

PLANNING COMMITTEE

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

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|----------------------------------|----------------------------|
| * Councillor Jon Askew | * Councillor Liz Hogger |
| * Councillor Christopher Barrass | Councillor Marsha Moseley |
| * Councillor David Bilbé | * Councillor Susan Parker |
| * Councillor Chris Blow | * Councillor Maddy Redpath |
| * Councillor Ruth Brothwell | Councillor Caroline Reeves |
| * Councillor Angela Gunning | * Councillor Paul Spooner |
| * Councillor Jan Harwood | |

*Present

Councillors Tim Anderson, Andrew Gomm and Catherine Young, were also in attendance.

PL41 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Marsha Moseley for whom Councillor Jo Randall attended as a substitute and Councillor Caroline Reeves for whom Councillor James Steel attended as a substitute.

PL42 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

20/P/00534 – Weekwood Copse, Green Lane East, Normandy, GU3 2JL

Councillor David Bilbé confirmed that a complaint had been submitted against him by the applicant when application 19/P/01286 was considered by the Planning Committee at its meeting on 4 December 2019. The complaint was subsequently dismissed. Councillor Bilbé lived 350 yards away from the application site and had no personal relationship with the applicant. Councillor Bilbé confirmed that the disclosure would not affect his objectivity in the consideration of this application.

20/P/01216 – Land off, Field Way, Send, Woking, GU23 6HJ

Councillor Ruth Brothwell confirmed that she lived very close to the application site but that this disclosure would not affect her objectivity in the consideration of this application.

PL43 MINUTES

The minutes of the Planning Committee held on 16 September 2020 were approved and signed by the Chairman as a true record.

PL44 ANNOUNCEMENTS

The Committee noted the procedures for determining planning applications.

PL45 20/P/00534 - WEEKWOOD COPSE, GREEN LANE EAST, NORMANDY, GU3 2JL

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

- Mr Tony Coomber (to object); and
- Mr Neil Aust (Applicant) (in support)

The Committee considered the above-mentioned full application for removal of conditions 2 (hours of use), 3 (restrictions on use) and 7 (submission of yearly log book) of planning application 19/P/01286 approved 04.12.2019.

The Committee was informed by the planning officer that an application to allow the change of use from private amenity woodland to private amenity woodland and recreational dog walking was approved by the Planning Committee at its meeting on 4 December 2019 subject to conditions. This application was defined as a Section 73 which had been submitted to request the removal of three conditions 2, 3 and 7. Planning officers considered that the removal of conditions 2 and 3 was not acceptable, however, under S73 the Council must consider whether an alternative variation would be appropriate. In this instance, it was considered permissible to vary conditions 2 and 3. Members therefore had to consider whether the proposed variations and removal of condition 7 would give rise to any planning harm. Planning officers considered it necessary to retain restrictions over the hours of operation due to the proximity of residential properties located nearby. A relaxation of the hours of operation between 7am and 9pm was considered acceptable by officers as it would not affect neighbouring amenity or result in any further harm to the Green Belt. In addition, Environmental Health officers had raised no objections. Condition 3 sought to control the intensity of use of the woodland by restricting the number of dogs. Planning officers considered it acceptable to permit increasing the number of dogs allowed from 6 to 12 as it would not put undue pressure upon the Green Belt, would not affect neighbouring amenities and again Environmental Health officers and Animal Welfare officers had raised no objections. Condition 7 sought a yearly monitoring of the site through the submission of a logbook which planning officers did not believe gave any additional control and was therefore recommended to no longer be necessary.

The Committee noted that the site comprised an area of private woodland used for recreational dog-walking which was fenced with a secure gated access surrounded to the east and south by grazing fields and woodland to the west. An ancient monument intercepted the site and was also located within an area of high archaeological potential within the 400m to 5km buffer zone of the Thames Heath Basins Special Protection Area (TBHSPA). The closest properties were Beech Tree Farm which was located 207 metres away and Long Common that was located 240 metres away, both measurements taken from the edge of the boundary of the site.

The planning officer recommended the proposed variation to conditions 2 and 3 and the removal of condition 7 as acceptable as it represented a minor material change to the original grant of permission and was therefore recommended for approval in accordance with the conditions as detailed in the agenda.

The Committee debated the application and considered concerns raised that the proposal would increase pollution and CO² levels in the area by increasing the number of cars allowed onsite. The amenity value and character of the area would also be affected by the sites increased use. It was also questioned whether the extension to the hours of operation to 9pm was required owing to its resultant effect upon nocturnal wildlife particularly with the introduction of artificial torch light by the dog walkers. The Committee considered that the application to remove conditions 2, 3 and 7 was premature given the original application had only been recently granted in December 2019. A more significant period of time was required, including the submission of the annual logbook, as required by condition 7, which would assist in building

up a picture to assess whether the Committee was able to support or refuse a relaxation of conditions.

