

## PLANNING COMMITTEE

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

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

\*Present

Councillors Tim Anderson, Guida Esteves, Cait Taylor, Catherine Young and Tom Hunt were also in attendance.

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

Apologies for absence were received from Councillors David Bilbé, Ruth Brothwell and Ramsey Nagaty. Councillor Brothwell was not in attendance owing to legal advice she had received. Councillor Susan Parker was in attendance as a substitute for Councillor Nagaty.

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

There were no disclosures of interest declared.

### **PL3 ANNOUNCEMENTS**

The Committee noted the procedures for determining planning applications.

### **PL4 19/P/02223 - LAND AT GARLICK'S ARCH, SEND MARSH/BURNT COMMON, PORTSMOUTH ROAD, SEND**

Prior to the consideration of the application 19/P/02223, Garlick's Arch, owing to the public interest in this application, the Committee agreed to waive the Public Speaking Procedure Rules to permit three people to speak in objection and three people to speak in support.

The Committee noted that the following specialists were also in attendance at the meeting:

- Mr Paul Fineberg, Principal Urban Design Officer and Architect
- Mr Ian Croll, Environmental Health
- Mr Robert Johnson, Housing and Strategy Manager
- Mr Tim Holman, Tree Officer
- Mr Stuart Riddle, Operational Services
- Mr Peter George, Environmental Impact Assessment consultant
- Ms Kirsty Wilkinson, Principal Transport Development Planning Officer
- Ms Claudia Frost, Landscape and Visual Impact consultant
- Ms Gabrielle Graham, Ecology consultant
- Mr Mike Burch, Senior Network Resilience Officer (Drainage)

- Mr Mike Singleton, Interim School Commissioning Officer
- Mr Conor Fegan, Francis Taylor Building Counsel instructed by GBC

The following persons addressed the Committee in accordance with Public Speaking Procedure Rules 3(b):

- Councillor Suzie Powell-Cullingford (Ripley Parish Council) (to object);
- Councillor Pat Oven (Send Parish Council) (to object);
- Mr Gary Whittle (to object);
- Mr Daniel Cavanagh (LSL Partners) (in support);
- Mr Andy Barron (Countryside Properties) (in support); and
- Mr Sam Stone (Abri) (in support)

The Committee considered the above-mentioned hybrid application (part full/part outline) comprising 220 residential dwellings (Use Class C3), Travelling Showpeople plots (Sui Generis) and 81sqm community facility (Use Class F.2(b)), with associated open space and landscaping, means of access, parking, drainage, utilities and infrastructure works, temporary and permanent acoustic fencing, and other associated works; and Outline planning permission, with all matters reserved except for access, for up to 300 residential dwellings (Use Class C3) with associated open space and landscaping (including a landscape bund and acoustic fencing), means of access, enabling infrastructure and other associated works.

The Committee received a presentation from Kelly Jethwa, Specialist Development Management (Majors), noting that the land allocated for this residential development fell under Policy A41 of the Local Plan. This also included land for two new roundabouts which would serve as access points to the proposal but would not deliver the northbound slip road to the A3. Land had been included for the provision of a bund, and once constructed, it was anticipated that there would be enough land left to also deliver the slip roads. The allocation of the site made an important contribution to the Council's five-year housing land supply and ability to demonstrate that a housing delivery test remained valid and was greater than 75% of housing required. The Council currently had a five-year housing land supply (with an appropriate buffer) of 7.34 years. This included the delivery of 450 homes at Garlick's Arch by March 2025.

The site was located close to bus stops and an existing convenience shop at the petrol station. There was a local primary school located in Send, a medical centre, and a railway station in West Clandon. The site was currently comprised of mainly arable land and grassland along with a parcel of ancient woodlands, including trees preserved by Tree Preservation Order's (TPOs). The Clandon Stream ran through the middle of the site and a shooting club was currently onsite accessed via Kiln Lane.

The proposal provided the opportunity to remediate the ancient woodland which was in a state of degradation as well as the stream which was polluted by the shell pellets left by the gun club users and to bury or relocate the pylons and overhead powerlines. At the same time, care would be taken to preserve the existing trees, not increase flood risk, attenuate the noise from the A3 whilst working with the topography and habitat of the site.

