

GUILDFORD BOROUGH COUNCIL

Minutes of an extraordinary meeting of Guildford Borough Council held at Millmead House, Millmead, Guildford, Surrey GU2 4BB on Tuesday 21 November, 2017

- * Councillor Nigel Manning (Mayor)
- * Councillor Mike Parsons (Deputy Mayor)

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| <ul style="list-style-type: none"> * Councillor David Bilbé * Councillor Richard Billington * Councillor Philip Brooker * Councillor Adrian Chandler * Councillor Alexandra Chesterfield * Councillor Nils Christiansen <li style="padding-left: 20px;">Councillor Colin Cross * Councillor Geoff Davis * Councillor Graham Ellwood * Councillor David Elms * Councillor Matt Furniss <li style="padding-left: 20px;">Councillor Andrew Gomm <li style="padding-left: 20px;">Councillor Angela Goodwin * Councillor David Goodwin * Councillor Murray Grubb Jnr * Councillor Angela Gunning * Councillor Gillian Harwood * Councillor Liz Hogger <li style="padding-left: 20px;">Councillor Christian Holliday * Councillor Liz Hooper * Councillor Mike Hurdle * Councillor Michael Illman <li style="padding-left: 20px;">Councillor Gordon Jackson | <ul style="list-style-type: none"> * Councillor Jennifer Jordan * Councillor Nigel Kearse * Councillor Sheila Kirkland * Councillor Julia McShane * Councillor Bob McShee * Councillor Marsha Moseley * Councillor Nikki Nelson-Smith * Councillor Susan Parker * Councillor Dennis Paul * Councillor Tony Phillips * Councillor Mike Piper * Councillor David Quelch * Councillor Jo Randall * Councillor David Reeve * Councillor Caroline Reeves * Councillor Iseult Roche * Councillor Tony Rooth * Councillor Matthew Sarti * Councillor Pauline Searle * Councillor Paul Spooner * Councillor James Walsh * Councillor Jenny Wicks <li style="padding-left: 20px;">Councillor David Wright |
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*Present

Honorary Alderman T Patrick was also in attendance

CO58 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Colin Cross, Andrew Gomm, Angela Goodwin, Christian Holliday, and Gordon Jackson, from Honorary Freeman Jen Powell and from Honorary Aldermen Mrs C F Cobley, Mrs C F P Griffin, Mrs M Lloyd-Jones, J Marks, and L Strudwick.

CO59 DISCLOSURES OF INTEREST

There were no disclosures of interest.

CO60 MAYOR'S COMMUNICATIONS

Honorary Alderman Mary Lloyd-Jones

The Mayor reported that Honorary Alderman Mary Lloyd-Jones had been unwell and that, on behalf of the Council, he had sent her some flowers and best wishes.

Mayor's charitable fund raising

The Mayor thanked everyone who had supported his fund raising efforts so far this year and drew councillors' attention to forthcoming events including The Wine Tasting event at the Guildhall on 30 November 2017.

British Heart Foundation

The Mayor invited councillors to register for the British Heart Foundation 'Guildford Santa Jog' at Stoke Park on Saturday 2 December 2017.

CO61 LEADER'S COMMUNICATIONS

There were no communications from the Leader of the Council.

CO62 PUBLIC PARTICIPATIONStatements

The following persons addressed the Council meeting in respect of Minute No. CO64 – Proposed Submission Local Plan:

- (1) Lisa Wright
- (2) Ramsey Nagaty
- (3) Peter Shaw
- (4) Diana Elliot on behalf of Save the Hogs Back campaign
- (5) Peter Elliot on behalf of Save the Hogs Back campaign
- (6) Mike Murray, (Causeway Land, on behalf of Wisley Property Investments)

The Leader of the Council responded to the statements.

CO63 QUESTIONS FROM COUNCILLORS

- (a) Councillor Colin Cross asked the Leader of the Council and Lead Councillor for Planning and Regeneration, Councillor Paul Spooner, the following question:

“There is an overwhelming and ever-increasing weight of evidence to the effect that submitting the current Draft Local Plan, with the inclusion of the Former Wisley Airfield Site (A35), for public examination would be unsound and would lead to its rejection. There are manifold unresolved issues regarding this site which include its unsustainability, A3/M25 highways matters, Greenbelt considerations and its overall undeliverability.

