or living room but excluded rooms such as a bathroom or landing.

The Committee noted concerns raised that it needed to be very careful in rejecting an officer recommendation based on character. The bungalow represented an incongruous form of development owing to the overbearing nature of the neighbouring properties, particularly the donor property of no.20 Pit Farm Road and the effect upon the bungalow's amenities.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Colin Cross		X	
2	Marsha Moseley	X		
3	Angela Gunning	X		
4	Pauline Searle	X		
5	Angela Goodwin	X		
6	David Bilbe	X		
7	Chris Blow		X	
8	Bob McShee		X	
9	Maddy Redpath		X	
10	Ramsey Nagaty		X	
11	Deborah Seabrook		X	
12	Nigel Manning	X		
13	Jon Askew	X		
14	Liz Hogger	X		
15	Fiona White	X		
	<b>TOTALS</b>	<b>9</b>	<b>6</b>	<b>0</b>

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

RESOLVED to refuse application 21/P/00153 for the reasons outlined in the report.

**PL6 20/P/01359 - LAND NORTH OF HAMBLEDON COTTAGE AND EAST OF, RIPLEY LANE, WEST HORSLEY, LEATHERHEAD, KT24 6JS**

The Committee considered the above-mentioned full application for proposed change of use of land from agriculture to a use for the walking, day care and training of dogs. (retrospective application) (description amended 27/01/2021).

The Committee received a presentation from the Specialist Development Management – Majors Officer, Kelly Jethwa. The Committee noted that the site is located within a wider setting of agricultural land. The application sought retrospective permission for the use of the site for dog walking, other routes and dog training. The site would be formed of two pens with a dividing fence. Vehicular access was gained via Ripley Lane. The business involved the collection and drop-off of dogs who were brought to the land for walking and training. There was no onsite accommodation for the dogs who were then returned home afterwards. Paragraph 150 of the NPPF allowed for this change of use of land in the Green Belt. The test was whether or not there would be a greater impact on the openness of the Green Belt. In terms of operational development, this was minimal with the fencing and parking spaces that would otherwise be permitted development. The site would be used more intensively than the surrounding fields and its previous use but was not uncommon in the countryside with livery stables for example. The activity was considered suitable by planning officers for the size of the site and would preserve the openness of the Green Belt. The applicant had also provided an updated plan which showed that the storage container currently onsite would be removed. County Highways had also asked for parking spaces to be provided which had now been incorporated. The details of the proposed visibility splays would be conditioned and the number

of trips generated by the site was found not to have an adverse impact upon the road network by the County Highway Authority.

The closest residential property to the site was located some 285 metres away and therefore given this significant distance and adjoining fields harm to residential amenities was considered limited. Conditions had however been recommended in regard to hours of use and a noise management plan. The site was screened along its boundaries and given the level of use, planning officers did not consider the site activities would harm the character of the area or landscape setting.

The Chairman permitted the Ward Councillor Catherine Young to speak for three minutes.

The Committee noted concerns raised that the proposal did represent inappropriate development in the Green Belt. It failed to meet the requirements of the West Horsley Neighbourhood Plan WH3 design management in rural areas. Dog walking, day care and training were not listed as acceptable development in the Green Belt. No very special circumstances had been submitted by the applicant to justify the land being used in this way. The intensification of use on the open rural fields would clearly restrict the openness of the Green Belt and cause significant harm. Storage containers and dog related equipment was already located onsite. Non-native laurel had also been planted around the field with screening erected and hardcore dumped. The development proposal should preserve the open field and woodland character which it was currently destroying. The views to the north made a significant contribution to the areas character which this development cut through. The operating hours proposed was seven days a week 8am – 7pm which was considered excessive. When the site would be operating at maximum capacity it could result in a total of 264 dogs and 22 vehicles per day which was also considered to be unacceptable. The level of noise generated by the dogs would also be excessive. The Committee noted additional concerns raised that the West Horsley Neighbourhood Plan Dark Skies policy would also be breached.

The Interim Head of Place, Dan Ledger confirmed that the Committee needed to consider whether the by virtue of the proposed development the openness of the Green Belt was preserved or not.