As the scheme was coming forward via a number of land parcels careful integration of the development as a whole was therefore required. Three pylons were currently onsite, two would be removed and the third pylon relocated with the power lines buried. A schedule of works was required via condition 39 to ensure that UK Power Networks, who were responsible for this operation, detailed how and when the landscape improvements would be undertaken. Three vehicle access points would be created including one from Kiln Lane for the Travelling Showpeople Plots as well as a new pedestrian bridge over the proposed swale and a new vehicular bridge over the East Clandon Stream. The first of the new roundabouts proposed

was on the Portsmouth Road which would facilitate the free flow of traffic as well as for key public transport routes used by buses travelling along the spine road. The roundabout was the preferred option as opposed to a signalised junction box which was supported by the Design Review Panel, but this would result in additional queuing traffic and would future proof the site according to Surrey County Highway Authority. Owing to the risk of flooding caused by the East Clandon stream no homes would be built in these flood zones and the new river crossing to be provided as part of phase three of the development would require consent from the Environment Agency as per condition 64.

Given the proximity of the site to the A3, a temporary 5-metre high acoustic barrier fence was required which would eventually be replaced by a landscaped bund. The acoustic fence would change in height and form along the A3 boundary which were dependent upon the existing land levels. The land was higher for example, at the Clandon Road end, dropped in the middle and rose again towards Kiln Lane. To help alleviate the change in land levels, additional planting and trees were recommended which would mature within 15 years and thereby reduce the overall visual impact. The Landscape and Visual Impact Assessment had all been independently reviewed by the Council's consultant. The taller buildings proposed as part of the scheme would be set back from the A3. In total there would be 6.8 hectares of green space which equated to a quarter of the size of the site overall. In addition, the proposed Woodland Management Plan would improve and enhance these spaces and become publicly accessible for the first time. A large number of new native trees and hedges were proposed to be planted which would enhance habitat connectivity onsite. The site offered substantial views of the surrounding landscape and this was identified as an asset by the Design Review Panel for the new homes and community that it would create.

The development was proposed to be delivered in three phases with a total of 520 homes. Phase one was for 220 residential dwellings and six Travelling Showpeople plots. The outline application consisted of phases two and three for 300 homes, with the third phase in the Lovelace Ward. A change of use of land and highway mitigations were required for the six Travelling Showpeople plots as secured by condition and a S106 Agreement. Two onsite car club parking spaces and electric vehicle charging points were included as part of the scheme as well as a package of highway improvement works with walking and cycling encouraged for shorter journeys, all of which would result in a 20% reduction in carbon emissions.

The S106 Legal Agreement and S278 highway works amounted to £12.6 million which represented a significant financial contribution to local infrastructure, including to the parishes of Ripley, Send and West Clandon. This included the replacement of Ripley Village Hall, a new pavilion at Send Recreation Ground, additional clinical floorspace at primary care facilities provided by GP practices, additional accommodation for early years primary and secondary schools and a subsidised bus service.

The Committee noted that phase 1 would link the two roundabouts with a green pedestrian link with the Oldland's site that adjoined the site, which was recommended by the Design Review Panel to provide better integration. The spine road had been designed as a residential road with a swale on one side, trees, and a central green space with a Local Equipped Area of Play (LEAP) and a community building. The apartment buildings proposed would frame this green space and there would be a wide range of house types and tenures that met the identified housing need for market and affordable homes. There would be an over provision of parking including visitor parking in laybys which could be used by delivery vehicles. The external materials would use a simple palette with variations on plain clay roof tiles and brickwork which was recommended by the Design Review Panel and would weather well over time. Cladding and render had been discouraged as these incorporated the use of plastics and chemicals which were less sustainable and required regular maintenance compared to brick and tile. The first design submitted in 2019 was considered to be a much weaker proposal and a lot of work had since been undertaken this evolution is set out in the Design and Access Statement to ensure that the layout, materials, design, and grain of the development incorporated familiar

design clues. In addition, the Mews was broken down with different landscaped areas and apartment buildings introduced to the Portsmouth Road so that larger buildings were located closer to the roundabout and smaller properties more visible after you entered the development. A community use building would be provided in an apartment block facing the central green. The green also linked the Oldlands site with open views. The streetscene had been improved through the application process so that more interest was included in the design of the dwellings which had bigger windows and a steep pitch roof which was a feature of Surrey design.

The Chairman permitted the ward Councillor Guida Esteves and Councillor Catherine Young to speak for three minutes each respectively.

The Committee noted concerns raised that since the public consultation, amendments had been made to over one hundred application documents and drawings which the consultees should have been afforded the opportunity to respond to. The developers submitted a cumulative impact assessment of other developments for the period 2025-30 which must also have a bearing upon the current application. This excluded the provision of industrial space at Burnt Common and the re-development of the football stadium in Woking with one thousand homes where developers had indicated their intention to use Ripley High Street and the A247 in Send to access the site. The impact of this was potentially material and should therefore be re-assessed, prior to approval, so that appropriate mitigation measures could be implemented. Concerns were also raised with regard to sustainable transport and the lack of detailed plans for the provision of electric vehicle charging points to each home. The provision of 550 homes also ignored the potential impact upon the National Grid and adequate provision should be made in the area for the rollout of high-speed internet services to accommodate the demands of a growing population.

