

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 Guida Esteves, Susan Parker, John Redpath and John Rigg were also in attendance.

PL1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Jon Askew for whom there was no substitute, Chris Blow, The Mayor, Councillor Marsha Moseley and Maddy Redpath. The following Councillors attended as substitutes respectively; The Deputy Mayor, Councillor Dennis Booth, Graham Eyre and Deborah Seabrook.

PL2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

No disclosable pecuniary interests were declared.

Councillor Deborah Seabrook declared a non-pecuniary interest in application 20/P/00825 – Urn Field, Downside Road, Guildford, GU4 8PH owing to the fact that it abutted the ward which she represented and confirmed it would not affect her objectivity in the consideration of this application.

Councillor Deborah Seabrook declared a non-pecuniary interest in application 21/P/01683 – High Brambles, Park Corner Drive, East Horsley, Leatherhead, KT24 6SE owing to the fact that some of the neighbours involved were her close personal friends and so she would leave the meeting when it came to the consideration of this application.

PL3 MINUTES

The minutes of the Planning Committee meetings held on 20 October and 3 November 2021 were approved and signed by the Chairman.

PL4 ANNOUNCEMENTS

The Committee noted the procedures for determining planning applications.

PL5 20/P/00825 - URNFIELD, DOWNSIDE ROAD, GUILDFORD, GU4 8PH

The Committee considered the above-mentioned full application for the creation of a floodlit artificial pitch with a 6-lane all weather running track, a football pitch, relocation of cricket nets, extension to sports pavilion balcony and new javelin, discuss, shot put and long jump area alongside the creation of a new store building and additional on-site car parking. (Additional

information received 04.01.21 and 07.01.21 landscape visual impact, archaeology, drainage and planning statement addendum).

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

- Ms Katherine Atkinson (to object);
- Mr Charles Wilce (to object);
- Mr Steve Smith (Head Teacher of Guildford County School) (In Support) and;
- Mr David Boyd (Head Teacher of Tormead School) (In Support)

The Committee received a presentation from John Busher, Specialist Development Management Majors. The Committee noted the supplementary late sheets which included a site location plan and an updated block plan. The application related to works and improvements to the existing sporting complex. The site was located in the Green Belt as well as within an Area of Outstanding Natural Beauty (AONB) and an Area of Great Landscape Value (AGLV). The site consisted of a number of running pitches, grass running track and cricket pitches. There was also a small pavilion building and a car park. The main changes comprised of a six-lane running track to the north of the site and a new all-weather hockey pitch with fencing around its perimeter and replacing the existing football pitch. The site would be illuminated by retractable lighting columns spaced out along both sides of the pitch. The rugby pitch would also be relocated to the centre of the site, a new football pitch in the south-east corner and the existing parking area expanded to accommodate coaches with a new access and turning area and additional parking for approximately 50 vehicles provided on existing hardstanding. A small extension to the existing balcony on the pavilion building was also proposed.

The proposed lighting for the hockey pitch would be formed of columns that when extended would be a maximum of 13 metres and when retracted 2.8 metres tall. Condition 9 stated that the lights should only operate from eight o'clock in the evening on Monday to Saturday, not at all on Sundays or on Bank or National Holidays and that the columns should be fully retracted when not in use. There was also a 3-metre difference in height in the hockey pitch levels.

Planning Officers had concluded that the proposal due to its use for outdoor sport and recreation would be an appropriate form of development in the Green Belt and would not result in any material harm to its openness. As the site was also located within the AONB, the NPPF required that great weight be afforded to the conservation and enhancement of its natural beauty, the NPPF also made clear that the AONB should benefit from the highest level of protection. The majority of the proposal was not considered to impact on the wider natural beauty of the AONB and would have no long term significant adverse impact. However, it was acknowledged in the officer report that the proposed lighting would result in some harm to the special landscape character of the AONB which resulted from the visual impact of the lighting columns themselves as well as the potential impact of the illumination introducing a light source in views towards the Merrow Downs. Planning Officers had worked with the applicant to reduce this impact as much as possible through the use of the retractable lighting columns, as well as limiting the hours and days that the lighting could be used on. These measures were hoped would mitigate the impact to a degree but it would not entirely eliminate the harm to the AONB and AGLV which would result from the proposal.

It was also noted that residents had raised concerns about light pollution. The technical documents submitted with the application show that light spillage beyond the pitch would be limited. No objections had been raised by the County Highway Authority or the Lead Local Flood Authority. In terms of benefits arising from the scheme it was noted that the proposals would provide improved sporting facilities for schools as well as members of the public. The proposal would also have benefits in terms of providing greater opportunities for children to become more involved in outdoor sport and foster healthier lifestyles. It would also allow for the

more efficient operation of the field. The NPPF stated that planning should support development which enabled healthier lifestyles. Planning Officers considered that the benefits of the proposal clearly outweighed the harm that would be caused to the AONB in the AGLV and accordingly the application was recommended for approval.