Given that it is the role of this Council to act with the utmost responsibility in all such strategically important actions affecting the long term future of Guildford Borough, does the Leader of the Council agree that the Council should take the necessary action to heed the advice received and therefore act to remove site A35 from the Draft Local Plan so as to ensure its progress?”

The Leader of the Council's response was as follows:

“Whilst I can understand concerns being raised by those opposed to the scheme given views expressed by contributors at the recent Wisley planning appeal, I do not accept that there is an increasing weight of evidence either to remove the Former Wisley Airfield site from the submission plan or that the plan will be found unsound if included. Highways England agree that the proposed new slip roads at Burnt Common is a modification to an existing junction.

On this basis, Highways England does not object in principle to the new slip roads. Nevertheless, they must be provided safely and with a demonstrable benefit to the economy. Highways England's objection at the Wisley Appeal was technical in nature and related to the fact that at the time of the Appeal's closure, insufficient technical information had been provided to them to enable them to assess whether the mitigation was technically feasible, and therefore they could not advise whether it mitigated the traffic impact on the strategic road network.

There has been considerable progress since the Inquiry in relation to the technical approval process. This information was not available to the Inspector. The appeal was in relation to a specific planning application not the soundness of a local plan. Clearly the Council did not support that specific planning application as submitted but for the local plan process the considerations are different. The Inquiry was considering the planning application and if very special circumstances exist to justify allowing this development in the green belt. The Local Plan will assess if exceptional circumstances exist to justify taking this site out of the green belt. They are very different tests and we remain confident that exceptional circumstances can be demonstrated. With the appropriate highway mitigation, improvements to public transport, delivery of a primary and secondary school, a local centre for shops and some small scale employment, the site is considered to be sustainable.

In terms of the Council acting responsibly, then submitting this plan is the most prudent course of action. Removing the site from the plan would constitute a main modification and would result in the need for a further consultation. The impact of this would be that Guildford would not be able to take advantage of the transitional arrangements in relation to the proposed approach to calculating OAN so a new plan would need to be produced based on the higher housing figure of 789 units per annum and not the 654 that this submission plan is based on. To simply remove this site will make the whole plan unsound.

We have considered the implications of the recent Inquiry and continue to think the plan is and will be found to be sound and recommend it is submitted to the Secretary of State."

- (b) Councillor Susan Parker asked the Leader of the Council and Lead Councillor for Planning and Regeneration, Councillor Paul Spooner, the following question:

"In view of Government guidance that local authorities are all required to prepare a register of Brownfield land for publication before 31 December 2017, can the Lead Councillor for Planning and Regeneration please indicate:*

- (i) where the public can find the register of brownfield land for Guildford and summarise the amount of land available;*
- (ii) also indicate the estimated number of sites (in aggregate, expressed in number of dwellings or hectares) that might provide housing sites but which individually fall below the de minimis threshold for 0.25 hectares or 5 dwellings required for the register;*
- (iii) if such a register is not yet in existence, please may we be informed as to the date when the required register will be available?*
- (iv) if such a register has not been prepared, and will not be available prior to 31 December 2017, can the Lead Councillor please explain why government guidance*

has not been complied with, and why (in the absence of such a register) the Local Plan can be deemed ready for submission?

*(*please note Government guidance on the requirement to provide Brownfield registers: <https://www.gov.uk/guidance/brownfield-land-registers>)”*

The Leader of the Council’s response was as follows:

- “(i) The Brownfield Land Register is still being prepared and therefore currently not in the public domain; however, it is on track to be completed and on our website by the Government’s deadline of 31 December 2017. The main area of work involved – the process of identifying and assessing suitable sites for inclusion – has now been completed and we have identified a total of approximately 92 ha of land that meets the criteria laid out in paragraph 1 of regulation 4 of the The Town and Country Planning (Brownfield Land Register) Regulations 2017. This land will be included in Part 1 of the published register.*
- (ii) There is no legal requirement for Brownfield Land Registers to identify potential housing sites that do not meet the criteria in regulation 4(1)(a) i.e. which fall below the 0.25ha and 5 dwelling threshold; therefore we have not assessed and do not intend to include any such sites. The sites that we have assessed and will include in the register are either a) at least 0.25ha and/or b) are capable of providing at least 5 dwellings. The housing supply in the Local Plan includes an element for small ‘windfall sites’ based in part on historical completion rates.*
- (iii) As stated in paragraph (i) above, the register (Part 1) will be published on our website by the Government’s deadline of 31 December 2017.*
- (iv) This scenario does not apply, as our register will be available by 31 December 2017. Furthermore, the completion of a Brownfield Land Register is not a requirement in terms of Submission of a Local Plan”.*

