

PLANNING COMMITTEE

* Councillor Fiona White (Chairman)
Vice-Chairman: (to be elected by Council 28 July 2020)

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

*Present

Councillors Graham Eyre, Ted Mayne, Ramsey Nagaty, John Redpath and Tony Rooth, were also in attendance.

PL1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Marsha Moseley for whom Councillor Jo Randall attended as a substitute.

PL2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

No disclosures of interest were declared.

PL3 ANNOUNCEMENTS

The Committee noted the procedures for determining planning applications.

PL4 19/P/02102 - LAND AT MANOR FARM, THE STREET, TONGHAM, GU10 1DG

The Committee considered the above-mentioned reserved matters application pursuant to outline permission 16/P/00222 permitted on 26/01/2018, to consider appearance, landscaping, layout and scale in respect of the erection of 254 dwellings and including the creation of open spaces, drainage systems and associated infrastructure.

The Chairman permitted Councillor Graham Eyre to speak in his capacity as ward councillor in relation to this application as well as non-ward Councillor Tony Rooth.

The Committee noted that the application was deferred at its meeting on 17 June 2020, owing to the late running hour. A virtual site visit had been held the day before and this Special Meeting was convened to enable the Committee to consider the application.

The Committee was informed by the planning officer that the proposed site layout had been developed following extensive pre-application advice from the Council's Urban Design Officer as well as via the Design Review Panel who had striven to break up the streets into more organic land parcels. The site layout for a previous reserved matters application on this site was refused in July 2019 due to its design and layout which was perceived as being poorly connected, using unattractive building materials and detailing leading to an overly homogenous appearance. The two-storey building proposed towards the southern end of the site would be retained as proposed in the refused scheme. To address the previous reason for refusal regarding housing mix, market flats had now been included and affordable homes were

distributed throughout the site as opposed to being located in a cluster which was in accordance with the Housing Officer's recommendations. Additional loop roads had also been created to overcome concerns regarding the limited amount of turning areas owing to the number of cul-de-sacs and no objection had been raised from the Waste and Recycling officer in this regard. Bay windows, porches and chimneys had also been added to the buildings located at the site access as well as a new village sign. To the southern edge of the site, the buildings would be set further back than the previous application. More generous spacing had been created between the buildings overall with the provision of larger gardens and additional detailing provided via stone finishing introduced on some of the homes. The site entrance would be set within a green space and have separate footways along with a play area for children. A badger sett was located on the site which would be retained with the houses located at a distance from it.

Forty-eight poplar trees and seven trees in the north eastern corner of the site were proposed to be removed so that highway works could be undertaken for the permitted pedestrian access and would be replaced by semi-mature native species. The remaining twenty-seven poplar trees accounted for one-third of the total number of poplar trees onsite and were also proposed to be removed so to provide a continuation of the new planting scheme. In response to the additional objections received in relation to the removal of the twenty-seven poplar trees, the developer had agreed to their retention.

The new pedestrian access on Grange Road would provide access to the SANG as well as for those residents living close to this part of the site. An acoustic fence was also proposed along the boundary to the south with the Hogs Back. An additional plan had also been submitted showing the proposed road widths.

The Committee considered the application and concerns raised in relation to the proximity of bus stops and frequency of bus services for the proposed development. It was noted that the developer proposed to use S106 monies to enhance the existing bus strategy, however as detailed in the supplementary late sheets, the Council had not received any details regarding this. The closest bus stop was located 650 metres away from the site along a very narrow road. Since the outline application had been approved, Stagecoach had re-routed the no.30 bus route which no longer went into Tongham and used to serve Ash Doctors Surgery as well as Frimley Park Hospital. The Committee noted that Stagecoach had no plans to re-introduce the route owing to timetabling issues. The social housing provided onsite was also located 1.2km away from the nearest bus stop.

The Committee also considered concerns raised in relation to a gap in the proposed acoustic fencing which could be addressed by way of condition to mitigate against noise intrusion for the residents from the Hogs Back A31 road. In addition, the Committee noted whether a specific parking plan for the development could be provided to help prevent a proliferation of cars parked on the streets and pavements.