The Committee considered the application and wondered how the sound of dogs barking could be effectively managed via a noise reduction plan as recommended by Environmental Health. Concerns were noted about the effect upon native habitats and species such as deer. Despite County Highway Authority considering that the application was acceptable in terms of number of vehicle movements the Committee noted that it would nevertheless have a detrimental effect upon air quality. Dog walking would also require some form of lighting particularly in the latter hours of operation. Planning officer confirmed that no lighting had been proposed as part of the application, however a condition could be applied stating that no external lighting was permitted if the Committee was minded to.

The Committee remained concerned regarding the proposal, even if the containers were removed, the openness of the Green Belt would be affected by the site usage particularly the large vans which in the middle of the field were very visible. Occasional agricultural machinery was very different from having vehicles parked on this piece of land seven days a week. In addition, the West Horsley Neighbourhood Plan cited this area as being in Character Area 6 which related to an area typified by open fields and woodlands. This would no longer represent an open field given it would have two vehicles parked on it at any one time as well as the impact upon the surrounding views. The Committee also could not see how a noise reduction plan would regulate dogs barking and how such repetitive noise would be highly damaging to the neighbouring residents at Hambledon Cottage and surrounding area. The Committee also noted that the area was described in the Local Plan as having significant views over the Area of

Outstanding Natural Beauty (AONB). The fences erected and equipment onsite for the dogs harmed the character and openness of the Green Belt.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	David Bilbe		X	
2	Bob McShee		X	
3	Jon Askew			X
4	Fiona White	X		
5	Chris Blow		X	
6	Deborah Seabrook		X	
7	Pauline Searle		X	
8	Marsha Moseley	X		
9	Colin Cross		X	
10	Maddy Redpath		X	
11	Angela Goodwin		X	
12	Nigel Manning	X		
13	Liz Hogger		X	
14	Ramsey Nagaty		X	
15	Angela Gunning		X	
	<b>TOTALS</b>	<b>3</b>	<b>11</b>	<b>1</b>

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Chris Blow	X		
2	Ramsey Nagaty	X		
3	Liz Hogger	X		
4	Colin Cross	X		
5	Jon Askew			X
6	Pauline Searle	X		
7	Bob McShee	X		
8	David Bilbe	X		
9	Deborah Seabrook	X		
10	Nigel Manning		X	
11	Angela Gunning	X		
12	Maddy Redpath	X		
13	Angela Goodwin	X		
14	Marsha Moseley		X	
15	Fiona White			X
	<b>TOTALS</b>	<b>11</b>	<b>2</b>	<b>2</b>

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

RESOLVED to refuse application 20/P/01359 for the following reasons:

1. The development represents a material change of use of land and would, by virtue of the increase in vehicular trips and associated parking of vehicles on the land compared to the previous use of the land, fail to preserve the openness of the Green Belt. It therefore fails to comply with the provisions of paragraph 150(e) of the National Planning Policy Framework 2021 and represents inappropriate development in the Green Belt. There are no very special circumstances which outweigh the substantial harm to the Green Belt by reason of its inappropriateness. The proposal is therefore contrary to para. 150(e) of the NPPF 2021 and policy P2 of the Guildford Borough Local Plan: Strategy and Sites 2019.

2. The change of use, by virtue of the fencing creating subdivisions of the field and the associated parking of vehicles (both of which are necessitated by the use of the land) fails to preserve the essential open field character of the site which is located in 'Character Area 6 – Long Reach – West Side' identified in the West Horsley Neighbourhood Plan, this would harm the identified characteristics of the locality. The proposal is therefore contrary to policy D1(4) of the Guildford Borough Local Plan: Strategy and Sites 2019, policy WH3(i) of the West Horsley Neighbourhood Plan 2016 – 2033 and the NPPF.

3. The change of use, introduces an inherently noisy activity resulting including barking dogs and vehicle movements at an intensity that has a harmful impact on the amenities of Hambledown Cottage and other residential properties to the south and east of the site. The Council does not consider that adequate controls can be applied to limit the effect of the noise through the use of planning conditions. This would be contrary to policy G1(3) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007) and the NPPF 2021.