Concerns were also raised that the development proposed was of a significantly higher density than its immediate surrounding area and resembled a housing estate. The essential elements of place-making included creating economically and socially successful places, however no meet up facilities had been provided with little opportunity for social interaction and the token inclusion of a community space area. Owing to the scale of the development, the Design Review Panel had indicated that the provision of community space facilities was key. The lack of local infrastructure surrounding the site was also concerning. There were not enough school places for the existing population, lack of medical facilities and inadequate traffic mitigation measures.

In response to comments made by the public speakers, and councillors, Kelly Jethwa, Specialist Development Management (Majors) referred the committee to the map of the site which highlighted flood zones 2 and 3 and confirmed that the Travelling Showpeople would not be sited in those locations. In relation to concerns regarding drainage from Kiln Lane, Mr Mike Burch, Senior Network Resilience Officer (Drainage) stated that they had worked with the applicant to provide a design that provided sustainable drainage which was integrated in a sensitive way replicating the natural way in which the rain would drain. The site was designed so that it would not flood within a 1 in a 100-year rainfall event and used below ground attenuation so to take water from any impermeable surface. The rate of flow was also restricted to mimic the natural greenfield run off. It was confirmed that the Travelling Showpeople site would benefit from these surface water flood prevention measures which would actually drain water away more efficiently than it currently did.

With regard to concerns raised regarding the lack of infrastructure, Kelly Jethwa, Specialist Development Management (Majors) confirmed that the Council had worked closely with relevant stakeholders and requested for infrastructural improvements to education such as the additional provision of school places, contributions towards healthcare, specifically at GP Practices via the provision of additional floorspace including an extra consulting room.

Mr Mike Singleton, Interim School Commissioning Officer was invited to comment further on how the education contribution would be used. The Committee was informed that the birth rate both nationally and in Surrey had fallen. In 2019, it was four hundred children less than it was in 2012, which meant that the intake in four years would equate to a significant drop in the number of reception places needed compared to a few years ago. This reduction in turn would generate a number of surplus places. The current number of pupils who attended Send Primary School and who actually lived in Send only accounted for 45% of the total school population. Therefore, the remaining 55% did not live in Send. Local people were therefore more likely to obtain a school place in Send and there was less of a need to provide new school places. With the proposed Wisley development and potential new school provided as part of that scheme, enough school places were forecast to accommodate demand within a three-mile radius of the site which would also be met via other significant developments in time as well. Provision of additional spaces would cause issues at other schools and that was why a financial contribution had instead been sought towards the education provision.

In response to concerns raised regarding the proposed developments impact upon the road network and the cumulative impact of other developments onsite, Ms Kirsty Wilkinson, Principal Transport Development Planning Officer confirmed that the Surrey Highway Authority was satisfied with the cumulative impact assessment undertaken with regard to Burnt Common and the works proposed at Woking Football stadium. A traffic impact assessment had also been undertaken and demonstrated that there would not be a significant impact on the area and that was why the Surrey Highway Authority had not requested any additional traffic calming measures to be implemented. The two existing bus stops would have their shelters improved and local residents would also be encouraged to use the train station. The S278 Highway contributions however were to provide improvements to surfacing for pedestrians only and not to allow cyclists access to it as well owing to safety concerns raised by residents regarding a shared surface.

With regard to concerns regarding a lack of retail space onsite, Kelly Jethwa, Specialist Development Management (Majors) referred to the all member briefing held on 17 May 2021, where the developer confirmed that they had approached a number of convenience stores but no food retailers were interested as there was not sufficient identified capacity to warrant it.

With regard to concerns about the size of the community hall, it was explained that there was no end user, although this would be safeguarded via the S106 Agreement. The community space was not to take the place of the village hall but was for smaller events only and therefore an additional contribution to village halls in Send and West Clandon could not be justified on that basis, with Ripley Village Hall also receiving a contribution.

In relation to concerns about the pylons, as outlined in the Environmental Statement addendum, these would be removed as part of phase one, but in the second year of the development. In phases two and three of the development, the underground cables would be installed. Appropriate conditions had been added so to provide additional certainty on when and how this would happen. Condition 17 also outlined the requirement for fibre broadband to be laid so to allay concerns regarding poor internet connectivity in the area being burdened by additional development.

