

## PLANNING COMMITTEE

\* Councillor Vanessa King (Chairperson)  
Councillor Dominique Williams (Vice-Chairperson)

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

\*Present

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

Apologies for absence were received from Councillors Pat Oven, Joanne Shaw, Maddy Redpath and Dominique Williams. Councillor Jason Fenwick attended as a substitute for Councillor Pat Oven and Councillor Gillian Harwood attended as a substitute for Councillor Joanne Shaw.

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

#### **22/P/01757 – Gravetts Lane Stables, Tangle Lane, Worplesdon, Guildford, GU3 3JY**

Councillor Bilal Akhtar declared a non-pecuniary interest in the above application owing to living close to the site. Councillor Akhtar confirmed that this would not affect his objectivity in the consideration of this application.

#### **22/P/01846 – Westfield, Ockham Road North, East Horsley, Leatherhead, KT24 6NU**

Councillor David Bilbé declared a non-pecuniary interest in the above application owing to his son living close to the site. Councillor Bilbé confirmed that this would not affect his objectivity in the consideration of this application.

**PL3 MINUTES**

The minutes of the Planning Committee held on 28 February 2024 were agreed and signed by the Chairperson as a true and accurate record.

**PL4 ANNOUNCEMENTS**

The Committee noted the Chairperson's announcements.

**PL5 22/P/01757 - GRAVETTS LANE, TANGLEY LANE, WORPLESDON, GUILDFORD, GU3 3JY**

The Committee considered the above-mentioned full application for demolition and replacement of Gravetts Lane Stables with nine residential units with associated parking and amenity space.

Whilst this application qualified for speakers owing to the number of representations received, nobody had registered to speak.

The Committee received a presentation from the Senior Planning Officer, Lisa Botha. The site was located within the Green Belt, was covered by an Article 4 Direction and was also located within the 400 metre to 5km buffer zone of the Thames Basin Heaths Special Protection Area (TBHSPA). The site was located to the north of Tangley Lane and comprised of a number of buildings, sand school and hardstanding. A further three buildings were located further to the west which would also be demolished as part of the proposal.

The development had been designed to take the appearance of a converted farm complex set around a courtyard so to respect its transitional location and the boundary between the Green Belt and the urban area and to respect its rural setting. The access to the site was located to the south, with a terrace of three properties and two parking spaces each. Car parking spaces were also located on the opposite side of the road. A bin and cycle store was proposed underneath a canopy. A turning head for the refuse vehicles was planned giving enough space to turn onsite and move out in forward gear.

In summary, the proposal represented inappropriate development within the Green Belt due to the height of the proposed dwellings and the location of plots 1 and 3. However, it was considered that very special circumstances existed that clearly outweighed the identified harm. No harm was identified to the character

of the area, and it was considered that the proposed development would be appropriately rural in character in the transition between the urban area and the Green Belt. The dwellings were considered to be well designed and would provide a mix of property types to reflect the identified need in the borough. No harm to neighbouring amenity would occur due to the separation distances to neighbouring dwellings. Existing vehicle access to the site would be utilised and upgraded and sufficient parking would be provided onsite for any future occupants as well as visitors. No objection was raised to the proposed development in terms of impact on trees with regard to biodiversity and ecology.

A number of conditions had been added together with the biodiversity enhancements also secured by condition. Sustainability measures had also been considered as part of the proposed development and conditions recommended to secure these. The proposal was therefore considered by officers to be acceptable, subject to the completion of a unilateral agreement which would be sought to secure the necessary financial contributions in order to mitigate the impact of the proposed development on the integrity of the Thames Basin Heaths Special Protection Area (TBHSPA). The proposed development was therefore recommended for approval.

The Committee discussed the application and noted comments that the proposed development would be an improvement upon what currently existed. Given there was a village located nearby, it was queried why the site was not identified as a brownfield site rather than Green Belt. The Committee noted further comments regarding the benefit of replacing the existing buildings with much needed housing.

However, the development was nevertheless proposed on Green Belt land which was by definition inappropriate. By permitting such a development to take place would set a precedent for future applications submitted. The Committee agreed that the very special circumstances identified in the officer's report to outweigh the proposed development in the Green Belt were unconvincing. The proposal represented a significant extension of the built-up area. The environmental benefits afforded by the scheme purportedly increasing biodiversity were questioned given the biodiversity that already existed onsite in the Green Belt land. The scheme was not perceived as one which would significantly contribute towards meeting the housing need in the borough. The small economic benefit of having builders onsite would only be provided in the short-term. Crucially, the Green Belt had to be preserved.