The Committee considered on balance that the proposed increase to 12 dogs would result in additional waste that would degrade the natural environment, intensify the potential harm caused to the Green Belt, neighbouring amenities and increase pollution levels caused by vehicles coming to and from the site.

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

RECORDED VOTES LIST				
	Councillor	FOR	AGAINST	ABSTAIN
1.	Maddy Redpath		X	
2.	Paul Spooner		X	
3.	Jan Harwood	X		
4.	Chris Blow		X	
5.	Jo Randall		X	
6.	Christopher Barrass		X	
7.	Susan Parker		X	
8.	Jon Askew		X	
9.	Ruth Brothwell		X	
10.	Colin Cross		X	
11.	David Bilbé		X	
12.	Angela Gunning		X	
13.	Liz Hogger		X	
14.	Fiona White			X
15.	James Steel		X	
	TOTAL	1	13	1

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

RECORDED VOTES LIST				
	Councillor	FOR	AGAINST	ABSTAIN
1.	Susan Parker	X		
2.	Ruth Brothwell	X		
3.	Angela Gunning	X		
4.	Liz Hogger	X		
5.	Fiona White	X		
6.	Jan Harwood			X
7.	Colin Cross	X		
8.	Christopher Barrass	X		
9.	Chris Blow	X		
10.	Maddy Redpath	X		
11.	James Steel	X		
12.	David Bilbé	X		
13.	Paul Spooner	X		
14.	Jo Randall	X		
15.	Jon Askew	X		
	TOTAL	14	0	1

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

RESOLVED to refuse application 20/P/00534 for the following reasons:

1. The removal of conditions 2 and 3 of 19/P/01286 would result in the grant of planning permission which would give rise to substantial harm to residential amenities of neighbouring properties and an intensification of use which would give rise to substantial harm to the Green Belt, without the existence of very special circumstances, contrary to saved policy G1 (3) of the Guildford Borough Local Plan 2003 (as saved by CLG direction 24 September 2007) and policy P2 of the Local Plan: Strategy and Sites 2015-2034.

The removal of condition 7 of 19/P/01286 is premature and having regard to the nature of the development does not enable the Council to retain control over future activities at the premises, in order to safeguard the Green Belt, contrary to Policy P2 of the Local Plan: Strategy and Sites 2015-2034.

No variation of the condition would achieve a similar aim and therefore the Council consider that the conditions attached to the original permission should remain, in line with S.73 of the Town and Country Planning Act.

PL46 20/P/01216 - LAND OFF, FIELD WAY, SEND, WOKING, GU23 6HJ

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

- Mr Matthew Azzopardi (to object);
- Ms Ruth Hunter (to object) and;
- Mr James Brown (on behalf of Concept Developments Ltd) (in support)

The Committee considered the above-mentioned full application for residential development comprising 9 new dwellings. The Committee noted the supplementary late sheets which detailed a number of additional consultee responses. The Committee was informed by the planning officer that the site was inset from the Green Belt, was within the 400m to 5km Thames Heath Basin Special Protection Area (TBHSPA) buffer zone and was located in Flood Zone 1. A public footpath linked Clandon Road through to Burnt Common Lane, a petrol station and bus stop were also located nearby.

The development proposed 9 dwellings comprised of a mix of 2x2 bed units, 2x3 bed units and 5x4 bed units. A total of 26 car parking spaces would be provided within the site, allowing 2 spaces per each 2-bed unit, 3 spaces per each 3-bed unit and 3 spaces for each 4-bed unit. 7 of the car parking spaces were provided within car barns and 1 visitor space. Access to the site would be gained via Field Way. The rear garden size would range from 10.1 metres on plot 5 to 14.1 metres on plot 9 and Weather's Post would have a new vehicular access. The houses would be two storeys in height, with stone tile hanging to some gable ends. Cycle and bin storage would be located within the residential curtilages of each dwelling.

It was the planning officer's view that the proposed development for 9 dwellings would adhere to the National Described Space Standards and provided good quality residential properties. The proposal would not be unduly detrimental to the residential amenities of the surrounding area owing to the good separation distances achieved between dwellings. The parking provision was in excess of parking standard requirements. No objections had been received from Refuse and Recycling given that the collection vehicles could leave the site in forward gear. Surrey County Council Highways had made a site visit and confirmed that they were

satisfied that Field Way was suitable as a shared surface arrangement for both pedestrians and vehicles. In addition, they recommended a contribution of £13,000 towards the upgrading of the footpath as well as an independent cycle track that lead to the bus stop on Clandon Road so to encourage the use of more sustainable modes of transport. The application was therefore recommended for approval by planning officers subject to the Heads of Terms as detailed in the report.