The Chairman permitted Councillor John Redpath to speak in his capacity as Ward Councillor.

The Committee noted concerns raised that there was no local need for the development and that any benefits for the schools must be considered against the significant harm to the protected landscape of the Surrey Hills. Policy P1 of the Local Plan in line with the NPPF required development proposals within and adjacent to the Surrey Hills AONB to conserve or enhance its special qualities. There was a big difference between what was desirable and convenient versus actual need. Both Tormead and Guildford County school can access the four grass pitches at Urnfield and both schools already had excellent facilities on site, including all weather multi-use areas with floodlighting. Competitive standard facilities existed close to both schools at Spectrum and Surrey Sports Park. Both had spare capacity. For 10 years Tormead School had been the largest external customer for hockey pitches at Surrey Sports Park but even so hockey pitch utilisation there was currently only 45 per cent. Not one local community group had been identified as in need of what this application offers. Of course Tormead would like to have its own bespoke home ground and as their own website states doing away with the need for hiring astroturf pitches at Surrey Sports Park. This development would therefore address an inconvenience not an unmet need because both school facilities already offered healthy lifestyles to their students and the community. In calculating the planning balance, the planning officer incorrectly applied great weight to NPPF paragraph 95 which is a policy designed to increase the number of local school places. This development did nothing to increase the availability of school places and so this should be removed from the balancing exercise. The only great weight to be applied in this case was set out in NPPF para 176 which was to conserve and enhance the landscape and scenic beauty of Areas of Outstanding Natural Beauty. There was no local need for this development and the benefits were marginal.

The Chairman permitted Councillor John Rigg to speak in his capacity as Ward Councillor.

The Committee noted concerns raised that the application was for a substantial development, on a sensitive site, on a widely visible 400-foot-high ridge line within a nationally protected landscape of the Surrey Hills. It included a 13-metre floodlight. Floodlighting and its reflected glare from a 1 hectare of pitch and track would pollute the surrounding AONB and dark skies. We must give great weight to conserving and enhancing scenic beauty under NPPF paragraph 176 yet the case officer has used floodlighting mitigations for an outer suburban location not an AONB. Section 1 of the Surrey Hills Management Plan stated that this was one of the most stringent legal tests that could be applied under planning law. Conservation and enhancement of wildlife was a further consideration and yet the floodlights would be in direct conflict. The applicant did not quantify any biodiversity net gain as required let alone the 20 percent expected by Surrey Nature Partnership. The only great weight is drawn from paragraph 95 by ensuring adequate numbers of places at local state funded schools. There was no great weight applicable to set against the harm. The case officer refers to potential for community use as the main public benefit, no evidence of a local need had been presented and the development would simply duplicate underused existing facilities at a great cost to the environment and landscape. This was not a minor upgrade to existing facilities. Nearly 1 hectare of chalk grassland would be excavated and covered with plastic which was an area of nature conservation interest. The carbon footprint would be considerable, floodlights would be visible for miles. The intention of paragraph 176 was that there should not be development on the AONB.

The Committee considered the application and concerns raised that the lighting and its effect on habitat and diversity was unacceptable. The need for the facilities proposed was questioned

also given the high quality sports facilities already available in the area. Whilst school pupils would be able to play hockey at their local school it would be at the cost of the local wildlife. The artificial pitch proposed would also be made out of plastic which was not conducive with the setting of a natural environment. The floodlighting would also provide artificial light that would pollute a dark skies area. The Committee also noted that the quantum of development had been referred to in the report in varying ways, firstly as improvement, then as redevelopment and then as new development which made it ambiguous. Plastic grass was perceived to be out of keeping in this hilltop area.

The Committee noted that harm to the AONB and to the landscape character had already been identified in the officer's report which was not just solely related to the floodlights proposed but was also relevant to the artificial grass surface proposed. It maybe moderate harm but yet in the report it stated that considerable weight should be afforded to this as per paragraph 176 of the NPPF which also alluded to great weight. Balanced against that was the significant benefit of the facilities given to the school and there did not appear to be considerable evidence of the fact that the schools were in dire need of these facilities. The benefits of the scheme therefore did not outweigh the harm.

The Head of Place, Dan Ledger confirmed that the terminologies used in the officer's report regarding the balance of weight were all cited from the NPPF. In addition, Government required planning officers to accord great weight on the provision of school facilities.

The Committee discussed the Maddox report which stated that the facilities at the University of Surrey ran out next year and would not continue the existing arrangements. However, the University was not aware of this and confirmed that they would be happy for the school to continue to use their grounds. In addition, the effect of the proposal on roosting bats, the effect of the lorries on the pitch when carrying out the soil work removal as well as navigating down narrow residential roads to get there. The Committee was also concerned regarding noise created by the sporting facilities.

The Committee queried how many spaces the existing car park could accommodate and the associated light pollution this would create for local residents. In addition, how many electric vehicle charging points would be installed and were there any additional lighting plans for around other pitches or the car park.

