

## PLANNING COMMITTEE

- \* Councillor Fiona White (Chairperson)
- \* Councillor Vanessa King (Vice-Chairperson)

- |                             |                              |
|-----------------------------|------------------------------|
| * Councillor Bilal Akhtar   | Councillor George Potter     |
| * Councillor David Bilbe    | * Councillor Maddy Redpath   |
| Councillor Lizzie Griffiths | * Councillor Joanne Shaw     |
| * Councillor Stephen Hives  | * Councillor Howard Smith    |
| * Councillor James Jones    | * Councillor Cait Taylor     |
| * Councillor Richard Mills  | * Councillor Sue Wyeth-Price |
| Councillor Patrick Oven     |                              |

\*Present

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

Apologies for absence were received from Councillors Lizzie Griffiths and Pat Oven for whom there were no substitutes. An apology was also received from Councillor George Potter for whom Councillor Catherine Houston attended as a substitute.

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

Councillor Catherine Houston declared a non-pecuniary interest in application 23/P/00835 – Land adjacent to 7 Unstead Wood, Peasmarsh, GU3 1NG. This was owing to speaking in her capacity as ward councillor only for that application and would leave the room for the duration of the debate and decision made.

Councillor David Bilbé declared a non-pecuniary interest in application 23/P/00835 – Land adjacent to 7 Unstead Wood, Peasmarsh, GU3 1NG. This was owing to his daughter being a local resident. However, this would not affect his objectivity when considering the application.

### **PL3 MINUTES**

The minutes of the Planning Committee held on 16 August 2023 were agreed and signed by the Chairman as a true and accurate record.

**PL4 ANNOUNCEMENTS**

The Committee noted the Chairman's announcements.

**PL5 22/P/00461 - LITTLE ACRE, OLD RECTORY LANE, EAST HORSLEY,  
LEATHERHEAD, KT24 6QH**

The Committee considered the above-mentioned full application for erection of two detached dwellings with associated parking and landscaping following demolition of the existing house.

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

- Mr Anthony Dinkin (to object);
- Mr James Burt (to object) and;
- Mr Dan Stock (Applicant)

The Committee received a presentation from the Planning Officer, Morgan Laird. The application was for the demolition of the existing house and the construction of two, two-storey detached 5-bedroom dwellings. Old Rectory Lane was characterised by predominantly detached houses, whilst Kingston Avenue had more terraced and semi-detached housing. Both proposed dwellings were located centrally on the plot with garden and amenity areas to the west and car parking to the east. Plot 2 would be accessed via an existing driveway to the north and plot 1 would be accessed via a new access. To the south, boundary treatments would be largely retained and only part removed to form the new entrance to plot 1. A condition was recommended to retain the hedgerow along the highway, requiring the submission of a landscaping plan to be approved by the Local Planning Authority.

The new dwellings would be approximately 1 metre above the adjoining dwellings to the north and to the south would be 679 mm above the height of the existing dwelling. The existing hedgerow ran along the highway boundary and would screen the dwellings.

The proposal would deliver the net increase of one dwelling in a sustainable location. Planning officers considered the proposal would not harmfully affect the character or appearance of the site and the surrounding area or result in an unacceptable adverse impact on neighbouring properties. The applicant had

demonstrated that there would be no flood risk to the property which had been confirmed by the Environment Agency who withdrew their original objection. The application was therefore recommended for approval.

The Chairperson permitted Ward Councillor Catherine Young to speak for three minutes. The Committee noted concerns raised that the proposal would cause significant harm and severe changes to the character of the immediate local setting. It would also cause a significant adverse effect on the private amenity of neighbours as well as cause an increased flood risk to surrounding properties. The development did not comply with East Horsley's Neighbourhood Plan, policy EH7, and contradicted Local Plan policy D1.1 Place-Shaping, as it did not respond to the local character and did not meet the test for respecting local distinctiveness. The height of both houses would be much taller than the rest of the dwellings in the cul-de-sac and was far less screened than the others. The two houses would dominate the street scene from every angle. The scale, mass and bulk of the two dwellings was excessive when compared to the surrounding properties which were comprised of bungalows and more chalet type dwellings. This development would therefore cause substantial harm to the local character and streetscene. As specified by policy EH8 regarding residential infilling, a development that caused any material harm to neighbouring amenities would not be supported. The need to protect private amenity space was also given weight in policy D5. As well as overlooking, the height and bulk of the new houses would dominate views to and from neighbouring properties and gardens. Lastly, the government's official website showed that the site was at high risk of flooding. The proposal was therefore contrary to Local Plan H4 and EHN5 of the Neighbourhood Plan.