The Committee considered the application and noted concerns raised regarding the housing mix proposed for the development which was significantly skewed in favour of four bed properties. The mix proposed represented a 40% shortfall of what was required in the Strategic Housing Market Assessment (SHMA) which should balance the need and demand for 1, 2 and 3 bed properties locally. Whilst the development was located close to an allocated site in the Local Plan for 550 properties at Garlick's Arch the Committee considered that it should not be presumed that this larger development would help balance the requirement for smaller properties overall.

The Committee noted that a Transport Management Plan was required prior to the commencement of development so that highway safety was not prejudiced. The road would also need to be adopted as Field Way was currently an unadopted private road.

The Committee was concerned that there was insufficient infrastructure in the local area to support the additional housing proposed such as doctor surgeries, schools as well as a known poor internet connection. In addition, one visitor parking bay for seven homes was deemed as insufficient. The Committee also noted that attention should be drawn to the bat survey which demonstrated that the site was capable of supporting protected species. It was noted that the additional housing would increase the carbon footprint and be detrimental to the surrounding environment. The Committee also considered that this was a windfall application which was not needed given 235 similar windfall applications had already been approved.

In response to comments made, the Planning Solicitor confirmed that the application for Garlick's Arch had been received and would be considered by the Planning Committee in due course. However, this application had to be considered independently according to its planning merits.

The planning officer confirmed that in response to highways concerns, Surrey County Council Highways, following their site visit, had concluded that a road width of 4.1m was acceptable for two vehicles to pass each other. Planning officers had assessed the development and found it to be appropriate for Flood Zone 1. It was not possible to defer windfall site applications which had to be dealt with in the same way as allocated site applications. Lastly, in relation to concerns raised regarding a lack of infrastructure to support the proposed development, given it was a scheme for 9 dwellings it was defined as a minor development and therefore did not trigger s106 contributions towards education and a doctor's surgery.

The Committee noted that a refusal based upon highways issues was not tenable given the Surrey County Council Highways had assessed the development and concluded it was acceptable. The Planning Inspectorate would support the conclusions made by Highways. The Committee remained concerned regarding the housing mix which was predominantly characterised by an over provision of 4 bed units. If the scheme had been for 10 units, an affordable housing contribution could have been sought. The Committee requested clarification, whether if an additional property was built on the land at Wildwood at a later date, could an affordable housing contribution be sought as part of the Heads of Terms.

The Committee also noted that the Council was well on track with meeting its housing need and therefore questioned the requirement for more housing. The Committee queried the contribution of £13,000 towards the upgraded track which seemed like a very small amount considering the number of properties proposed.

In response to queries raised, the planning officer confirmed that the S106 costs included both SANGS and SAMM. On page 54 of the agenda, it detailed the Thames Basin SANGS and Access Management contributions which was inflation linked and was the minimum amount if the development came forward next April 2021. The area was characterised by more family homes and it was therefore for the Committee to assess if they wished to support the provision of additional 4-bed homes. The Planning Development Manager also advised the Committee that when concerns regarding housing mix had been used previously in reasons for refusal, for example in relation to Champney's Cottage, which proposed 5 dwellings with 4 beds, the Planning Inspectorate had allowed the application at appeal.

The Planning Solicitor confirmed that any additional property built at Wildwood would not meet the tests as required of the 122 CIL Regulations and therefore could not be included in the S106 agreement to require an affordable housing contribution. It was recommended that an informative was added instead.

The Committee noted that whilst the unadopted road, Field Way, was not a planning consideration it was a practical issue in that the residents could block the road from the developer. The Planning Solicitor confirmed that it was for the developer to negotiate with the residents in regard to accessing Field Way. Case law stated that issues such as this was not a land use matter but rather a legal question.

The Committee considered overall that the proposed development failed to accord with the Council's SHMA criteria and favoured the provision of 4-bed dwellings which was contrary to the mix required for 1 and 2 bed properties. The proposal would also negatively impact the surrounding environment and protected species, particularly, the TBHSPA. There was a lack of infrastructure locally to support the additional housing and increased demand that would result for places at schools, doctors and wi-fi provision. The absence of a completed S106 agreement would fail to secure the necessary contributions sought to upgrade the footpath and create a dedicated cycle track.