The Head of Place, Dan Ledger confirmed that no other floodlighting was proposed elsewhere on the site and was just for the hockey pitch. In terms of the existing car parking spaces the application forms indicated that there were 25 existing spaces and would be extended by the proposals. Regarding the positioning of the nets, planning officers were aware of the Environmental Health comments, however given the close proximity of the football pitch to that boundary, it wasn't judged to be harmful in planning terms. It was also confirmed that lights already existed on the front of the pavilion.

The Committee agreed that the floodlights as proposed and artificial hockey pitch would fail to preserve the natural beauty of the AONB. The harm caused to the AONB/AGLV was considered to be substantial and such weight needed to be afforded accordingly in the balancing exercise. Both schools already had access to exemplar sports facilities and therefore the need to provide further enhanced facilities was questioned when balanced against the significant damage caused to the AONB by virtue of the proposal.

A motion was moved to approve the application, but not seconded. The motion therefore failed.

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	Graham Eyre	X		
3	Angela Gunning	X		
4	Pauline Searle	X		
5	Angela Goodwin	X		
6	David Bilbe	X		
7	Dennis Booth	X		
8	Ruth Brothwell	X		
9	Deborah Seabrook	X		
10	Ramsey Nagaty	X		
11	Chris Barrass	X		
12	Paul Spooner	X		
13	Liz Hogger	X		
14	Fiona White	X		
	TOTALS	14	0	0

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

RESOLVED to refuse application 20/P/00825 for the following reasons:

1. By virtue of the proposed floodlighting, as well as the artificial nature of the proposed hockey pitch, the proposal would fail to conserve or enhance the natural beauty and special landscape qualities of the Area of Outstanding Natural Beauty. As a result, the proposal is considered to be contrary to policy P1 of the Guildford Borough Local Plan Strategy and Sites 2019, the Surrey Hills Area of Outstanding Natural Beauty Management Plan and paragraph 176 of the NPPF.

Informatives:

1. This decision relates to the following plans The development hereby permitted shall be carried out in accordance with the following approved plans: 1908_001; 1908_030; 1908_008; 06; 1908_025; 1908_026; 1908 040; 09 003 REV A; 198 004 REV B; 1908 007 REV A; 1908_002 REV E.
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 initial issues, the application has been submitted in accordance with that advice, however, further issues were identified during the consultation stage of the application. Officers worked with the applicant to improve the scheme further. However, the Local Planning Authority considers that the harm to the AONB has not been overcome, and the application has been determined as amended.

PL6 21/P/01582 - LAND AT WISLEY AIRFIELD, HATCH LANE, OCKHAM, GU23 6NU

The Committee considered the above-mentioned full detailed application for engineering operations to form a new roundabout, stub road and priority junction access.

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

- Mr Malcolm Aish (Chairman of Ockham Parish Council) (to object);
- Ms Frances Porter (to object) and;
- Mr Charles Collins (Savills) (In Support)

The Committee received a presentation from Hannah Yates, Specialist Development Management (Majors). The Committee noted the supplementary late sheets which contained the relevant legal advice in relation to the Grampian conditions and the sequence in which planning applications could be determined. In relation to any objection relating to the prematurity of this development ahead of the DCO being approved, officers had sought legal advice and the law stated that it was unlawful for a local planning authority to refuse to grant planning consent on the basis that further consent maybe required to facilitate the development even when the land in question was outside of the control of the applicant and the local authority. The supplementary late sheets also included a summary of two further objections, one from a local resident and the other was from RHS Wisley. The last paragraph on page 209 of the agenda also incorrectly stated that the only public right of way across the site was a bridleway however there were also public footpaths towards the south of the site.

The Committee was informed that the application sought full planning permission for engineering operations to form a new roundabout, stub road and priority junction access. This access was proposed to be taken from the proposed lane diversion which formed part of the DCO, for this reason the application was only acceptable if the DCO was approved and built out. This was secured by the Grampian condition 4 on page 201 of the agenda. The DCA works formed the appropriate baseline to assess the impacts of this proposal. A new access was proposed to serve the former Wisley Airfield strategic site allocated under Policy 35 of the Local Plan.

The Grampian condition was a key aspect of the proposal as it was only acceptable as part of that with the lane diversion. To cover this condition 4 read that 'No development shall take place until (a) the National Highways Investment Strategy (RIS) improvement to M25 junction 10/A3 Wisley Interchange Development Consent Order (DCO) has been granted and (b) written confirmation has been obtained from the Local Planning Authority (in consultation with National Highways and Surrey County Council) that the relevant part of the DCO being the Wisley Lane diversion, has been implemented/commenced on site.' This condition had been agreed by both National Highways and Surrey County Council as an appropriate way to control the development. Due to the importance of this condition the Council obtained legal advice and it had been confirmed that the application can be determined now with the use of Grampian, even taking into consideration the considerable delay to the decision on the DCO. In relation to the Grampian conditions the PPG noted that even with the limited prospect of the action being performed within the time limit of the permission that a Grampian condition could be appropriate in principle. Whilst it was acknowledged that there was still some uncertainty about the DCO and what the decision may be the application was at an advanced stage in the process given this it could not be argued there was no prospect at all of the DCO scheme coming forward during the life of the permission which was 3 years.