In relation to concerns raised that there had been a lack of consultation regarding updated documents and plans, Kelly Jethwa, Specialist Development Management (Majors) confirmed that three public notifications were carried out on 24 January 2010, 2 October 2010, and 3 March 2021. The last consultation was held over 30 days and had been online since 3 March 2021, to which no comments were received, and feedback had not been received that members of the public could not access it.

The Committee discussed the operating hours proposed for construction from 8am-8pm which over a 5-year period appeared excessive. Dan Ledger, the Development Management

Applications Lead advised the Committee that government guidance issued was to relax controls around construction hours rather than making them tighter. The Environmental Health controls were already in place to manage the situation and the construction hours proposed were therefore deemed appropriate.

The Committee discussed the suitability of Kiln Lane in accommodating heavy goods and travelling Showpeople's vehicles and whether the proposed site for Showpeople should be relocated closer to the A3 for access purposes. The Committee also considered that residents would still favour the car over more sustainable forms of transport and that the roundabout proposed at Portsmouth Road would have a detrimental effect upon the Garlick's Arch community in terms of breaking up placemaking connections.

The Committee discussed whether the scheme fully met sustainability requirements. Send Primary School was constrained and there was no room for further expansion. The reliance upon additional school places being created via the Wisley scheme was not based on fact as that development had not yet been approved. The proposal was perceived as being one which would favour car use by its residents and was therefore in breach of the Council's commitments it had made to climate change. The Committee was also referred to the results of a BBC air quality survey where the area had received a rating of 4 out of 6 which was purportedly as high as you could get outside of London.

The Committee was also concerned regarding the noise generated by the A3 for the residents, particularly the Travelling Showpeople. The Committee queried what modelling had been undertaken to require the 3-metre high acoustic fence. Why had gas boilers been recommended when it was the government's intention to phase them out. In addition, why did the communal plant space require the loss of an apartment. Clarification was also sought on whether the chimneys proposed were for decorative purposes only or to remove harmful hydrocarbons and why no solar panels had been recommended for installation.

In response to concerns raised regarding the suitability of Kiln Lane for HGV vehicles, Ms Kirsty Wilkinson, Principal Transport Development Planning Officer stated the following. The Surrey Highways Authority had not objected given that the use of HGV vehicles in Kiln Lane were prohibited by virtue of their weight limit. No vehicles were permitted to park at the turning head. Areas of the road would also be widened to allow vehicles meeting to pass each other safely. In terms of car reliance, alternative modes of transport such as cycling, and walking would be made more attractive as well as the improvements to be made to the local infrastructure such as the bus service.

Kelly Jethwa, Specialist Development Management (Majors) confirmed that Garlick's Arch had been assessed as an appropriate site for the location of Traveller Showpeople plots and was in line with government guidance that Traveller Showpeople should be located adjacent to residential development rather than be located in isolation.

Whilst Article 8 Human Rights issues had been dealt with in the report, Mr Conor Fegan, Francis Taylor Building Counsel instructed by GBC, stated that the question was whether or not granting permission for this development, and in particular for the Traveller Showpeople, would create living conditions that amounted to a breach of Article 8 of the Human Rights Bill. Planning officers had considered this carefully and condition 34 ensured that there would be appropriate noise controls in place to guarantee that their living conditions would be suitable and that this assessment was legally robust and defensible.

In response to questions raised regarding an apparent lack of school places in Send, Mr Mike Singleton, Interim School Commissioning Officer reiterated that the vast majority of pupils in Send Primary School were not actually from Send and therefore the local demand could be accommodated by the fact that local children would always be assigned a school place first. It was envisaged that in the long term, enough spaces would be provided by other developments

coming forward such as Wisley, and contributions had also been sought to ensure enough spaces in the future.

Mr Ian Croll, Environmental Health responded to comments made regarding air quality levels. These related to a BBC article published in 2019 which provided an online tool whereby people could check hotspots in their area for air pollution. After typing in your postcode, a rating was assigned from 1 to 6. Six was heavily polluted and one meant there was a low chance of average nitrogen dioxide levels exceeding the annual legal limit. On first glance, the figures did appear quite alarming, however, the data had actually been taken from 2016 and was amalgamated as an average over the whole year and provided an overview of a 100 x 100 metre area, however it did not explain how the varying metric ratings were assimilated and was linked to an advert for Earthsense which encouraged people to use the air quality census for their own business needs. Conversely, GBC had asked the applicant to carry out two separate air quality reports, following the guidance as issued by the Institute of Air Quality as well as undertaking supplementary air quality monitoring which all found that the nitrous oxide concentrations were all well below the national air quality objective.