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

RECORDED VOTES LIST				
	Councillor	FOR	AGAINST	ABSTAIN
1.	Fiona White	X		
2.	Ruth Brothwell		X	
3.	Susan Parker		X	
4.	Jan Harwood	X		
5.	James Steel		X	
6.	Angela Gunning	X		
7.	Christopher Barrass		X	
8.	Chris Blow		X	
9.	Maddy Redpath		X	
10.	Paul Spooner		X	
11.	David Bilbé		X	
12.	Jon Askew		X	
13.	Liz Hogger		X	
14.	Jo Randall (lost wi-fi connectivity)			
15.	Colin Cross		X	
	TOTAL	3	11	

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

RECORDED VOTES LIST				
	Councillor	FOR	AGAINST	ABSTAIN
1.	Christopher Barrass	X		
2.	Fiona White		X	
3.	James Steel		X	
4.	Chris Blow	X		
5.	David Bilbé	X		
6.	Ruth Brothwell	X		
7.	Jan Harwood			X
8.	Maddy Redpath	X		
9.	Paul Spooner		X	
10.	Colin Cross	X		
11.	Jon Askew		X	
12.	Angela Gunning			X
13.	Liz Hogger		X	
14.	Jo Randall (lost wi-fi connectivity)			
15.	Susan Parker	X		
	TOTAL	7	5	2

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

RESOLVED to refuse application 20/P/01216 for the following reasons:

1. The proposed housing mix, in being heavily weighted towards larger 4 bed dwellings, would not be compliant with the Council's SHMA. The SHMA identifies a housing need for 50% of dwelling mix to be provided through 1 and 2 bedroom properties, the proposal in providing no 1 bed properties and a reduced number of 2 bed properties fails to secure an appropriate mix of housing. The proposed development does not yet have plans which demonstrate an appropriate connection to the existing street pattern and fails to provide satisfactory place making, contrary to policies H1 and ID1 (6) of the Guildford Local Plan: Strategy and Sites 2015-34.

2. The proposed development has negatively impacted ecology within the site due to site clearance prior to submission, which has resulted in unreliable survey work; a negative impact on bat species and a negative impact on the green corridor, contrary to policy ID4 of the Guildford Local Plan: Strategy and Sites 2015-2034.

3. Insufficient local infrastructure, with particular regard to GP surgery places, local school places and broadband, is in place to support the proposed development contrary to Policy ID1 of the Guildford Local Plan: Strategy and Sites 2015-2034.

4. In the absence of a completed planning obligation to secure a contribution of:

- £10,000 to upgrade footpath 603;
- £3000 to dedicate a cycle track.

the development would fail to mitigate its impact on local infrastructure provision and would conflict with policy ID1 of the Guildford Local Plan: Strategy and Sites 2015-34.

5. The site lies within the 400m to 5km zone of the Thames Basin Heaths Special Protection Area (TBHSPA). The Local Planning Authority is not satisfied that there will be no likely significant effect on the Special Protection Area and, in the absence of an appropriate assessment, is unable to satisfy itself that this proposal, either alone or in combination with other development, would not have an adverse effect on the integrity of the Special Protection Area and the relevant Site of Special Scientific Interest (SSSI). In this respect, significant concerns remain with regard to the adverse effect on the integrity of the Special Protection Area in that there is likely to be an increase in dog walking, general recreational use, damage to the habitat and disturbance to the protected species within the protected areas. As such the development is contrary to the objectives of policies NE1 and NE4 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07) and conflicts with saved policy NRM6 of the South East Plan 2009. For the same reasons the development would fail to meet the requirements of Regulation 61 of The Conservation of Habitats and Species Regulations 2010, as amended, and as the development does not meet the requirements of Regulation 62 the Local Planning Authority must refuse to grant planning permission.

Informatives:

1. This decision relates expressly to drawings: location plan LP01, proposed site layout P01, proposed site information plan P02, plots 1 & 2 P03, plot 3 P04, plots 4 & 5 P05, plot 6 P06, plot 7 P07, plot 8 P08, plot 9 P09, car barn details P10, street scenes P11, block plan P12, bin and cycle storage details P13, ecological survey and Transport plan received on 22 July 2020 and CGO ecology & management plan, preliminary ecological appraisal 2019, bat report received on 3 September 2020.

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 potential issues and suggested amendments to overcome concerns. However, the application has not been submitted in accordance with that advice, the application was considered to be unacceptable and no further amendments were sought.

**PL47 20/P/01166 - THE LODGE AT, BARN END, THE STREET, WEST CLANDON,
GUILDFORD, GU4 7TY**

The Committee considered the above-mentioned full application for erection of rear extension to provide a second bedroom with en-suite shower room.