To directly address the question of why to consider the application now given the delays of the DCO, there were a number of issues to consider, one benefit of this application was that constructing the roundabout and stub road simultaneously with the Wisley Lane diversion would

limit construction impacts on the local community of Wisley. There were economic and environmental benefits of doing the work together. To delay a decision on this application until after the decision on the DCO was made would put some time constraints on the developer and Council in addressing all the pre-commencement conditions. This had the potential to impact on the co-ordination of the delivery of the schemes together. The material planning issues were the same now as they would be after any grant of the DCO. The relevant question therefore was whether the proposed development was acceptable if the DCO was made and implemented. It was the planning officer's view that no significant conflict with relevant development plan policies arose from this application and therefore the development accorded with the plan, when read as a whole, the benefits outweighed the limited harms identified and the application was recommended for approval subject to the conditions.

The Chairman permitted Councillor Susan Parker to speak in her capacity as Ward Councillor.

The Committee noted concerns raised that the Wisley Airfield development was contingent on the M25 junction scheme currently on hold. The DCO scheme decision was at least five months away and if it's approved it's probable it would be judicially reviewed. The DCO scheme has been delayed three times which was unprecedented at a cost of more than 400 million pounds. It was environmentally damaging to a protected habitat and given public funding constraints such as HS2 there must be a probability that it won't be approved. Deferral was not a solution already facing an appeal for non-determination. The best solution was to reject these applications now. After the junction 10 decision has come forward can we look at a subsequent properly prepared and coherent application rather than something piecemeal for a stub road for an application which may never be built. Eight of the conditions proposed were things that should be completed prior to determination and councillors should have the benefit of those to inform their decision such as a bat survey, archaeology and tree protection. Wisley Action Group had written a detailed letter setting out the extent of the impact on local roads and on the safety of other road users, impact on the ecology, flooding, on neighbouring amenities and on heritage. Following the failure to consult statutory consultees there was therefore sufficient reasons to reject this application. The legal advice we've been told by the applicant's agent was clear, however it was not clear, it was just saying that the Committee was able to approve the application. It was clearly a premature application which would actually cause physical damage to a triple SNCI. The best solution was to reject the application ask the applicant to do the necessary work and bring back a full and complete submission after the junction 10 decision had been reached.

The planning officer confirmed in relation to points raised by the public speakers that bat surveys had been carried out in 2019 and was deemed acceptable by the council's ecology consultant. Reference was also made to plan referred to by Surrey County Council in their consultation response. This plan was part of the Transport Statement and wasn't a plan that could be conditioned. In relation to a point raised by the ward councillor with regard to failure to consult a statutory consultee, this was in relation to a gas pipeline which was over 2 kilometres from the site. At this distance, the proposed development would not impact on the infrastructure and therefore no consultation was required.

The Committee discussed the application and noted comments that the Wisley Airfield development was not what was before them for consideration. However, concern remained regarding building a road at this stage with a roundabout that led to nowhere. Of particular concern was the loss of trees which were of ecological importance and that more weight should be afforded to their loss.

The Committee also noted that the DCO had already been postponed three times and was now going to cost £400 million pounds which did not account for the Wisley lane diversion. The project was a massive undertaking with insufficient traffic modelling of Ockham roundabout. The RHS also opposed the scheme.

Whilst the planning officer's report stated that each application must be determined on its own merits it also stated that this application would not pre-determine the location for the Wisley Airfield site which was however inextricably linked. The proposed roundabout was also fairly large and the application would result in more hard standing and other operational development associated with the road that will be provided by the Wisley Lane diversion. The extra hardstanding would therefore meet the needs of a future Wisley Airfield development. The Highway Authority advised that if a transport assessment was submitted in support of any future hybrid planning application on the former Wisley Airfield and it demonstrated a change in the levels of vehicular traffic then the Highway Authority would encourage the design of a more appropriately scaled junction. The Wisley Lane diversion may therefore need to be dug up in the future to accommodate any changes in vehicular traffic levels which therefore weighed negatively against the proposed works. In addition, harm would be caused to the SNCI, local amenities and surrounding landscape.

The Committee requested clarification regarding the balancing exercise undertaken with regard to the roundabout and associated engineering works. Even if the DCO was granted or not, the works proposed as part of this application were damaging particularly in relation to the considerable loss of trees.

Hannah Yates, planning officer confirmed that the proposal allowed access to an allocated site which carried material weight and was in accordance with the Local Plan. The site was allocated and therefore it was a fair assumption that at some point in the future, it would be developed, as it was no longer in the Green Belt. With regard to tree loss, no further tree loss was required beyond what was recommended as part of the DCO, which had also been confirmed by an arboricultural officer.