The Committee queried why the air quality information was not provided in the report for consideration. Mr Ian Croll, Environmental Health confirmed that a comprehensive study was carried out and followed up with monitoring data, the first carried out in 2019 and the second in 2021. All of the data followed the guidance issued by the Institute of Air Quality and the committee was advised to read the conclusions outlined in the report.

Kelly Jethwa, Specialist Development Management (Majors) confirmed that the noise modelling report had confirmed that the site next to the A3 was noisy but that the proposed bund and acoustic fences were designed for high density noise, had overlapping panels and cut noise from source to receptor. The Travelling Showpeople were close to the receptors and would therefore work better for them in that respect in terms of reducing the noise. The scheme had also committed to provide 20% renewable technology however the homes would need to be assessed as to what form of heating would be provided either via air source heat pumps or solar panels. It was confirmed that the chimneys were for decoration purposes only and the open space provision had been assessed by Parks and Countryside as appropriate and had therefore raised no objection to the proposal.

The Committee queried how the scheme was meeting the requirements of paragraph 94 of the NPPF and CIL Tests. Mr Conor Fegan, Francis Taylor Building Counsel instructed by GBC, confirmed that throughout the course of the application the requirement for schools to meet the needs of existing communities had been complied with. This was on the basis of the S106 Agreement obligations that have to be carefully considered in line with regulation 122 tests and the appropriate funding secured. There was therefore no conflict with paragraph 94 of the NPPF on that basis.

The Committee noted that the Development Management policies of the Local Plan had not yet been adopted and therefore were not enforceable currently. In relation to the pylons, the Committee queried whether additional funding had been secured to ensure their removal.

The Committee noted that the 6 plots allocated for the Travelling Showpeople would not accommodate large vehicles when the need identified was for eight plots, which implied two further plots were required for storage of large equipment. It was therefore a concern as to whether the correct number of plots would be provided. With regard to the provision of funding towards cycle racks at Clandon Station would monies also be put towards off-road cycle routes to the station as well? The Committee considered that the S106 contributions secured was significant and whilst concerns had been noted regarding the potential increase in traffic caused by the proposed development, Surrey Highways and the Education Authority had raised no objections to the scheme.

The Committee queried whether the residential roads within the proposed development could be restricted to a 20mph speed limit making it a safer environment for walkers and cyclists and reducing pollution levels. Would the sustainable transport routes, such as the cycle lanes be linked up to other facilities including the train station?

With regard to the concerns raised in relation to the removal of the pylons and the Committee requiring assurance over the details of how this would be achieved, Kelly Jethwa, Specialist Development Management (Majors) confirmed that the works to remove the pylons was not required as part of phase 1 of the development. Rather the works had to be carried out in agreement with the power networks and was not something which the developer could do on their own. Condition 36 therefore set out a programme of works so that prior to occupation and the carrying out phases 2 and 3 of the development, we would have assurances about how and when the work would take place and be carried out.

The Committee wanted assurance regarding planning consent that any or all of the Travelling Showpeople plots would not count against the identified need in the borough. Legal clarification was sought that the Council would not have to find additional provision if the application was not compliant. Mr Conor Fegan, Francis Taylor Building Counsel instructed by GBC, confirmed that owing to the potential legal risk in answering that question, the Committee would need to be advised in private session, which was agreed was not required. The Chairman reminded members that if they had significant questions, to submit them to the planning officer, prior to the meeting, so that a full answer could be given. In addition, Dan Ledger, Development Management Applications Lead confirmed that, as stated on page 88 of the committee report, paragraph 13.102, the 6 Travelling Showpeople plots would form part of the 8 private plots required over the plan period and met the identified need. Kelly Jethwa, Specialist Development Management (Majors) also confirmed that the identified need required in the Local Plan was based upon a traveller accommodation assessment carried in 2017 which looked at the existing need and involved interviewing a number of families in the Guildford area. It was also important to note that there were families currently in Guildford who did not have large equipment and still needed to be accommodated.

With regard to the provision of an off-road cycle route to the train station, Ms Kirsty Wilkinson, Principal Transport Development Planning Officer confirmed that this option had been explored but was not possible due to land constraints. Converting the footpath into a cyclist's lane was also not possible. Cyclists therefore had to use Clandon Road which was an A-road to access the station. Owing to this, the bus service was therefore being improved in order to accommodate people who were less confident on their bicycle. A shared pedestrian and cycle route would be provided along the spine road within the development which extended to Send and the provision of two toucan crossings outside the primary school. In relation to the suggestion to reduce the speed limit within the site, the spine road was currently planned to be a 30mph road but could certainly be looked at to reduce the speed further at the S38 stage with the Safety Team and Highways Team.