In response to comments made by the public speakers and Ward Councillor, the planning officer, Morgan Laird confirmed that the applicant had submitted a report with hydraulic modelling to the Environment Agency which then resulted in the withdrawal of their objection. The hedgerow would also be protected by condition.

The Committee discussed the application and noted concerns raised about residential infilling Policy EH8. Plot 1 appeared very close to the existing dwelling and much closer than the current houses which would have an impact upon neighbouring amenity. The Committee also noted support for the application given that the proposal was consistent with the Neighbourhood Plan and the site was inset, it was therefore difficult to identify the harm.

The Joint Executive Head of Planning, Claire Upton-Brown confirmed that the Local Plan and Neighbourhood Plan recognised the need for additional dwellings and that windfall sites had to also be considered. In the planning officers view, there was a mixture of plot sizes and dwellings with other properties close to adjoining boundaries. The Committee therefore had to decide whether the subdivision of the site and putting two dwellings on it was in keeping and if not did it warrant refusal of the application.

The Committee noted that there had been mention of a restrictive covenant in place on the land and wanted to know if this had any bearing on the consideration of the application. The Legal Advisor, Claire Beesly confirmed that it was not a material planning consideration and that only the land owner could take up that benefit afforded by the restrictive covenant.

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

RECORDED VOTE LIST				
		FOR	AGAINST	ABSTAIN
1	Cait Taylor	X		
2	Maddy Redpath	X		
3	Richard Mills	X		
4	Howard Smith	X		
5	Stephen Hives	X		
6	Joanne Shaw	X		
7	James Jones	X		
8	Sue Wyeth-Price	X		
9	Vanessa King	X		
10	Catherine Houston	X		
11	Bilal Akhtar	X		
12	Fiona White	X		
13	David Bilbé	X		
	<b>TOTALS</b>	<b>13</b>	<b>0</b>	<b>0</b>

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

RESOLVED to approve application 22/P/00461 subject:

- (i) That a S106 obligation be secured:

A SANGS contribution and an Access Management and Monitoring Contribution in accordance with the adopted tariff of the SPA Avoidance Strategy to mitigate against the impact on the Thames Basin Heaths Special Protection Area.

(ii) That upon completion of (i) above, the application determined by the Executive Head of Development Management subject to conditions.

(iii)

**PL6      22/P/01409 - LAND AT HURST FARM, CHAPEL LANE, MILFORD, GU18 5HU**

The Committee considered the above-mentioned full application for two new sports pitches, associated infrastructure, drainage arrangements, parking, formation of a new access point, and landscaping, associated with the above hybrid application.

The Committee received a presentation from the Senior Planning Officer, Peter Dijkhuis. This was a hybrid cross boundary application with Waverley Borough Council. The application had been referred to the Planning Committee because the proposed development of land in the Green Belt was for the provision of sports pitches and public open space. The Committee noted the supplementary late sheets where a correction had been made noting that the removal of the parcel of land from the Green Belt was incorrect. The site remained in the Green Belt and was not an inappropriate form of development. The Waverley Borough Council application was approved by its Planning Committee on 23 August 2023 subject to a S106 agreement. In the event the legal agreement required under recommendation A was not forthcoming within six months of 23 August 2023, the Committee's resolution was permission to refuse. It was a complex S106 which required ongoing discussions with the applicant regarding the conditions. At the applicant's request, where the conditions attached to the application refer to the site or the development, this is defined in the officer's report.

The main application was for approximately 200 houses, a sports field, amenities and a new garden centre. A SANG would also be created to offset some of the harm created by the main application. There was also a new development to the north within Waverley called Oxford Farm. The Green Belt ran between the boundaries of the two boroughs. To the west, the land was either designated as countryside or an Area of Great Landscape Value (AGLV) as well as Eashing Fields SANG. The most northern portion would remain in agricultural use. Some of the hedgerows had already been removed to accommodate a car parking area and planting was proposed to reinstate the damage done. The nature of Eashing Lane would change quite considerably through the application given it was currently covered with hedgerows and mature trees.

Given it was a cross boundary application, Waverley Borough Council's Local Plan policy DS14 applied which was allocated for 117 dwellings. The applicant was however proposing 216 dwellings. Both authorities accepted that the additional units could come forward on the site given the requirement for public off-site open space was taken forward in the adjacent site. The site was not part of the Development Plan for Guildford and was outside of its identified settlement boundary. The application should therefore be read against policy P2 Green Belt and policy P3 Countryside as well as NPPF 149 and 150. Certain forms of development were not inappropriate in the Green Belt and one of those was for the development of sports fields. Guildford Borough Council had a duty to cooperate with adjacent boroughs in order to enable development.