The Committee also noted that there appeared to be two access point into the neighbouring fields and that by leaving access available, development would occur cumulatively by extending the urban area into the Green Belt. The Committee also noted that given only 9 houses were proposed, the developer was not obliged to provide affordable housing.

The Senior Planning Officer confirmed that the site was not agricultural and if it was it wouldn't benefit from the NPPF exemption for a development on previously developed land such as a brownfield site. The proposal had to be assessed against the very special circumstances afforded by the scheme weighed against the inappropriate form of development in the Green Belt. It was confirmed that the original application submitted was for x10 dwellings. Planning officers worked with the applicant to reduce the footprint of the buildings, a reduction in the volume of the development across the site and a reduction in the hard surfacing as well. Plots 1-3 were in a part of the site that was currently undeveloped, but it would take away volume and footprint from the higher points on the site which were more visible and bring it into a location closer to existing development. Access to the neighbouring field would need to be retained for legal reasons so that the horses that lived there could be tended to. If any further applications came forward, access would be assessed as part of that process. The area was also hard surfaced currently where the existing buildings were and therefore the additional planting proposed would enhance the land along with the removal of the hard surfacing. The buildings were not open either and therefore no bats would be roosting.

The Committee noted comments that the Green Belt could be built on if the very special circumstances that existed were strong and valid to counter the impact of such a development. Planning officers were satisfied that no harm had been identified to the character of the area nor would the development harm neighbouring amenities. In addition, the existing vehicle access would be utilised and upgraded. No objection to the development had been raised with regard to the impact on trees. Mitigation was also in place in terms of the S106 and SANGs funding contribution.

The Committee nevertheless agreed that the special circumstances did not outweigh the harm caused by the development to the Green Belt.

The Committee debated the reasons to refuse the application which was carried and voted by a show of hands, 8:2, with 2 abstentions.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Cllr Jason Fenwick	X		
2	Cllr Stephen Hives	X		
3	Cllr Bilal Akhtar	X		
4	Cllr James Jones		X	
5	Cllr Lizzie Griffiths	X		
6	Cllr Howard Smith		X	
7	Cllr Gillian Harwood	X		
8	Cllr David Bilbé	X		
9	Cllr Yves de Contades			X
10	Cllr Richard Mills	X		
11	Cllr Vanessa King		X	
12	Cllr Sue Wyeth-Price	X		
13	Cllr Cait Taylor			X
	<b>TOTALS</b>	<b>8</b>	<b>3</b>	<b>2</b>

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

RESOLVED to refuse application 22/P/01757 for the following reason:

There have been insufficient special circumstances demonstrated and therefore the proposed development would be an inappropriate form of development which was harmful to the Green Belt as well as impacting upon the openness of the Green Belt. As such, the proposal is contrary to Policy P2 of the Local Plan and paragraph 154 of the NPPF.

**PL6      22/P/01846 - WESTFIELD, OCKHAM ROAD NORTH, EAST HORSLEY, LEATHERHEAD, KT24 6NU**

The Committee considered the above-mentioned full application for erection of a pair of semi-detached dwellinghouses, new access, landscaping and parking.

The application had been referred to the Planning Committee because it was called in by a Ward Councillor under the historic 7-day notification process.

The Committee received a presentation from the Senior Planning Officer, Morgan Laird. The site adjoined ancient woodland to the rear of a site of nature conservation importance. It was also well surrounded by residential development, located within the identified settlement boundary of East Horsley and outside of the boundaries of flood zones 2 and 3. The proposed access was via Ockham Road North and would have two passing bays incorporated.

Part of the house included a large area of glazing to the rear, but this would be orientated towards the ancient woodland. Ecological reports were in place and the Surrey Wildlife Trust had not objected to the application subject to conditions. The right-side elevation of the properties would face towards the dwellings that had been recently constructed at Kirkwood and therefore the two first floor windows would look towards the gardens of those properties. To mitigate the potential for overlooking, a condition was recommended for those windows to be obscurely glazed. The proposed dwellings when compared to the dwellings to the rear at Kirkwood were marginally taller at 200mm, but given their separation distance, this was not considered significant.

Whilst the dwellings were located outside of flood zones 2 and 3, a safe means of escape would be provided as demonstrated by the Emergency Flood Escape Route Plan.