The Committee was informed by the planning officer that the application site was located within the Green Belt and the surrounding area was residential in character consisting of detached properties of similar scale and design. The proposed extension in terms of floor area would result in a 59.7% uplift from the original building. The scale and proportion of the extension would not be significant overall and the design and materials to be used would match that of the existing outbuilding. It was the planning officer's view that the proposal represented an appropriate form of development in the Green Belt which respected the scale and character of the existing building and character of the surrounding area. It would not impact upon the residential amenities of neighbouring properties and the application was therefore recommended for approval.

The Chairman permitted the Ward Councillor Tim Anderson to speak for three minutes in relation to the above application.

The Committee discussed the application and noted concerns raised that the proposed development did not meet policy P2 as it would increase the footprint by 59.7%. The addition of 40m² would be disproportionate to the original dwelling and result in harm to the openness of the Green Belt. The single storey nature of the extension represented an increase in the properties mass and bulk which would have a detrimental impact upon the host dwelling. The Committee noted that the extension was also contrary to the West Clandon Neighbourhood Plan which aimed to preserve and respect the rural setting. The bungalow was not ancillary to the main house but approximately 10m from the house, separated by fencing in the Green Belt. The Committee considered that no exceptional circumstances existed to permit such a development.

The Committee queried why the percentage increase was just related to one outbuilding which was an auxiliary building for the main property. The Committee asked if it would be more appropriate to look at the percentage increase in the built form on the site overall, compared with the original and how it was in 1947, which would be significantly less than a 59% increase overall. The Planning Development Manager confirmed that he did not have that information to hand. The Committee asked if it was therefore possible to comment on whether it would be appropriate to view this as a percentage increase over the whole site rather than just one small building. The Planning Development Manager advised that if that was to be looked at, it would be better to defer the application to then look at the other outbuildings that were being built within the whole curtilage. However, on balance, planning officers had concluded that the percentage increase was acceptable.

The Committee considered overall that the proposed extension represented a disproportionate addition over the size of the original dwelling and constituted inappropriate development in the Green Belt which would affect its openness. No very special circumstances existed to justify the proposal.

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

RECORDED VOTES LIST				
	Councillor	FOR	AGAINST	ABSTAIN
1.	Colin Cross		X	
2.	Fiona White	X		
3.	Liz Hogger	X		
4.	Jon Askew			X
5.	David Bilbé		X	
6.	Ruth Brothwell		X	
7.	James Steel	X		
8.	Maddy Redpath		X	
9.	Susan Parker		X	
10.	Jan Harwood			X
11.	Christopher Barrass		X	
12.	Chris Blow		X	
13.	Paul Spooner		X	
14.	Jo Randall		X	
15.	Angela Gunning		X	
	TOTAL	3	10	2

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

RECORDED VOTES LIST				
	Councillor	FOR	AGAINST	ABSTAIN
1.	Paul Spooner	X		
2.	Jon Askew			X
3.	Jo Randall			
4.	Susan Parker	X		
5.	Chris Blow	X		
6.	Colin Cross	X		
7.	Angela Gunning	X		
8.	Maddy Redpath	X		
9.	Jan Harwood			X
10.	David Bilbé	X		
11.	Christopher Barrass	X		
12.	James Steel			X
13.	Liz Hogger			X
14.	Ruth Brothwell	X		
15.	Fiona White			X
	TOTAL	9	0	5

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

RESOLVED to refuse application 20/P/01166 for the following reasons:

1. The proposed extension to the outbuilding would by reason of its scale, (in particular its floor area), represents a disproportionate addition over the size of the

original building. This would constitute inappropriate development in the Green Belt, which would be harmful in planning terms and would materially harm the openness of the Green Belt. No very special circumstances have been demonstrated to justify the proposal. The proposal is therefore contrary to policy P2 of the Guildford Borough Local Plan: Strategy and Sites 2015 -2034 and the requirements of paragraph 145 of the National Planning Policy Framework (NPPF) 2019.

Informatives:

1. This decision relates expressly to drawing(s) AAL-20-154-P01, AAL-20-154-P02, AAL-20-154-P03, AAL-20-154-P04 and AAL-20-154-P05 and additional information received on 15/07/2020.

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.

Pre-application advice was not sought prior to submission and the application was acceptable as submitted by the Officers. However, the Planning Committee considered that the proposed development was not acceptable, therefore, the application has been recommended for refusal.

PL48 PLANNING APPEAL DECISIONS

The Committee noted the appeal decisions.

The meeting finished at 9.50 pm

Signed

Chairman

Date