**Informatives:**

1. 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 not sought prior to submission and minor alterations were required to overcome concerns, these were sought and the applicant agreed to the changes, however, the Council ultimately considered the development to be unacceptable.

2. This decision relates expressly to drawing P50 Rev C and additional information received on 22 December 2020.

**PL7 21/P/00378 - 227 HIGH STREET, GUILDFORD, GU1 3BJ**

The Committee considered the above-mentioned full application for change of use of the existing ground floor E(a) use retail shop to E(b)/Sui Generis (hot food takeaway) Lebanese lunch restaurant and takeaway.

The Committee received a presentation from the Specialist Development Management Majors Officer, Kelly Jethwa. The application site related to a vacant commercial unit in Guildford town centre which was formerly last used as a retail use. It was also located with the Town Centre Conservation Area, Primary Shopping Area and Secondary Shopping Frontage. The site was located towards the top of the High Street beyond the cobbled area, situated on the ground floor of a 6-storey building with residential flats above. The main changes proposed would involve the installation of the ventilation and extraction equipment. The only visible change to the building comprised the addition of an extraction flue which would be visible from the roof. The proposed change of use would result in a row of two adjacent non-retail uses, the additional use would also exceed one third of the street frontage and resulted in the loss of a retail unit which would add to the existing unacceptable erosion of retail uses in the area. The amended Use Class Order had been taken into account as this was published after the adoption of the Local Plan. Even though the changes in the Use Class Order were to stimulate town centre uses, the government specifically excluded takeaway uses and classified them as a separate use class.

The Chairman permitted Ward Councillor John Redpath to speak for three minutes.

The Committee considered concerns raised that this building had been used as a takeaway for the last four years and only recently closed. When the planning classification changed in July 2020 it was still operating as a hot food takeaway. Therefore, it could be argued that the establishment should have automatically moved to the current Sui Generis classification that now covered Hot Food Takeaway establishments rather than A1. The concern was that by refusing this application the Committee was barring businesses from operating that would exacerbate the number of units that remained empty in the town.

The Interim Head of Place, Dan Ledger confirmed that for a change of use to become lawful a 10-year period of occupation was normally required not a 4-year period. However, if the applicant wanted to pursue that line, it was recommended they withdrew this application and applied for a Certificate of Lawful Use. Nevertheless, the Committee had to consider the application before it and whether or not planning permission should be granted.

The Committee remained concerned about the number of empty units in the High Street which had been exacerbated by the Covid-19 pandemic and whether an exception should be made in this case to permit the change of use. The Committee also noted that the recovery from the pandemic was still at an early stage and it was possible the shop would be used in the future as a retail unit. Disregarding policies in this case had to therefore be carefully balanced against the fact that this application was not exceptional.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Ramsey Nagaty		X	
2	Maddy Redpath		X	
3	Liz Hogger		X	
4	Pauline Searle	X		
5	Nigel Manning	X		
6	Bob McShee	X		
7	Colin Cross		X	
8	Fiona White	X		
9	Chris Blow		X	
10	Jon Askew	X		
11	Angela Goodwin	X		
12	Angela Gunning			X
13	David Bilbe	X		
14	Deborah Seabrook		X	
15	Marsha Moseley	X		
	<b>TOTALS</b>	<b>8</b>	<b>6</b>	<b>1</b>

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

RESOLVED to refuse application 21/P/00378 for the reasons as outlined in the report.

**PL8 20/P/00737 - ORCHARD WALLS, BEECH AVENUE, EFFINGHAM, LEATHERHEAD, KT24 6JS**

The Committee considered the above-mentioned full application for demolition of existing property and erection of 6 dwellings with a new access provided onto Beech Close. (Amended description with amended plans received 21 July 2021 – changing the housing mix to provide smaller homes).

The application had been deferred at the Planning Committee meeting held on 31 March 2021 so the applicant could confirm the commuted sum for affordable housing.

