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Tom Horwood
Joint Chief Executive of Guildford and
Waverley Borough Councils

Dear Councillor

PLANNING COMMITTEE – WEDNESDAY 13 APRIL 2022

Please find attached the following:

Agenda No Item

- d) Late Sheets - Amendments, Corrections and Updates and Late Representations
(Pages 1 - 6)

Yours sincerely

Sophie Butcher, Democratic Services Officer

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Planning Committee

13 April 2022

Update/Amendment/Correction/List

21/P/02296 – (Page 15-49) – 1 & 2 Ash Grove, Guildford, GU2 8UT

Conditions and reasons:

Condition 6 amended as follows (page 20)

The development must accord with the Arboricultural Report prepared by Dryad (amended version dated 24.02.2022, reference D2549.REV4.0.AIA.AM) *and addendum showing removal of tree G2 (reference D2549 - Additional tree removal twodio V1.2)*. No development shall commence on site until the protective fencing and any other protection measures shown on the Tree Protection Plan (amended version dated 24.01.2022, reference D2549.REV4.0.A1.TCPWR Rev 4.0) in the Arboricultural Report have been installed. At all times, until the completion of the development, such fencing and protection measures shall be retained as approved. Within all fenced areas, soil levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris. No development shall commence until a site meeting has taken place with the site manager, the retained consulting arboriculturalist and the Local Planning Authority Tree Officer.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality.

Relevant planning history

18/P/02391/S106/01	Deed of variation to the Section 106 dated 20 February 2020 to vary Section 5.1 of the First Schedule for the S278 agreement required for the delivery of the pedestrian footbridge to allow time for the departure from policy required from the Department for Transport prior to starting the s278 application permitted by the planning permission 18/P/02391.	Pending consideration
21/D/00017/6	Discharge of condition 32 (pedestrian footbridge) of planning application 18/P/02391 approved 17/02/2020.	Approved 04.04.2022
22/N/00022	Non-material amendment to planning application 18/P/02391 approved 17/02/2020 to amend the wording of conditions 27 (pedestrian bridge) and 30 (broadband) and to add a condition for the agreement for the departure from policy from the DfT for the pedestrian bridge.	Approved 10.03.2022
21/P/01050	Demolition of 3no. existing dwellings and redevelopment to provide purpose-built student accommodation for 127 students, landscaped communal areas, internal communal areas, cycle parking, new pedestrian and cycle access onto the	Withdrawn

existing A3 footpath, amended access off Ash Grove and associated works.

[officer comment: the pedestrian bridge initially required a departure from policy by the Department of Transport therefore condition 32 was added under 22/N/00022. National Highways confirmed in writing that this was no longer required therefore the condition was discharged under 21/D/00017/6, a deed of variation also submitted on this matter under 18/P/02391/S106/01, whilst the DfT has confirmed no departure is needed, starting the s278 process had to wait for this and so the variation is still necessary].

21/P/02643 – (Pages 53-75) – Tretower House, Merrow Street, Guildford, GU4 7AT

Planning Considerations:

Sustainability:

For clarification, the submitted Climate Change and Sustainability Questionnaire states that the development will be providing PV panels contributing to at least 25% renewable energy (in addition to the other measures as set out in the officers report). These measures will be secured by way of Conditions 5 and 20 as set out in the officer's report.

Conditions:

Condition 6 is amended to ensure the Landscape Ecological Management Plan is submitted to the LPA for approval ***prior to the commencement*** of development.

Condition 6 wording amended as follows:

Prior to the ***commencement of development***, a detailed landscape and ecological management plan (LEMP) for the site to include detailed landscaping proposals and the enhancement and mitigation measures set out in the 'Addendum to Planning Supporting Letter - Ecology (from Tetra Tech Planning) dated 8 March 2021, must be submitted to and approved in writing by the Local Planning Authority. The LEMP should include adequate details of proposed impact avoidance, mitigation and enhancement and include details of the following:

- a) description and evaluation of features to be managed
- b) ecological trends and constraints on site that might influence management
- c) aims and objectives of management
- d) appropriate management options for achieving aims and objectives
- e) prescriptions for management actions together with a plan of management compartments
- f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
- g) details of the body or organisation responsible for implementation of the plan
- h) ongoing monitoring and remedial measures

- i) legal and funding mechanisms by which the long-term implementation of the plan will be secured by the application with the management body(ies) responsible for its delivery
- j) monitoring strategy, including details of how contingencies and / or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme
- k) final biodiversity net gain assessment

The development shall be implemented in accordance with the agreed LEMP.

Reason: To increase the biodiversity of the site and mitigate any impact from the development.

Condition 20 is updated to include reference to the proposed sustainability measures as set out in the Planning Supporting Letter (Page 11) from Tetra Tech (dated 17 December 2021) . Condition updated as follows:

Condition 20 wording amended as follows:

The development shall be carried out in accordance with the sustainability measures set out in the submitted Climate Change and Sustainability Questionnaire (received 20 December 2021) and the sustainability measures set out on Page 11 of the Planning Supporting Letter from Tetra Tech (dated 17 December 2021).

Reason: To ensure that measures to make the development sustainable and efficient in the use of energy, water and materials are included in the development.

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Planning Committee

13 April 2022

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

21/P/02296 – (Page 15-49) – 1 and 2 Ash Grove, Guildford, GU2 8UT

Third party comments: (page 34-35) 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
[officer comment: addressed in report page]
- 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 inset from 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).

21/P/02643 – (Page 53 - 75) - Tretower House, Merrow Street, Guildford, GU4 7AT

Third party representations (page 62-63) updated:

A further letter has been received raising concerns regarding the impact of the proposed development on ecology, specifically with regard to bats and toads and biodiversity net gain.

Officer note:

With regard to Bats: There are conditions recommended in order to mitigate any impacts on Bats.

With regard to the Common Toad: In accordance with the recommendations and advice from Surrey Wildlife Trust, conditions 6, 7 and 8 are recommended in order to mitigate any impact on the common toad species. Including Condition 7 which requires the submission of the following information to the LPA prior to the commencement of development:

a Common Toad Mitigation Strategy to include adequate details of all measures of impact avoidance, mitigation and enhancement to reduce the impact on the species and include details of the following:

- *ACO Climate Tunnel*
- *ACO Wildlife Kerb*
- *Amphibian Garden.*
- *construction detail*
- *monitoring and maintenance programme*

Surrey Wildlife Trust would be consulted on the details submitted in relation to the ecological conditions. SWT are satisfied with the assessments carried out and that conditions can be used to mitigate any impact.

With regard to 'biodiversity net gain': As set out in the Officer's Report, the Government announced it would mandate net gains for biodiversity (BNG) in the Environment Bill in the 2019 Spring Statement. The Environment Bill received Royal Assent on 9 November 2021. Mandatory biodiversity net gain as set out in the Environment Act applies in England only by amending the Town & Country Planning Act (TCPA) and is likely to become law in 2023. The absence of this change to TCPA and no Development Plan policy regarding biodiversity net gain, means that it would be unreasonable to require BNG, in this instance. However, as para 175 of the NPPF sets out the principles that should be applied to habitats and biodiversity and policy ID4 of the LPSS seeks to contribute to biodiversity of green and blue infrastructure, it would be appropriate to require biodiversity enhancements by condition. (Condition 6)