In response to comments made by the ward and non-ward councillors, the Planning Development Manager confirmed that the issue in relation to the acoustic fencing was dealt with as part of the outline application, specifically informative 2 which stated that the full details in relation to the make and model of the windows glazing ventilation specification for the acoustic fence referred to in a noise assessment prepared by Arden Consulting engineers dated 14 February 2020, would have to be submitted to and approved in writing. In relation to the transport issues, the planning officer confirmed that the Inspector had considered in detail the location of the bus stops as well as the frequency of the bus services. Officers had provided additional information in the supplementary late sheets as well as in the addendum to the report and had consulted with the County Highways Authority who were satisfied that the principle of development which this would relate to was acceptable and did not need to be reviewed again as part of the reserved matters application.

The Committee considered concerns raised regarding the removal of the poplar trees which had become a local landmark and acted as a field wind break. Whilst the planning officers in their assessment had concluded that the loss of poplar trees would not make a negative contribution to the overall landscape, the trees were much valued by the residents. The poplar trees were likely to have at least another twenty years lifespan and to be replaced by smaller trees was not aligned with the Council's commitment to mitigate against the effects of a climate emergency which it had committed to. The Committee also questioned what safeguards had been put in place to protect local families and residents against the effects of air pollution generated by the A31. Concerns were raised regarding the fact that none of the new dwellings proposed were to be fitted with solar panels and therefore contradicted the developer's claim that ten per cent reduction in carbon emissions would be achieved. The Committee wanted to establish by how many decibels the acoustic fence proposed would reduce the effects of noise pollution upon residents.

In response to comments made by the Committee, the Planning Development Manager confirmed that the developer had agreed to retain 27 of the poplar trees if the Committee was minded to approve the application. In relation to the issues raised regarding air quality and noise, those matters had been dealt with as part of the outline application by a consultant as part of the Public Inquiry. A percentage of the properties were proposed to have solar panels installed and had been detailed in the supplementary late sheets, controlled by the additional condition 25.

The Team Leader for Environmental Control was invited to comment on the issues raised in relation to air quality and noise pollution. The Committee was informed that the Air Quality Report put forward by the consultants acting for the developers was subject to a lot of challenge. A real time monitoring station was therefore set up by the Environmental Control Team of which there were several located throughout the borough. The monitoring station ran for several months and was located beside the A31. The findings of the exercise was that the air quality was found to be acceptable to put houses onsite and could therefore not be challenged on this basis. In relation to the acoustic fences proposed, it was confirmed that they were sizeable and could only be moved with considerable mechanical assistance. In addition, acoustic measures would be put in place within the building construction. Insufficient evidence was therefore available to challenge the potential effects of noise generated by the A31 upon the residents of the proposed development.

The Committee considered that there were additional reasons upon which the application could be refused and requested clarification over the legal position of the statement detailed on page 16 where it stated that 'the previous reserved matters application (18/P/02461) was refused as the quality of the 'design' scheme failed to comply with relevant policy requirements in relation to the design and layout of the site and the housing type mix and clustering. There were no other reasons for refusal and it would be unreasonable now to introduce new reasons, to refuse the application when they did not form part of the reasons for refusal on the last reserved matters application and there has been no change in circumstances.' The Planning Solicitor was invited to clarify whether it was now legitimate to submit new reasons for refusal that had not been previously considered when there had been a change in circumstances. The Planning Solicitor confirmed that the application before the committee had to be determined in the usual way whilst bearing in mind that the principle of development had already been established in the Inspectors decision letter and had thirty-five conditions attached to it. It was not now possible therefore in legal terms to revisit those conditions. In addition, the Principal Planner was invited to comment who stated that the Council had appraised everything that was identified as unacceptable about the application at the outline stage and those matters were dealt with at the appeal. The reserved matters application dealt solely with the scale and appearance of the buildings onsite, landscaping and the character of the buildings.