With regard to concerns raised that the proposed development was not in keeping or character with the wider area, Kelly Jethwa, Specialist Development Management (Majors) confirmed that, as per page 70 of the committee report, paragraph 13.4.1, the requirements of both policy D1 and the newly adopted Send and Lovelace Neighbourhood Plans had been carefully looked at. The proposed development in that respect did not need to slavishly reflect the design, style, and variety of houses in the wider area but rather was taking design queues from it. Mr Paul Fineberg, Principal Urban Design Officer and Architect agreed and confirmed that Garlick's Arch would be a garden suburb design which was very much conceived of as a place in its own right rather than trying to mirror inter and post-war development.

The Committee discussed the narrowness of Kiln Lane and how larger vehicles would successfully navigate the road without the need to create an additional passing place. Whilst monies were being invested in upgrading bus shelters, the Committee was interested to know if



the frequency of buses available to the local community would be increased. Kelly Jethwa, Specialist Development Management (Majors) confirmed that a transport assessment had been undertaken and confirmed there was no need for the creation of additional passing places, other than those required. The developer had also manoeuvred two large vehicles up and down the lane for testing purposes and an existing refuse freight already used the road with no issues. Ms Kirsty Wilkinson, Principal Transport Development Planning Officer confirmed that the widening of Kiln Lane would take place where the existing dwellings were located, therefore the likelihood of large vehicles needing to pass each other was reduced owing to no residential properties being located beyond this point. The Travelling Showpeople could also use the turning head at the end of Kiln Lane that was being protected as part of the development. The bus service would now run every 30 minutes as opposed to every hour and the bus shelters would have real time passenger information installed.

The Committee, after considering all of the issues carefully, concluded that the application had been subject to rigorous assessment via the Design Review Panel and lengthy pre-application discussions resulting in a development with defined character areas that would deliver 40% affordable housing as well as looking to meet the identified needs of the Travelling Showpeople through the provision of 6 plots. The Committee was satisfied that suitable mitigation measures had been put in place to reduce the sound from the A3 via the installation of the bund and acoustic fence. A significant amount of monies had also been secured via the S106 agreement to facilitate a wide variety of infrastructural improvements locally that would be of benefit to the wider community. The proposal would also seek to incorporate renewable energy into its design as well as look to improve the woodland via a Woodland Management Plan.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Jon Askew	X		
2	Marsha Moseley	X		
3	Angela Goodwin	X		
4	Pauline Searle	X		
5	Maddy Redpath	X		
6	Colin Cross		X	
7	Susan Parker		X	
8	Paul Spooner	X		
9	Angela Gunning		X	
10	Liz Hogger	X		
11	Christopher Barrass		X	
12	Chris Blow	X		
13	Fiona White	X		
	<b>TOTALS</b>	<b>9</b>	<b>4</b>	<b>0</b>

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

RESOLVED to approve application 19/P/02223 subject to securing a s.106 agreement, the conditions, and reasons in the report as well as the following updated conditions:

(i) Subject to a Section 106 Agreement securing:

- provision of 40% affordable housing in accordance with Council's approved tenure split;

- provision of 6 Travelling Showpeople plots;
- provision of 5% custom build plots;
- provision of a community use and arrangements for its management and maintenance for the lifetime of the development;
- provision of SANG mitigation in accordance with the Thames Basin Heaths SPA Avoidance Strategy 2017;
- a contribution towards SAMM;
- a contribution of £6,150 for travel plan auditing fee;
- a contribution of up to £860,000 towards passenger transport improvements within the vicinity of the site;
- a contribution of £24,000 for the provision of cycle parking at Clandon Station;
- a contribution of £41,000 for the provision of two bus stops and associated footway works at Clandon Station;
- a contribution of £60,000 towards improving public footpath 568;
- to implement the car club space (s) in general accordance with Drawing Number: 19201/C07G;
- to offer to each household of each residential unit free membership of the Car Club for three years;
- a contribution to early years, primary and secondary education;
- a contribution for additional floor space at a GP practice;
- a contribution to policing infrastructure;
- provision and maintenance of public open spaces for the lifetime of the development;
- provision and delivery of a land ownership and management plan for the lifetime of the development;
- a financial contribution of £300,000 to a new sports pavilion at Send Recreation Ground;
- a financial contribution of £600,000 to Ripley Village Hall; and
- a financial contribution of £150,000 to Send Parish Council and £500,000 for West Clandon Parish Councils for environmental improvements.