Central to the site was two new sports pitches using grass which was not artificial and therefore provided drainage. Some grading would also be done to the site. There was allocated parking onsite with 30 parking bays which complied with parking standards and 8 cycling stands. In addition, a small utility building, including changing facilities and a toilet would be provided.

Access to the site would be provided off Eashing Lane which required visibility lines to be created. The applicant was working with the Highways Authority to undertake a series of mitigation measures such as reducing the speed limit from 60mph to 40mph with aspiration to reduce it by a further 20mph. Pedestrian movement would also be enabled across the two fields. The removal of the hedgerows would be mitigated with new planting creating new habitat and therefore increasing biodiversity. A condition had been included to require that the new planting is put in prior to the development of the sports field so to allow the new hedgerow to grow before the harm was totally exposed.

In conclusion, the Council had a duty of co-operation, the proposal was for the provision of public open space and a sports field to enable the development which should be encouraged. The Green Belt and surrounding countryside was not affected. In the short term there would be some removal of vegetation but this would be reinstated. Over time that harm would be mitigated. There was only one existing resident closest to the southern boundary where there was a condition for screen planting and no installation of sports lights permitted so not to affect the dark skies. No objections had been received from the Highways Authority in terms of accessibility or parking. No impact would be incurred from flooding. Cumulatively, it was assessed that the benefits of the proposal clearly outweighed the harm caused by the proposal.

The Committee discussed the application and agreed that given there were no close neighbouring residents nearby the scheme would not affect the enjoyment of their amenities. In addition, the Committee supported the scheme, particularly for the provision of much needed open space and a sports pitch for the local community.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Vanessa King	X		
2	Catherine Houston	X		
3	Bilal Akhtar	X		
4	David Bilbe	X		
5	Stephen Hives	X		
6	Howard Smith	X		
7	Sue Wyeth-Price	X		
8	James Jones	X		
9	Joanne Shaw	X		
10	Cait Taylor	X		
11	Richard Mills	X		
12	Maddy Redpath	X		
13	Fiona White	X		
	<b>TOTALS</b>	<b>13</b>	<b>0</b>	<b>0</b>

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

RESOLVED to approve application 22/P/01409 subject:

i) That a s.106 agreement be entered into to secure:

- The contribution towards highway safety improvements and pedestrian and cyclist infrastructure improvements in the area;
- Charter of a management company; and,
- Provision that the Applicant, and successor in Title, gives free and unfettered access to the site's parking, pathways, and public open space.

If the terms of the s.106 or wording or 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 upon completion of the above, the application be determined by the Executive Head Planning Development / Strategic Director Place.

The recommendation is to APPROVE planning permission, subject to conditions and informatives.

**PL7      23/P/00835 - LAND ADJACENT TO 7 UNSTEAD WOOD, PEASMARSH, GU3  
1NG**

Prior to the consideration of this application, Councillor Catherine Houston sat in the ward councillor seat owing to speaking in that capacity and not participating as a Committee member.

The Committee considered the above-mentioned full application for erection of a pair of semi-detached dwellings and associated works following demolition of an outbuilding (revision of application 22/P/01543, refused on 24/04/2023).

The Committee received a presentation from the Senior Planning Officer, Katie Williams. The outbuilding was currently used as an osteopath clinic. The proposal was a revision to a previously refused application, 22/P/01543. The site boundary now incorporated a piece of land to the south of the existing property boundary to provide additional space for parking access and manoeuvring. The agent for the application had confirmed that the applicant had an agreement with the landowner to acquire the land subject to planning permission being granted.

The site currently consisted predominantly of the garden area of 7 Unstead Wood which was located at the end of a residential cul-de-sac. The dwellings were of varying styles and sizes running along the northern side of the road. The site also adjoined an area of woodland which ran to the site boundaries to the north. The site was mostly located within the inset settlement boundary of Shalford, with the exception of the rear corner of the site in the north-east corner and a strip of land to the front of the site which was within the Green Belt. The site was also within an Area of Great Landscape Value (AGLV) and sat outside of the 5km to 400m buffer zone of the Thames Basin Heath Special Protection Area (TBHSPA).