Dan Ledger, Head of Place also confirmed that it was an allocated site and therefore it did carry weight, not in connection with any specific application coming forward, but was judged by its ability to give access to that site and was a material consideration.

The Committee noted that conditions could be imposed to ensure the development proceeded in a certain sequence. In the report it also stated that it would be lawful to permit development subject to a Grampian condition preventing the permission from being implemented or preventing occupation. That therefore suggested that even if there were Grampian conditions they could still build and cause unwarranted damage to the trees and natural environment. The Chairman also requested clarification on this point as it was thought that the whole object of a Grampian condition was that you cannot implement the permission until that condition is fulfilled.

The Committee received clarification from the planning officer, Hannah Yates that if the DCO was not granted permission, but yet if this application was approved, the application could not be implemented as per condition 4.

The Committee requested clarification regarding what would happen if the DCO was approved without the Wisley Lane diversion. Hannah Yates confirmed that if the Wisley Lane diversion was specifically not implemented they cannot commence the development as it was tied to the Wisley Lane diversion of the DCO. If granted the application would have permission for three years after which it would lapse.

The Committee asked how the following application 20/P/01708 would be dealt with, which had been deferred from the Planning Committee held in May 2021 until a decision had been made on the DCO. The Chairman confirmed that the Committee had to consider what their decision would have been with regard to 20/P/01708 given it had gone to appeal. The Committee would receive a separate presentation and vote separately from this application.

The Committee considered that the development proposed would be detrimental to the residents of Elm Corner owing to the associated construction noise, vibration and light pollution caused. The roundabout proposed would also result in the loss of a large number of trees that were of high value and contributed to the landscape character of the area as well as resulting in the creation of a vast amount of hardstanding that would remove 0.15 hectares of land identified as a Site of Nature Conservation Importance (SNCI).

A motion was moved but not seconded to approve the application. The motion therefore failed.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Dennis Booth	X		
2	Ramsey Nagaty	X		
3	Liz Hogger	X		
4	Colin Cross	X		
5	Pauline Searle	X		
6	Chris Barrass	X		
7	David Bilbe	X		
8	Ruth Brothwell	X		
9	Paul Spooner	X		
10	Angela Gunning	X		
11	Deborah Seabrook	X		
12	Angela Goodwin	X		
13	Graham Eyre	X		
14	Fiona White			X
	TOTALS	13	0	1

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

RESOLVED to refuse application 21/P/01582 for the following reasons:

1. The development proposed will result in a detrimental impact to the amenities of the occupiers of Elm Corner from noise, vibration and light pollution related to the construction of the roundabout, stub road and priority junction access. This is due to the scale of the works in relation to the level of engineering required for this infrastructure and the proximity of a number of properties on Elm Corner to the construction compound and the site. The proposal would therefore be contrary to policy G1(3) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/2007), and the NPPF.

2. The development proposed, by reason of the large size of the of the roundabout and considerable amount of additional hardstanding and other operational development associated with the road, in combination with the removal of a large number of trees on site would be contrary to the landscape character of the area, forming and incongruous and insensitive addition. As such, the proposal is contrary to policy D1 of the Local Plan Strategy and Sites 2019, policy LNPEN1B of the Lovelace Neighbourhood Plan and the NPPF.

3. The loss of 0.15 hectares of the Wisley Airfield Site of Nature Conservation Importance (SNCI), and its replacement with hardstanding would fail to conserve or enhance the biodiversity within this SNCI which has been selected for its importance for plants, reptiles, bats

and amphibians. As such, the proposal is contrary to policy ID4 of the Local Plan Strategy and Sites 2019 and the NPPF.

Informatives:

1. This decision relates expressly to drawings: Stub Road Location Plan ref.1350-2-153 Rev B, Wider Site Location Plan ref. 1350-2-186 Rev B and Stub Road Red Line plan- Elm Lane One Way-Southern Roundabout 1350-2-152 Rev E received on 19/07/2021.

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.

In this case the Council has worked proactively with the applicant to address any comments raised by statutory consultees, which in this case was only minor issues raised by Surrey County Council as Highway Authority. Although this is the case, the Council still consider there are significant issues with the scheme as presented, where any benefits of the scheme are not outweighed by the harm caused.

PL7 20/P/01708 - LAND AT WISLEY AIRFIELD, HATCH LANE, OCKHAM, GU23 6NU

The Committee considered the above-mentioned full detailed application for engineering operations to form a new roundabout and stub road.

The application was considered by the Planning Committee at its meeting in May 2021 who agreed to defer the application until after 12 November 2021, until a decision had been made on the M25/A3 Junction 10 works Development Consent Order (DCO). The applicant had lodged an appeal against non-determination on this application.