CO64 PROPOSED SUBMISSION LOCAL PLAN

The Council considered the Proposed Submission Local Plan: strategy and sites (“the draft Local Plan”) which outlined the spatial development strategy for the borough up to 2034. The draft Local Plan had set out the quantum and location of development based on an evaluation of objectively assessed need (OAN) for new homes, employment and retail space and an assessment of whether this quantum of development could be provided in a sustainable way following consideration of other policy constraints. The conclusion reached was that appropriate sustainable sites could be allocated within the plan to meet the OAN for both housing and employment.

The draft Local Plan was also concerned with the protection and enhancement of our environment, the provision of appropriate infrastructure to support the planned growth of the borough and the promotion of sustainable transport.

The draft Local Plan contained minor corrections and suggested minor amendments as tracked changes which, if approved by the Council, would be put before the Inspector for consideration at the forthcoming Examination.

Subject to the Council’s approval, it was proposed to submit the plan to the Secretary of State by 15 December 2017.

Councillors noted that, at its special meeting held on 20 November 2017, the Executive had considered the proposed Submission Local Plan and had endorsed the recommendation in the report submitted to the Council. A copy of the draft minutes of that special meeting was attached to the Order Paper for this Council meeting.

Prior to the debate on this matter, and upon the motion of The Mayor, Councillor Nigel Manning seconded by the Deputy Mayor, Councillor Mike Parsons, the Council

RESOLVED: That recorded votes would be taken in respect of both the amendment and the final vote on either the original, or substantive, motion.

The Leader of the Council, and Lead Councillor for Planning and Regeneration, Councillor Paul Spooner, proposed and the Deputy Leader of the Council, and Lead Councillor for Infrastructure and Governance, Councillor Matt Furniss, seconded the following motion:

- “(1) That the draft Local Plan: strategy and sites document, together with all relevant associated documentation referred to in Appendix 4 to the report submitted to the Council, be approved for submission to the Secretary of State for the purpose of proceeding to and through the Examination in Public process.
- (2) That the Director of Planning and Regeneration be authorised, in consultation with the Lead Councillor for Planning and Regeneration, to make such minor alterations to improve the submission documents as she may deem necessary.

Reasons:

- The draft Local Plan provides a coherent approach to meeting future development needs and allocates sites to accommodate sustainable development in the borough up to 2034. The document is considered to be positively prepared, justified, effective and consistent with national policy.
- The recommendations above will enable an Inspector to test the plan in terms of its legal compliance and ‘soundness’ to enable the Council to move a step closer to adopting an up-to-date Local Plan.”

Following the debate on the motion, Councillor Susan Parker proposed, and Councillor David Reeve seconded, the following amendment:

“Substitute the following in place of the motion:

- (1) That the submission of the draft Local Plan to the Secretary of State for Examination in Public be deferred for the following reasons:
 - In light of the consultation responses in relation to the Strategic Housing Market Assessment (SHMA), it has become clear that the current draft assessment of objectively assessed need (OAN) is considered by the population of Guildford to be more than is required to meet the reasonable foreseeable needs of the community, given the fact that 89% of the borough is Green Belt, 44% is AONB, and especially given the problems with local infrastructure and the issue of air quality.
 - Given that the analysis prepared for the SHMA includes an uplift for economic factors, and that the analysis was prepared before the EU Referendum, the SHMA analysis does not take into account the prospective impact of Brexit and is therefore overstated.

- Furthermore, the SHMA calculations were prepared in conjunction with those for the borough of Waverley, which were themselves found by an inspector to be questionable within an inquiry.

(2) That a small cross-party working group be established:

- (a) to review the SHMA in the light of the circumstances referred to in paragraph (1) above, and finalise the number for the OAN and the revised housing target number, for inclusion in the draft Local Plan,
- (b) to reconsider the proposed inclusion in the draft Local Plan of greenfield sites in terms of their suitability and sustainability,
- (c) to consider whether the inclusion of greenfield sites should be conditional only, with their inclusion being subject to the creation of a suitable register of available brownfield sites, and where such a register provides adequate space on available sites for the revised housing target number, then greenfield and Green Belt sites would be withdrawn from the final version of the Local Plan; and
- (d) to suggest suitable amendments to the text of the draft Local Plan prior to further consideration by the Council.”