Permitted development rights were also proposed to be removed by condition as the development was within the 15-metre buffer zone from the ancient woodland. Consultation with the Surrey Wildlife Trust had been extensive and resulted in a Great Crested Newt Management Plan along with a series of ecological reports.

Planning officers considered that the proposed development would not result in harm to the character of the area. Whilst it was acknowledged that the dwellings were set back from the existing building line, the dwellings were located outside of the flood zone and the proposal would not have a harmful impact upon neighbouring amenity or highways. The application was therefore recommended for approval.

The Chairperson permitted the Democratic Services Officer to read out the Ward Councillors three-minute speech as Councillor Catherine Young was unable to attend.

The Committee noted concerns raised regarding the proposed development's proximity to flood zone 2 and that by moving the dwellings further into the site would not minimise the risk factor. Local planning authorities should ensure that

flood risk was not increased elsewhere by introducing a pair of semi-detached houses and increased levels of hardstanding. The proposal therefore failed the test of the Local Plan. An emergency flood plan would not satisfactorily address the issue of flooding overall. Concern was also raised that the Environment Agency had not been consulted.

The proposal would also harm the local character and introduce a new type of built form of semi-detached houses into an area characterised by large-detached houses. The proposal would also have a long narrow access way which would not be in accordance with Policy D8 of the Local Plan. Its entrance was directly opposite a primary school which should be regarded as a sensitive location. If the application was approved, the movement of construction traffic should be restricted around school pick-up and drop-off time.

In response to the concerns raised by the ward Councillor, the Senior Planning Officer, Morgan Laird confirmed that the proposal was supported by a Flood Risk Assessment which was undertaken as part of the consultation. It was maintained that it was not a requirement to consult with the Environment Agency owing to the dwellings being located outside of the flood zone. In relation to the concerns raised regarding the proposals effect upon the character of the area, it was noted that there were already a number of semi-detached properties located close by and therefore the proposal was consistent with the character of the area. Lastly, the County Highway Authority had not objected to the application, subject to the imposition of conditions.

The Committee discussed the application and noted that the garden on which the development was proposed was large. The land was inset and not Green Belt and therefore no reason could be identified to refuse the development proposed.

The Committee noted the ward councillors concerns regarding construction traffic and queried whether the hours of construction could be restricted during pick-up and drop-off times for the local school. Planning officers confirmed that condition 3 related to an Environmental Management Plan which would address this issue and in addition a further bullet point could be added to stipulate that delivery times of construction materials would be agreed with the Council.

The Committee noted further comments that the garden on which the development was proposed was huge and that the impact of two dwellings on this land was fairly minimal and was an effective use of the space. It was queried whether the flood risk assessment had considered climate change which was confirmed by planning officers that it had been. It was also confirmed that the

S106 Agreement would be secured with the applicant to ensure the necessary contributions to mitigate the harm on the Thames Basins Heath Special Protection Area (TBHSPA). It was lastly confirmed that construction workers had to abide by the construction badge which obliged them to collaborate with the local community in order to minimise any disruption caused by their activities.

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

RECORDED VOTE LIST				
		FOR	AGAINST	ABSTAIN
1	Cllr Richard Mills			X
2	Cllr Yves de Contades	X		
3	Cllr Howard Smith	X		
4	Cllr James Jones	X		
5	Cllr David Bilbé	X		
6	Cllr Vanessa King	X		
7	Cllr Cait Taylor	X		
8	Cllr Lizzie Griffiths	X		
9	Cllr Bilal Akhtar	X		
10	Cllr Gillian Harwood	X		
11	Cllr Stephen Hives	X		
12	Cllr Jason Fenwick		X	
13	Cllr Sue Wyeth-Price		X	
	<b>TOTALS</b>	<b>10</b>	<b>2</b>	<b>1</b>

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

RESOLVED to approve application 22/P/01846 and that delegated authority be granted to the Executive Head of Planning Development to approve planning permission subject to a Unilateral Undertaking securing SANG and SAMM for Thames Basin Heath Special Protection Area and associated conditions.



**PL7 23/P/02048 - TALLAND, 13 BEECH LANE, GUILDFORD, GU2 4ES**

The Committee considered the above-mentioned full application for proposed single storey front side and rear extensions, roof enlargement incorporating 2 rear dormer windows, changes to fenestration, recladding of entire enlarged dwelling in timber, conversion of garage to car port, and formation of raised patio and steps at rear (description amended 23/01/2024).