If the terms of the S106 or wording of the planning conditions 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 and lead Ward Members for Lovelace and Send.

(ii) That upon completion of the above, the application be determined by the Head of Place.

Full application phase 1:

2.	Drawing no.s	The development hereby permitted shall be carried out in strict accordance with the following list of approved plans:																							
		<table><tr><th>Date Issued</th><th>No.</th><th>Rev</th><th>Title</th></tr><tr><td>24/02/21</td><td>LN-LD-102</td><td>G</td><td>Illustrative Landscape Masterplan</td></tr><tr><td>24/02/21</td><td>102773-MLM-ZZ-00-DR-YA-016</td><td>C02</td><td>Phase 1 – 175m Buffer from the A3</td></tr><tr><td>24/02/21</td><td>102773-MLM-ZZ-00-DR-YA-001</td><td>C03</td><td>Façade Sound Reduction Requirements</td></tr><tr><td>24/02/21</td><td>102773-MLM-ZZ-00-DR-YA-</td><td>C03</td><td>Overheating Noise Mitigation Requirements</td></tr></table>	Date Issued	No.	Rev	Title	24/02/21	LN-LD-102	G	Illustrative Landscape Masterplan	24/02/21	102773-MLM-ZZ-00-DR-YA-016	C02	Phase 1 – 175m Buffer from the A3	24/02/21	102773-MLM-ZZ-00-DR-YA-001	C03	Façade Sound Reduction Requirements	24/02/21	102773-MLM-ZZ-00-DR-YA-	C03	Overheating Noise Mitigation Requirements			
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		<p><u>Reason:</u> To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.</p>																																																																				
35.	Installation of temp acoustic fence	<p>Prior to the first occupation of any dwelling within 175m of the A3 the temporary acoustic fence shall be provided in accordance with Appendix 7.8 of the Environmental Statement, <i>drawing no. 102773-MLM-ZZ-00-DR-YA-016 Rev C02 - Phase 1 – 175m Buffer from the A3</i> and thereafter maintained until the permanent bund and acoustic fence are provided.</p> <p><u>Reason:</u> In order to safeguard occupiers from external noise sources.</p>																																																																				

Outline application phases 2 and 3:

55.	Reserved matters	Details of the appearance, layout, scale and <i>landscape</i> , hereinafter called "the reserved matters" for each phase shall be submitted to and approved in writing by the Local Planning Authority before any development begins on that phase and the development shall be carried out as approved.
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		<u>Reason:</u> To enable the Local Planning Authority to control development in detail and to comply with Section 92 of the Town and Country Planning Act (1990) as amended.
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**PL5      20/P/01736 - OLDLANDS, BURNT COMMON LANE, RIPLEY, WOKING, GU23 6HD**

The following persons addressed the Committee in accordance with Public Speaking Procedure Rules 3(b):

- Councillor Pat Oven (Send Parish Council) (to object);
- Mr David Neame (Agent) (in support);

The Committee considered the above-mentioned full application for the erection of 30 no. residential dwellings with the associated vehicular and pedestrian access via Burnt Common Lane, car parking, secure cycle storage and landscaping on land off Burnt Common Lane, Ripley.

The Committee received a presentation from Katie Williams, (Specialist) Development Management Applications. The Committee noted that the site formed part of the Garlick's Arch site allocation designated under Policy A41 of the Local Plan. Twelve affordable homes would be delivered as part of the scheme. A previous application for the site, 19/P/02191, was recently allowed at appeal for the same number of dwellings. The current scheme had adopted a revised layout and design approach compared to the previous application following extensive pre-application discussions with officers. The site consisted of a gently arching strip of land that sat on the western edge of the site allocation immediately adjacent to Burnt Common Lane. The A3 ran to the south-east of the site and the area was characterised by a mix of dwellings that varied both in density and character.

The southern and eastern boundaries were delineated by mature trees and hedgerows. The rest of the site consisted predominantly of paddock land currently used for grazing horses. There would be three individual driveways serving plots 20 to 30 and the main access to the site was proposed to be located opposite Burnt Common Close where there was currently a field access gate. The existing vehicular access to Oldland's towards the southern end of the site would be closed off, however the access route serving plots 2 to 4 would follow the same line as the current driveway within the site and the access road would travel north through the middle of the site. One further separate driveway was proposed to serve the new dwelling on plot 1 at the far southern end. The trees marked to be retained were located along the western and eastern boundaries.