The Committee received a presentation from the Senior Planning Officer, James Overall. The site was located on a corner plot on the junction with Beech Close and Beech Avenue and was allocated in the Effingham Neighbourhood Plan for residential development for up to 6 dwellings. Fifty per cent of the dwellings were now comprised of two bedrooms and an appropriate affordable housing contribution had been secured of £98,211.83 via the S106 Agreement.

Several conditions had been recommended, namely conditions 18 and 19 which related to the locally important features that significantly contributed to the character of the surrounding area. This included the historic wall and beech hedging and the conditions ensured that those features were retained. It was noted that plots 2 and 3 had integral garages and was important that those garage spaces were kept. However, a homeowner could make alterations to the internal walls of their dwelling without planning permission as this was not considered to be

development. As such it was not possible to prevent internal garages from being converted to habitable rooms. Whilst this was not ideal, the recommended condition to remove permitted development relating to Schedule 2 Part 1 Class A would prevent the garage doors from being changed into windows without first seeking planning permission.

The Committee discussed the application and were happy with the revisions that had resulted from the deferral when it was last considered in March 2021. The application had been subject to many positive changes given the application was originally for eight very large properties which had now been reduced to six houses comprised of three houses and three two-bedroomed bungalows. This made it compliant with the Effingham Neighbourhood Plan policy on housing mix which required 50% of the market homes to be two bedrooms. There were also previously concerns regarding the financial viability of the scheme and this had since been remedied via the affordable housing contribution of £98,211.83.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Maddy Redpath	X		
2	Angela Gunning	X		
3	Fiona White	X		
4	Deborah Seabrook	X		
5	Liz Hogger	X		
6	Angela Goodwin	X		
7	Colin Cross	X		
8	David Bilbe	X		
9	Bob McShee	X		
10	Chris Blow	X		
11	Nigel Manning	X		
12	Pauline Searle	X		
13	Ramsey Nagaty	X		
14	Marsha Moseley	X		
15	Jon Askew	X		
	<b>TOTALS</b>	<b>15</b>	<b>0</b>	<b>0</b>

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

RESOLVED to approve application 20/P/00737 subject to the amended conditions as detailed on the supplementary late sheets and:

(i) That a s.106 agreement be entered into to secure:

- a financial contribution for affordable housing

If the terms of the s.106 or wording or the planning conditions are significantly amended as part of ongoing s.106 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 Head of Place / Director of Service Delivery. The recommendation is to approve planning permission, subject to conditions:

**Addition of a condition and reasoning:**

The condition relating to permitted development was mentioned in the report, but accidentally missed off. This condition is to be added and reads as follows:

*21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Schedule 2, Part 1, Class A, shall be carried out on the dwellinghouses hereby permitted or within their curtilage.*

*Reason: Having regard to the size of the dwellings approved, the local planning authority wishes to retain control over any future extensions / outbuildings at the property, in order to safeguard the character of the area and the residential amenities of adjoining properties.*

It should be noted that this condition is limited to Class A, as this is considered the main class which would impact dwelling size and could lead to a future unbalance in housing mix.

**Alteration to wording of Condition 7:**

The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plan, Drawing No. No.AAL-21-164-PO1, for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking spaces, garage parking spaces and turning areas shall be retained and maintained for their designated purposes.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

**Alteration to wording of Condition 19:**

The existing boundary walls to the site as shown on plan no.AAL-21-164-P01 shall be permanently retained and maintained. It should be noted that the eastward extent of the wall on the northern boundary, as shown on AAL-21-164-P01 is inaccurate. Rather than ending at the side wall of the Crossroads garages in the garden of plot 6, the historic wall continues a few feet further east. This condition therefore seeks retention and maintenance of the boundary wall as it lies, as per plan no.AAL-21-164-P01 with the above description noted.

Reason: In the interests of the character and appearance of the Effingham Conservation Area.

**PL9      21/P/01135 - ASPEN HOUSE, 107 POYLE ROAD, TONGHAM, FARNHAM, GU10 1DY**

The Committee considered the above-mentioned full application for variation of Condition 1 (drawing numbers) of planning application 17/P/02349 approved 09/02/2018 for drawings AR07 rev D, AR08 rev D, AR09 rev A, as approved to be replaced with AR07 rev F, AR08 rev E, AR09 rev B as built, to allow for minor variation to road alignment (retrospective application).