The rear garden boundaries would remain as per existing in terms of the use of the land which lay within the Green Belt. The proposed pair of semi-detached dwellings would be positioned on a similar building line to the adjacent pair of semi-detached houses. The existing plot would be subdivided which would result in a plot similar in size to the adjacent properties within the cul-de-sac. A minimum separation distance of 2.8 metres would be either side of the boundary with a shared access at the end of the cul-de-sac and driveways providing parking for two cars to the front of each of the dwellings. The existing driveway to the front and side of the existing dwelling would be retained providing space for two cars. The proposed parking provision complied with the Council's adopted parking standards. The Highway Authority had confirmed that it had no objection and considered that the proposal would not have a material impact on the safety and operation of the adjoining public highway. The parking area to the south-east of the site would result in the removal of the existing hedge and vegetation, however there was sufficient space for replacement planting and a condition was recommended to secure this.

The proposed dwellings would have a traditional style, incorporating pitched roofs with half hipped gable ends. Each dwelling would incorporate a single storey rear projection with a monopitch roof. The overall floor space for the dwellings and the room sizes would accord with the nationally described space standards. In the streetscene, the proposed dwellings would be of similar ridge height to the surrounding dwellings in the road.

In summary, it was the planning officer's view that the proposed residential development was considered acceptable in principle and it was concluded that there would be no adverse impact on the character of the area. The wider landscape character of the AGLV and the corridor of the River Wey. It was also concluded that subject to the recommended conditions, there would be no adverse impact on neighbouring amenity, ecology or trees. It was noted that small parts of the site fell within the Green Belt, however, the proposed new dwellings were within the inset boundary. The use of the rear part of the site, which was in the Green Belt would remain as a domestic garden. The front part of the site, which was also in the Green Belt, would be used for access and turning and it was therefore considered that the proposal would not have a significantly greater impact on openness compared to the existing situation. It was concluded that the proposal, due to the increase in onsite parking provision compared to the previously refused application had overcome the reasons for refusal attached to 22/P/01543 and would now accord with the Council's parking standards and policy ID10 of the Local Plan and the application was therefore recommended for approval.

The Chairperson permitted Councillor Catherine Houston to speak in her capacity as ward councillor. The Committee noted concerns that the application would increase the number of properties in a confined space by 25%. The proposal represented a form of over-development. There was also an unmade track that was in an appalling state which the owner had refused to maintain for 10 years. 5 additional conditions were therefore recommended. That the unmade access track must be repaired and made good, inspected and signed off by the Council prior to the development proceeding. The track which was accessed via Bradford Road was a busy road and the entrance to which was concealed. A condition was therefore recommended to direct traffic via a concealed entrance sign. A condition that construction traffic must approach by driving past the entrance, turning at the roundabout and proceed back along Bradford Road and turn right into Unstead Wood. A second application for the property number 89 would apparently be making land available for the new houses to have parking spaces. There must be certainty that any future owners do not have the right to change their mind over the use of the land now or forever. Currently number 7 operated an osteopathic practice in an outbuilding which would be demolished if this scheme went ahead. The previous application included the ceasing of trading and if this was not included in this application there was concern that another outbuilding used for their business would increase the number of cars arriving and leaving and churn up the muddy track. A condition was therefore required to forbid the potential for any business trade.

The Joint Executive Head of Planning Development, Claire Upton-Brown confirmed that it would not be possible to enact the conditions recommended. If the Committee was minded to approve the application, it would not be possible to require a third party to carry out maintenance improvements to the access. Similarly, it would not be possible to require the Highway Authority to erect a sign. It would also not be possible to impose a condition requiring that any land agreement be put in the public domain or put a covenant on any of the three properties preventing them from being used for businesses or other purposes. It was confirmed that the main difference from the refused application was that they had incorporated that section of additional land at the front which had given more space for parking. Previously it was one space per dwelling and now it was two spaces.

The Committee discussed the application and noted the concerns raised. However, the Committee agreed that the plot of land was fairly large and the spacing between the homes was adequate. Access to and from the site also appeared to be okay with a good sight line.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Cait Taylor	X		
2	James Jones	X		
3	Bilal Akhtar	X		
4	Fiona White	X		
5	Sue Wyeth-Price	X		
6	Joanne Shaw	X		
7	Maddy Redpath	X		
8	David Bilbe	X		
9	Richard Mills	X		
10	Stephen Hives	X		
11	Vanessa King	X		
12	Howard Smith	X		
	<b>TOTALS</b>	<b>12</b>	<b>0</b>	<b>0</b>

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

RESOLVED to approve application 23/P/00835 subject to the conditions and reasons as detailed in the report.

#### **PL8 PLANNING APPEAL DECISIONS**

The Committee discussed and noted the planning appeal decisions.

The meeting finished at 8.30 pm

Signed .....

Date .....

Chairman