The Committee received a presentation from the planning officer, Hannah Yates. The Committee noted that the proposal was for engineering operations to form a new roundabout and stub road where the priority junction was and was the only difference between this application and application 21/P/01582. In the event that the Council could have determined the application, the recommendation would have been to approve, subject to the conditions set out in the report including the updates on the supplementary late sheets.

A motion was moved to approve the application but not seconded. The motion therefore failed.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Deborah Seabrook	X		
2	David Bilbe	X		
3	Dennis Booth	X		
4	Paul Spooner	X		
5	Colin Cross	X		
6	Ramsey Nagaty	X		
7	Liz Hogger	X		
8	Pauline Searle	X		
9	Angela Goodwin	X		
10	Fiona White			X
11	Chris Barrass	X		
12	Angela Gunning	X		
13	Ruth Brothwell	X		
14	Graham Eyre	X		
	TOTALS	13	0	1

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

RESOLVED to refuse application 20/P/01708 for the following reasons:

1. The development proposed will result in a detrimental impact to the amenities of the occupiers of Elm Corner from noise, vibration and light pollution related to the construction of the roundabout, stub road and priority junction access. This is due to the scale of the works in relation to the level of engineering required for this infrastructure and the proximity of a number of properties on Elm Corner to the construction compound and the site. The proposal would therefore be contrary to policy G1(3) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/2007), and the NPPF.

2. The development proposed, by reason of the large size of the of the roundabout and considerable amount of additional hardstanding and other operational development associated with the road, in combination with the removal of a large number of trees on site would be contrary to the landscape character of the area, forming and incongruous and insensitive addition. As such, the proposal is contrary to policy D1 of the Local Plan Strategy and Sites 2019, policy LNPEN1B of the Lovelace Neighbourhood Plan and the NPPF.

3. The loss of 0.15 hectares of the Wisley Airfield Site of Nature Conservation Importance (SNCI), and its replacement with hardstanding would fail to conserve or enhance the biodiversity within this SNCI which has been selected for its importance for plants, reptiles, bats and amphibians. As such, the proposal is contrary to policy ID4 of the Local Plan Strategy and Sites 2019 and the NPPF.

Informatives:

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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.

In this case the Council has worked proactively with the applicant to address any comments raised by statutory consultees, which in this case was only minor issues raised by Surrey County Council as Highway Authority. Although this is the case, the Council still consider there are significant issues with the scheme as presented, where any benefits of the scheme are not outweighed by the harm caused.

PL8 21/P/01581 - WATERSIDE FARM COTTAGE, WHARF LANE, SEND, WOKING, GU23 7EJ

The Committee considered the above-mentioned full application for proposed erection of 8 dwellings (C3 use class), associated access, landscaping and parking, following demolition of Waterside Farm Cottage, outbuilding and Wharf Lane garages.

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

- Mr Dave Burnett (to object)
- Mr Steve Loosley (to object)
- Mr Laurence Moore (in support)

The Committee received a presentation from planning officer, Katie Williams. The Committee noted that the proposal was for the erection of eight dwellings, associated access, landscaping and parking following demolition of the existing dwelling outbuilding and garages. The application was the subject of a non-determination appeal and the Committee was therefore unable to formally determine the application. Instead, the Committee must resolve what they would have done had they been in the position to determine the application.

The application site was located within the settlement of Send which had been inset from the Green Belt following the adoption of the 2019 Local Plan. The site was within the corridor of the River Wey and was adjacent to the Wey Navigation Conservation Area. It was also within the 400 metre to 5 kilometres buffer zone of the Thames Basin Heaths special Protection Area and was within approximately 1 kilometre of a Site of Special scientific Interest (SSSI). The site itself was comprised of a detached bungalow and its outbuildings together with a small area of garaging and parking located to the south which was within the ownership of Guildford Borough Council. The surrounding area included residential properties along Wharf Lane to the south, a SANG to the west, an area of open space was also located to the south of the application site - Heathfield Nature Reserve and immediately to the east was a public footpath which linked through to the Wey Navigation. A towpath ran along the northern side.

A new vehicular access was proposed. A new residential cul-de-sac would be created, comprising of three pairs of two-storey semi-detached dwellings positioned along a cul-de-sac with two detached two-storey dwellings positioned at the end of the cul-de-sac backing on to the Wey Navigation. It was noted that these dwellings were not set as close to the navigation

as the neighbouring dwelling to the west and Drive. The housing mix would consist of two 2 bedroom dwellings, four 3 bedroom dwellings and two 4 bedroom dwellings. A total of 21 parking spaces were proposed to serve the development including driveway spaces and car barns with two spaces for each of the two bed and 3 bed dwellings and 3 spaces for each of the four bed dwellings and also three visitor spaces proposed along the cul de sac and also one adjacent to plot 6. There were several mature trees on the site boundaries and on the other side which were to be retained and new planting of trees was also proposed.