Following the debate on the amendment, it was put to a recorded vote and was lost with three councillors voting in favour, 39 against and no abstentions as follows:

For:	Against:	Abstain:
Cllr Mike Hurdle	Cllr David Bilbé	None
Cllr Susan Parker	Cllr Richard Billington	
Cllr David Reeve	Cllr Philip Brooker	
	Cllr Adrian Chandler	
	Cllr Alexandra Chesterfield	
	Cllr Nils Christiansen	
	Cllr Geoff Davis	
	Cllr Graham Ellwood	
	Cllr David Elms	
	Cllr Matt Furniss	
	Cllr David Goodwin	
	Cllr Murray Grubb Jnr.	
	Cllr Angela Gunning	
	Cllr Gillian Harwood	
	Cllr Liz Hogger	
	Cllr Liz Hooper	
	Cllr Michael Illman	
	Cllr Jennifer Jordan	
	Cllr Nigel Kearse	
	Cllr Sheila Kirkland	
	Cllr Nigel Manning	
	Cllr Julia McShane	
	Cllr Bob McShee	
	Cllr Marsha Moseley	
	Cllr Nikki Nelson-Smith	
	Cllr Mike Parsons	
	Cllr Dennis Paul	
	Cllr Tony Phillips	
	Cllr Mike Piper	
	Cllr David Quelch	
	Cllr Jo Randall	
	Cllr Caroline Reeves	

For:**Against:****Abstain:**

Cllr Iseult Roche
 Cllr Tony Rooth
 Cllr Matthew Sarti
 Cllr Pauline Searle
 Cllr Paul Spooner
 Cllr James Walsh
 Cllr Jenny Wicks

Having considered the original motion, the Council

RESOLVED:

- (1) That the draft Local Plan: strategy and sites document, together with all relevant associated documentation referred to in Appendix 4 to the report submitted to the Council, be approved for submission to the Secretary of State for the purpose of proceeding to and through the Examination in Public process.
- (2) That the Director of Planning and Regeneration be authorised, in consultation with the Lead Councillor for Planning and Regeneration, to make such minor alterations to improve the submission documents as she may deem necessary.

Reasons:

- The draft Local Plan provides a coherent approach to meeting future development needs and allocates sites to accommodate sustainable development in the borough up to 2034. The document is considered to be positively prepared, justified, effective and consistent with national policy.
- The recommendations above will enable an Inspector to test the plan in terms of its legal compliance and 'soundness' to enable the Council to move a step closer to adopting an up-to-date Local Plan.

The result of the recorded vote on the original motion was 32 councillors in favour, with seven against, and three abstentions, as follows:

For:

Cllr David Bilbé
 Cllr Richard Billington
 Cllr Philip Brooker
 Cllr Alexandra Chesterfield
 Cllr Nils Christiansen
 Cllr Geoff Davis
 Cllr Graham Ellwood
 Cllr David Elms
 Cllr Matt Furniss
 Cllr Murray Grubb Jnr.
 Cllr Angela Gunning
 Cllr Gillian Harwood
 Cllr Liz Hogger
 Cllr Liz Hooper
 Cllr Michael Illman
 Cllr Jennifer Jordan
 Cllr Nigel Kearse
 Cllr Nigel Manning
 Cllr Julia McShane
 Cllr Marsha Moseley
 Cllr Nikki Nelson-Smith
 Cllr Mike Parsons
 Cllr Dennis Paul
 Cllr Mike Piper

Against:

Cllr David Goodwin
 Cllr Mike Hurdle
 Cllr Susan Parker
 Cllr Tony Phillips
 Cllr David Reeve
 Cllr Matthew Sarti
 Cllr Jenny Wicks

Abstain:

Cllr Adrian Chandler
 Cllr Sheila Kirkland
 Cllr Bob McShee

For:

Cllr David Quelch
Cllr Jo Randall
Cllr Caroline Reeves
Cllr Iseult Roche
Cllr Tony Rooth
Cllr Pauline Searle
Cllr Paul Spooner
Cllr James Walsh

Against:

Abstain:

CO65 COMMON SEAL

The Council

RESOLVED: That the Common Seal of the Council be affixed to any documents to give effect to any decisions taken by the Council at this meeting.

The meeting finished at 9.10 pm

Signed

Mayor

Date