In relation to the housing layout, a small two-storey building apartment building and six new houses marked the northern end of the site and to the south the proposal incorporated housing fronting Burnt Common Lane culminating in a small landscaped mead. The original farmhouse was to be retained. To the north a hammerhead would be formed to serve nine houses which led to a pedestrian link through to Garlick's Arch.

The development proposed a mix of different sized dwellings. One main area of open space was proposed to the southern end of the site along with a balancing pond at the northern edge. A linear green corridor would also be provided incorporating a pedestrian link along the western frontage of the site with Burnt Common Lane. Parking was to be provided by way of individual driveways, integrated garaging, car barns and a parking area to the rear of the apartment building.

In relation to application 19/P/02191 that was refused by the Committee in April 2020 for the same site, the committee was reminded that this was a material consideration given it had recently been allowed at appeal and could be built out. The current proposal would result in a much more coherent extension to Garlick's Arch and a more clearly defined frontage to Burnt Common Lane and reflected the Surrey style. A density in housing of 21.7 dwellings per hectare had been achieved compared with the dwellings along Burnt Common Lane which had a varied density from 21 to about 15 at the southern end.

With regard to the proposed street scene elevations, all of the buildings would be two-storey in height with a maximum ridge height of the dwellings and apartment buildings varying from approx. 8.1 to 9.5 metres. The housing design incorporated a consistent use of simple forms and elevations, using contemporary design features including generous areas of glazing particularly at ground floor level. A subtle material palette would be used using natural brick that would weather gracefully.

In conclusion, the application site formed part of the wider allocation of Garlick's Arch and therefore the principle of residential development on this site was acceptable and in accordance with Policy A41 of the Local Plan. The design proposed as part of this application was considered to be a vast improvement upon the scheme recently allowed at appeal. This proposal would result in a high-quality design which would create its own identity and character and also be sympathetic to the local character and history including the surrounding built environment and landscape setting. It would provide positive links with the adjacent Garlick's Arch site and represented a well-designed scheme in a sustainable location which would provide a net increase of 30 dwellings contributing to the Council's identified housing need. The proposal would not have a detrimental impact on highway safety, neighbouring amenity nor have an adverse impact in terms of flood risk. The development would achieve a 20% carbon emission reduction, introduce a site waste management plan, electric vehicle charging points and cycle storage as well as ecological enhancements secured through the S106 SANG and SAMM contributions.

In response to comments made by the public speakers, Dan Ledger, Development Management Applications Lead, confirmed that mitigation measures for the Thames Basin Heath Special Protection Area were sought as part of the S106 Agreement. In addition, the report recommendation had omitted the open space requirements, however the report itself did refer to it. The Committee were therefore assured that open space contributions were being sought as part of the S106.

The Committee discussed the application and agreed that the current scheme represented a considerable improvement upon the previously refused proposal now allowed at appeal. The contributions secured were also significant and would assist the infrastructural improvements by way of new bus shelters, education contributions, additional floorspace for a GP practice as well as off site ecological enhancements. It was confirmed that the chimneys proposed on the dwellings would be used for extraction. Paul Fineberg, Principal Urban Design Officer was also invited to comment on the improvements made to the current application. The Committee noted that the present scheme was significantly better conceived than the appeal scheme which had no place-making qualities and was a negative design originally. The scheme was presented in three significant ways, apartments, small houses to face Burnt Common and a garden suburb.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Colin Cross			X
2	Angela Goodwin	X		
3	Chris Blow	X		
4	Christopher Barrass	X		
5	Liz Hogger	X		
6	Fiona White	X		
7	Marsha Moseley	X		
8	Jon Askew	X		
9	Paul Spooner	X		
10	Angela Gunning	X		
11	Susan Parker		X	
12	Pauline Searle	X		
13	Maddy Redpath	X		
	<b>TOTALS</b>	<b>11</b>	<b>1</b>	<b>1</b>

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

RESOLVED to approve application 20/P/01736 subject:

- (i) That a S106 Agreement be entered into to secure the provision of:
- SANG and SAMM Contributions and Open Space contributions in accordance with the formula of the updated tariff;
  - £28,000 for implementation of 2 bus shelters and their foundations within the vicinity of the site;
  - Education contributions as specified by Surrey County Council
  - Healthcare - contribution towards additional clinical floorspace for a GP practice within the local area
  - Offsite Ecological Enhancements in accordance with the submitted Ecological Management Plan

If the terms of the S106 or wording of the planning conditions 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 and lead Ward Member.

(ii) That upon completion of the above, the application be determined by the Head of Place. The preliminary view is that the application should be granted subject to conditions.

The meeting finished at 10.00 pm

Signed .....

Chairman

Date .....