In conclusion, it was the planning officer's view that there was no objection to the principle of the development. The proposal would deliver a net increase of 7 new homes in a sustainable location, the development would not harm or affect the character or the appearance of the surrounding area including the setting of the adjacent Wey Navigation Conservation Area and would not materially impact on the residential amenities currently enjoyed by occupants of surrounding properties. Subject to the recommended conditions there would be no adverse impact on the ecology of the site or surroundings, the development would not give rise to conditions prejudicial to highway safety and would not impact on the Thames Basin Heaths Special Protection Area. Subject to the conditions as set out on page 170 of your agenda and the completion of a Section 106 to secure the necessary SANG and SAMM contributions, the application was deemed to be acceptable and had an appeal not been lodged against non-determination the application would have been recommended for approval.

The Chairman permitted Councillor Susan Parker to speak in her capacity as Ward Councillor for three minutes.

The Committee noted concerns raised that it was disappointing that the application was subject to a non-determination appeal. Send Parish Council had objected to the application including that it breached the Send Neighbourhood Plan. The waste collection team had also considered the waste collection arrangements as inadequate. This was not an allocated site and Guildford already had a 5-year housing land supply with an appropriate buffer. The site was adjacent to the River Wey navigations and Conservation Area. The Send Neighbourhood Plan required the conservation an enhancement of the Godalming Navigation Conservation Area and also formed part of the wildlife corridor. The site was also located within the SPA buffer zone and if significant harm to biodiversity cannot be avoided then planning permission should be refused. Thames Water required a permit for the discharging of sewage and its impact on groundwater which was not included in the informatives and was required given Wharf Lane was already subjected to sewage overflow issues.

The Planning Officer confirmed that in relation to comments raised by the Ward Councillor that Surrey Wildlife Trust had been consulted on the application and confirmed that the site offered opportunities for enhancement and biodiversity. This had been secured via conditions to ensure this happened via the provision of the Landscape and Ecological Management Plan. A revised layout was received which formed part of the presentation and addressed the concerns raised by the waste services team who agreed that the access arrangements for refuse vehicles were now acceptable.

The Committee discussed the application and noted concerns raised that the proposal included two four bedroom homes which contravened the Send Neighbourhood Plan and did not accommodate the greater demand for smaller properties required by first time buyers and those looking to downsize.

The Committee noted that there were eight garages which were to be replaced by a parking court with eight car parking spaces. The Committee queried whether those eight parking spaces would be allocated to the same people who currently used the garages. The Committee remained concerned about the parking provision for existing residents. In addition, the Committee asked if it approved the application did that mean that the S106 Deed of

Variation would automatically be agreed? The Committee was also interested to know what sort of heating systems would be installed.

Kate Williams, planning officer confirmed that the parking spaces would still be managed and were the responsibility of the Council which has been set out in an options agreement. The housing department currently managed the garages and would continue that management in terms of the parking spaces. In terms of the housing mix, there was no specific requirement in the Send Neighbourhood Plan. However, the mix did comply with the Local Plan policies. No policies currently existed which stated that new developments could not have gas heating however there was a requirement for the details to be provided so to ensure the energy efficiency requirements as set out in the Supplementary Planning Guidance which was dealt with by condition. Dan Ledger, Head of Place also confirmed that the Deed of Variation was a separate application process from the S106 Agreement.

The Committee remained concerned that the Send Neighbourhood Plan had not been given sufficient weight in the balancing exercise undertaken by planning officers. The Committee was also reminded that it had to demonstrate the planning harm that related to the housing mix proposed.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	David Bilbe	X		
2	Ruth Brothwell		X	
3	Fiona White	X		
4	Dennis Booth	X		
5	Chris Barrass		X	
6	Pauline Searle	X		
7	Graham Eyre	X		
8	Colin Cross		X	
9	Deborah Seabrook	X		
10	Angela Goodwin	X		
11	Paul Spooner	X		
12	Liz Hogger	X		
13	Ramsey Nagaty		X	
14	Angela Gunning	X		
	TOTALS	10	4	

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

RESOLVED:

- (i) That in the event that the Council could have determined this application 21/P/01581 the decision would have been to approve subject to the conditions set out in this report and the completion of a S106 agreement to secure:
 - Provision of SAMM contributions;
 - Provision of SANG land to mitigate the impact of the development on the TBHSPA.

If the terms of the s.106 or wording of 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 the decision taken by the Planning Committee shall be used by the Local Planning Authority to formalise its appeal Statement of Case.

PL9 21/P/01658 - PINE COTTAGE, SEND HILL, SEND, WOKING, GU23 7HR

The Committee considered the above-mentioned full application for proposed erection of 5 dwellings (1no. 2 bed, 2no. 3 beds and 2no. 4 beds) with access through the development to the north east approved under application 19/P/00721 along with all associated works.

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

- Mr Chris White (Applicant) (In Support)

The Committee received a presentation from the Planning Officer, Hannah Yates. The application sought full planning permission for the erection of five dwellings. The site was 0.3 hectares in area and comprised a large part of the garden area of Pine Cottage. The site was on land inset from the Green Belt and was within 400 metres to 5km of the Thames Basin Heaths Special Protection Area (TBHSPA).