The application had been referred to the Planning Committee because the applicant was a spouse of a member of the Council.

The Committee received a presentation from the Senior Planning Officer, Morgan Laird. The site was located in the Guildford urban area and was not subject to any other planning constraints. There were a number of TPO trees to the front of the property. The existing dwelling was a bungalow which would be extended into a more contemporary dwelling and included a car port and an infill extension.

The topography of the site to the rear dropped considerably and was evidenced by the split-level design. Good separation distances would be maintained with neighbouring properties. Whilst the extensions proposed would be more contemporary, the site was not located in a Conservation Area and was not considered as a harmful addition to the character of the area. The proposal would also not have an adverse impact on the amenity of neighbouring properties. Lastly, the TPO trees would be protected.

The Committee discussed the application and agreed that it represented a welcome change to the area which was attractive in design. It was also noted to be a sensible modernisation of the existing dwelling.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Cllr James Jones	X		
2	Cllr Bilal Akhtar	X		
3	Cllr Cait Taylor	X		
4	Cllr David Bilbé	X		
5	Cllr Gillian Harwood	X		
6	Cllr Vanessa King	X		
7	Cllr Stephen Hives	X		
8	Cllr Howard Smith	X		
9	Cllr Jason Fenwick	X		
10	Cllr Richard Mills	X		
11	Cllr Lizzie Griffiths	X		
12	Cllr Yves de Contades	X		
13	Cllr Sue Wyeth-Price	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 the application, the Committee.

RESOLVED to approve application 23/P/02048 subject to the conditions and reasons as detailed in the report.

**PL8 24/T/00018 - PEMBROKE HOUSE, 54 POTTERS LANE, SEND, WOKING, GU23 7AL**

The Committee considered the above-mentioned Tree Preservation Order T18 (Norway maple) to fell to ground level. TPO No.9 of 2023. The application had been referred to the Planning Committee because more than 10 letters of objection had been received, contrary to the Officer's recommendation. However, nobody had registered to speak.

The Committee received a presentation from the Tree Officer, Tim Holman. The application was for the felling of one Norway Spruce at the property 54 Potters Lane also known as Pembroke House in Send. The tree was located in extensive grounds at a property that had changed ownership in the autumn of 2023. The Tree Officer had received a telephone call from ward members and residents of tree felling taking place near an Area TPO that was designated to protect all tree species that were present within the curtilage of 54 Pembroke House. The Norwegian maple had been mechanically ring barked. This is a deep cut around

the full circumference of the tree that penetrates through the outer protective bark layer. This damage would not kill the tree straight away, but it would interrupt the flow of nutrients and water up and down the tree and would lead to its demise in the next year. In addition, extensive mammal damage had been caused by rabbits and deer, bark stripping the tree. Such a wound to a tree would make it very susceptible to decay pathogens to get in and ultimately to decay at the base. The tree was also growing over the road and was one-sided in its growth pattern.

The Committee discussed the application and noted that the Norwegian Maple would not have had a TPO put on it as an individual species. The Committee noted that the tree had to be replaced within 3 years and queried if this could be conducted more quickly. The Tree Officer, Tim Holman confirmed that it was not for the Local Planning Authority to enforce and was for the property owner to conduct the works required. Owing to the tree over hanging the highway, Surrey Highways could serve a S154 Notice so that the work was conducted with a 28-day notice issued. It was also confirmed that it was up to the Committee's discretion if they wished to specify that the works were conducted within 2 years or sooner. The Committee agreed that a condition was added stating that the works should be conducted within a year.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Cllr Cait Taylor	X		
2	Cllr Lizzie Griffiths	X		
3	Cllr James Jones	X		
4	Cllr David Bilbé	X		
5	Cllr Stephen Hives	X		
6	Cllr Yves de Contades	X		
7	Cllr Bilal Akhtar	X		
8	Cllr Gillian Harwood	X		
9	Cllr Jason Fenwick	X		
10	Cllr Richard Mills	X		
11	Cllr Howard Smith	X		
12	Cllr Sue Wyeth-Price	X		
13	Cllr Vanessa King	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 the application, the Committee;

RESOLVED to approve the tree works subject to the conditions and reasons as outlined in the report and the additional condition recommending that the works are conducted within 1 year.

**PL9 PLANNING APPEAL DECISIONS**

The Committee discussed and noted the appeal decisions.

The meeting finished at 8.30 pm

Signed .....

Date .....

Chairman