Concerns were again raised in relation to the removal of the poplar trees, drainage problems, lane, infrastructural changes since the outline application had been approved, air quality

matters, specifically particulates and the cumulative impact of that, the number of solar panels proposed as well as the design standards of the development which was perceived to be poor. Whilst the developer had committed to providing a 20% reduction in carbon emissions through the siting of solar panels to the dwelling roofs with the best orientations, the Committee agreed that more houses could be similarly fitted. The Committee considered that the new development needed to be sustainable and was not convinced that the proposal had gone far enough to meet those requirements. The proximity of the bus stops, the closest of which was located some 650 metres away down a narrow lane, was for example not considered a sustainable form of development particularly when one of the bus routes had ceased to run owing to timetabling issues and no plans were in place to re-introduce it by Surrey County Council. The residents of the proposed houses would therefore be reliant upon the car as their main form of transport. Planning officers had nevertheless found the scheme to be sustainable despite the change in bus service provision. The design proposed did not meet with the vernacular of the surrounding area in terms of reinforcing local characteristics and undermined good place-making principles. The Committee agreed that it was a large site that required more detailed elevations of each of the buildings to be built, a more detailed specification of the materials to be used that should mirror local housing design, as well as a more detailed layout overall, owing to the new development being extremely visible from the Hogs Back, A31.

The Committee agreed that a vote was first taken in relation to the proposed retention of the twenty-seven poplar trees, as detailed in the supplementary late sheets.

A motion was moved and seconded which was carried to retain the twenty-seven poplar trees.

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Jon Askew		X	
2	Christopher Barrass	X		
3	David Bilbé	X		
4	Chris Blow	X		
5	Ruth Brothwell	X		
6	Colin Cross	X		
7	Angela Gunning	X		
8	Jan Harwood			X
9	Liz Hogger	X		
10	Cllr Susan Parker	X		
11	Cllr Jo Randall (sub for Cllr Moseley)	X		
12	Maddy Redpath	X		
13	Caroline Reeves		X	
14	Paul Spooner	X		
15	Fiona White			X
	TOTALS	11	2	2

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Jon Askew	X		
2	Christopher Barrass		X	
3	David Bilbé	X		
4	Chris Blow		X	
5	Ruth Brothwell		X	
6	Colin Cross		X	
7	Angela Gunning		X	
8	Jan Harwood	X		
9	Liz Hogger	X		
10	Cllr Susan Parker		X	
11	Cllr Jo Randall (sub for Cllr Moseley)	X		
12	Maddy Redpath		X	
13	Caroline Reeves	X		
14	Paul Spooner			X
15	Fiona White			X
	TOTALS	6	7	2

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Jon Askew		X	
2	Christopher Barrass	X		
3	David Bilbé		X	
4	Chris Blow	X		
5	Ruth Brothwell			X
6	Colin Cross	X		
7	Angela Gunning	X		
8	Jan Harwood		X	
9	Liz Hogger		X	
10	Cllr Susan Parker	X		
11	Cllr Jo Randall (sub for Cllr Moseley)		X	
12	Maddy Redpath	X		
13	Caroline Reeves		X	
14	Paul Spooner	X		
15	Fiona White			X
	TOTALS	7	6	2

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

RESOLVED to refuse application 19/P/02102 for the following reasons:

1. The proposed development fails to respond to the character and vernacular of the surrounding development which would be detrimental to the quality of the local environment, contrary to policy D1 of the Guildford Borough Local Plan: Strategy and Sites (LPSS) 2015-2034 and saved policy G5 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007) and paragraphs 130 and 180 of the National Planning Policy Framework (NPPF).
2. Given the location of the site and the size of the proposed development, it fails to take opportunities for enhanced sustainable design and construction; this would be contrary to policy D2 of the Guildford Borough Local Plan: Strategy and Sites (LPSS) 2015-2034 and paragraphs 150, 151 and 153 of the National Planning Policy Framework (NPPF).

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 sought and provided by the Council and the Design Review Panel which addressed initial issues, the application has been submitted in accordance with that advice, however, further issues were identified during the consultation and determination stages of the application. Officers have worked with the applicant to overcome these issues. However, there was a significant objections to the application that minor alterations would not overcome, so, the application was refused by the Council.

The meeting finished at 8.47 pm

Signed

Chairman

Date