Each dwelling had two proposed parking spaces and there was also two business spaces for the development. As a whole the proposal was comprised of a small extension to the adjacent development, the layout proposed allowed the new dwellings to face each other across the access road leaving a back-to-back relationship with the existing Pine Cottage. The development would not adversely harm the scale and character of this part of Send Hill or the adjacent Green Belt. The development sought to draw from a wide range of local detailing whilst bringing individuality to each plot. Key features of the dwellings included chimneys with contrasting brick corners and the use of hips and gables to add interest to rooflines.

In relation to site access the proposal had been deemed acceptable by Surrey County Council Highways adding only a few additional vehicle movements. The applicant has also demonstrated that all vehicles would need to enter and exit the development could do so in an acceptable manner. As detailed by the refuse tracking plan, the GBC Waste and Recycling team had raised no objection on this basis.

The application proposed one, two bed property, two, three bed properties and two, four bed properties. It was acknowledged that the housing mix did not meet the requirements of the SHMA and did propose a high proportion of larger properties. There was however still an identified need for four bed properties and due to the small scale nature of the site it was considerable acceptable in this instance.

The planning officer concluded that the benefits of the development outweighed the harm identified and therefore the application was recommended for approval subject to a S106 Agreement and association conditions.

The Chairman permitted Councillor Guida Esteves to speak in her capacity as Ward Councillor for three minutes.

The Committee noted concerns raised that the housing mix did not meet the identified housing needs of Send. It was not an allocated site or one in the land availability assessment and therefore an unacceptable form of backland development which was out of keeping with the

linear pattern of development in the area. Whilst the Committee had to consider this application according to its merits it was noted that this site was to be linked to an adjacent development which would create thirteen homes in total with no affordable homes allocated.

The developer had submitted piecemeal planning applications which resulted in the five dwellings now proposed being a cramped form of development which was incongruous with the neighbouring character and appearance of the semi rural village setting. The access road was intended to accommodate traffic and visitor parking for the original eight homes, it was not intended to support the additional traffic of 60 per cent more homes. There was no turning head on the site and the layout would therefore not allow residents, visitors and delivery vans to enter easily, turn and leave in forward gear.

Another application had been registered for another four bedroom home next to the existing Pine Cottage which might in part explain why the layout was so cramped. The turning head and tandem parking arrangements on the site would result in a development extending across the full width of the plots. There was also no condition or provision for High Speed Fibre Network to the premises which was now a critical utility in all homes.

The development would harm the prevailing character of the surrounding area resulting in the urbanisation of the semi rural village which was contrary to policies H1 and D1 of the Guildford Local Plan, Policy G5 of the saved Local Plan and the Send Neighbourhood Plan.

The Committee considered the application and noted that planning permission had been granted at appeal for the development of 8 dwellings to the land immediately adjoining the application site to the north, reference 19/P/00721. The access to the development of 5 dwellings subject to this planning application would be provided from this development. Another application, 19/P/01686 for the proposed erection of four new detached two storey dwellings had been refused. This application had overcome the first two reasons for refusal as they related to access issues which had been resolved via the new access provided as part of the approved scheme 19/P/00721. The final reason for refusal related to agricultural information which had now been provided and satisfied the Council's Tree Officer. An affordable housing contribution could also not be sought.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Ramsey Nagaty	-		X
2	Deborah Seabrook	-	X	-
3	Liz Hogger	X		
4	Pauline Searle	X		
5	Paul Spooner	X		
6	Chris Barrass	X		
7	Colin Cross	X		
8	Fiona White	X		
9	Dennis Booth			X
10	Angela Goodwin	X		
11	Angela Gunning	X		
12	David Bilbe	X		
13	Ruth Brothwell		X	
14	Graham Eyre	X		
	TOTALS	10	2	2

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

RESOLVED to approve application 21/P/01658

Subject to a Section 106 Agreement securing:

- (i) That a S106 Agreement be entered into to secure the provision of SANG and SAMM Contributions in accordance with the formula of the updated tariff.

If the terms of the S106 or wording of the planning condition are significantly amended as part of ongoing S106 or planning condition(s) negotiations any changes shall be agreed in consultation with the Chairman of the Planning Committee.

- (ii) That upon completion of the above, the application be determined by the Head of Place.
- (iii) That should a satisfactory legal agreement not be completed, the application be refused by the Head of Place, as there would be no mitigation for the Thames Basin Heaths Special Protection Area.

PL10 21/P/01683 - HIGH BRAMBLES, PARK CORNER DRIVE, EAST HORSLEY, LEATHERHEAD, KT24 6SE

Owing to the late hour, the Committee regrettably agreed to defer this application for consideration at the next Planning Committee meeting scheduled on 5 January 2022.

PL11 PLANNING APPEAL DECISIONS

The Committee noted the planning appeal decisions.

The meeting finished at 10.45 am

Signed

Chairman

Date