The Committee received a presentation from the Senior Planning Officer, James Overall. A history of the site was outlined. In 2015 an outline application for the site was refused by Guildford Borough Council and allowed at appeal in August 2016. In 2017, an outline application for a single dwelling to the far south of the site was refused by Guildford Borough Council and also allowed at appeal in September 2018. Both of those outline applications had been submitted by Mr D Traylen who lived at plot 6 with his family. Since those outline applications, a reserved matters application was received in 2017 by Omega Homes for six dwellings which was approved in February 2018 and a non-material amendment application was approved in February 2019 which allowed some minor changes to the approved plans. The plans submitted and a non-material amendment, showed the access road to the adjoining plot at the far south of the site. In 2019, the full application for the single dwelling to the far south of the site was submitted by Mr Traylen and approved in September 2019. The Section

73 Application sought to allow plans AR07, AR08 and AR09. The amendments result from the development not having been built in accordance with those originally approved. The main alterations were related to adjustments to road tarmac layout within the site, adjustments to the driveway for plot 5 and adjustments to hedges and trees within the site. It was important to note that under Section 73 applications, the Local Planning Authority could only assess the proposed alterations and add conditions if required and nothing else.

The Committee also noted this was a retrospective application. One tree had been removed and plot 5 had gained a driveway but the boundary line and turning area had not changed. Concerns had also been raised in relation to drainage. The original permission 17/P/02349 included a drainage condition, number 5, which was discharged in April 2018. However, this Section 73 Application was not seeking to vary condition 5 and the Committee was therefore unable to consider this. The drain situated within the grounds of plot no 5 related to the single dwellinghouse that was approved separately. The agent did not wish for this to be dealt with as part of this application but rather in the future. Lastly, an informative was also recommended to ensure that the hedge was maintained at a level no higher than 105 centimetres or 41 inches.

The Committee discussed the application and noted that they were not able to consider any civil issues raised between the residents and developer. With regard to the hedge, an informative had been applied which meant that it had to be maintained to a height of no higher than 105 centimetres. Those works could be carried out by any resident but must be undertaken. It was the same equivalent height to someone sat in a car.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Nigel Manning	X		
2	Colin Cross	X		
3	Fiona White	X		
4	Bob McShee	X		
5	Chris Blow	X		
6	Marsha Moseley	X		
7	Angela Gunning	X		
8	Angela Goodwin	X		
9	Maddy Redpath	X		
10	Deborah Seabrook	X		
11	Ramsey Nagaty	X		
12	Jon Askew	X		
13	Liz Hogger	X		
14	Pauline Searle	X		
15	David Bilbe	X		
	<b>TOTALS</b>	<b>15</b>	<b>0</b>	<b>0</b>

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

RESOLVED to approve application 21/P/01135 subject to the conditions and reasons as detailed in the report and the additional informative as detailed on the supplementary late sheets and below:

Two additional informatives:

6. The applicant is advised that the close forms a private road, and therefore whilst the approved plans indicate a shared surface for use as turning circle, it should be noted that it is the responsibility; and in the interest of, the residents inhabiting the close to ensure this area remains unobstructed to allow for the turning of large vehicles such as refuse lorries. In the event of obstructed turning, it may result in waste not being collected, which would be unfavourable to the residents of the close.

*7. The applicant is advised that condition 2 relating to the height of the hedge fronting Poyle Road does not specify a party responsible for carrying out the work, it is not a planning consideration as to who would do this, and residents can under this condition carry out appropriate maintenance. It is in the interests of all parties to ensure compliance as a breach of the condition would result in all persons with an interest in the land being responsible and subject to potential enforcement action. Furthermore, nothing in this condition prevents the hedge from being removed in its entirety.*

**PL10 PLANNING APPEAL DECISIONS**

The Committee noted and discussed the appeal decisions.

The meeting finished at 9.26 pm

Signed .....

Chairman

Date .....

## **Planning Committee**

**3 November 2021**

### **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**

No late representations have been received.

This page is intentionally left blank