

PLANNING COMMITTEE

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

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| * Councillor Jon Askew | * Councillor Liz Hogger |
| Councillor Christopher Barrass | * Councillor Marsha Moseley |
| * Councillor David Bilbé | * Councillor Susan Parker |
| * Councillor Chris Blow | * Councillor Maddy Redpath |
| * Councillor Ruth Brothwell | * Councillor Caroline Reeves |
| * Councillor Angela Gunning | * Councillor Paul Spooner |
| * Councillor Jan Harwood | |

*Present

Councillors Ramsey Nagaty, John Redpath, Catherine Young and Joss Bigmore, were also in attendance.

PL76 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Chris Barrass for whom Councillor Tim Anderson attended as a substitute.

PL77 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

Councillor Liz Hogger declared a non-pecuniary interest in application 19/P/01726 – Land at Church Street, Effingham, KT24 owing to the fact that she was a member of Effingham Parish Council, but she did not vote or comment on any applications considered by the Parish Council and had come to the Committee with an open mind to all arguments.

PL78 MINUTES

The minutes of the Planning Committee held on 3 February 2021 were approved and signed by the Chairman as a true record.

PL79 ANNOUNCEMENTS

The Committee noted the procedures for determining planning applications.

PL80 19/P/01726 - LAND AT, CHURCH STREET, EFFINGHAM, KT24

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

- Ms Vivien White (Chairman of Effingham Residents Association) (to object);
- Ms Charlotte Grant (on behalf of the Residents of Effingham Place) (to object);
- Mr Andy Barron (on behalf of Millgate Homes) (in support) and;
- Mr Mark Sutcliffe (in support)

The Committee considered the above-mentioned full application for proposed erection of 17 dwellings, including access, parking, and landscaping (amended plans received 08.12.2020 with changes to housing mix, appearance, burial ground extension and visitor parking).

The application had been referred to Committee as more than twenty letters/emails of objection had been received contrary to officer recommendation. The site was located in the centre of Effingham, within the Conservation Area and surrounded by other residential properties. The site was also allocated in the Effingham Neighbourhood Plan for residential development and the provision of a burial ground. The proposed development was for the construction of seventeen homes, comprised of twelve houses and five flats. 40% of the homes would be allocated as affordable, 70% affordable rent and 30% shared ownership. The site would also provide a burial ground extension and a local play area. The scheme had been amended in consultation with officers, a notable amendment being the reduction from twenty to seventeen homes. Some trees were proposed to be removed but were identified as low-quality specimens and would be replaced by appropriate vegetation. In the main the significant tree screen which the site currently benefitted from would be retained.

The site was also located in the Effingham Conservation Area and was in close proximity to a number of heritage assets and listed buildings. The site occupied an elevated position compared to the adjacent Church Street and the tree screening would limit views into the proposed development.

Units 4 and 5 were proposed to be two-bedroom, but both dwellings would include a study at first-floor level, which was not large enough to be considered as a bedroom, as per the space standards. A formal proposal for the site in 2018, was for 23 homes. The main differences between both schemes was the inclusion now of the burial ground extension and more green space via the local play area therefore creating a less dense form of development.

The Committee noted that that development had been found by planning officers to be compliant with both local and national planning policies and was therefore recommended for approval subject to a S106 Agreement. This would secure the seven affordable units, education contributions and the transfer of the burial ground extension.

The Planning Solicitor also commented that the Council had received a late letter of representation from Effingham Parish Council who had sought Counsel's advice regarding the proposed development. When read with the officer's report, specifically page 45, which set out the principle of development and the way in which policy ENPSA1 came about, it was anticipated this would assist the Committee in interpreting how the policy might be read. In this case, we had a neighbourhood plan which pre-dated the local plan but did include a policy for up to nine dwellings. Since the Neighbourhood Plan was adopted the Local Plan had been adopted insetting the site from the Green Belt. This was therefore a material consideration affecting the Neighbourhood Plan policy although ultimately weight was a matter for members to decide.

Whilst reduced weight was afforded to policy ENPSA1, in regard to the number of units proposed, the Committee wished to receive assurance that the rest of the policy was still valid.

The Planning Solicitor confirmed that ENPSA1 did not just refer to development of up to nine homes, but that subject to compliance with the Local Plan, the policy required the following; the burial ground extension at the southern end of the site, that residential development should be small scale and in keeping with the cottages on the western side of Church Street, should demonstrate that the proposed development would not adversely affect the setting of St Lawrence Church by virtue of its design, nor impact upon significant views and should demonstrate that the proposal would create minimum harm to non-designated archaeological remains with vehicular access routed via Lower Road and pedestrian access to Church Street.

The Committee considered the application and concerns were raised that the application site was comprised of an open field at the heart of the Conservation Area surrounded by listed buildings. It was acknowledged and appreciated that planning officers had achieved a reduction in the number of houses proposed for the site. The Committee also accepted that nine homes on the site could not be the absolute cap for the level of development, given the land was no longer in the Green Belt. However, to double the number of units proposed from nine to seventeen was viewed as excessive, particularly the block of flats, which were not small in scale and represented a form of over-development contrary to policies G1, G5 and Neighbourhood Plan policies. A significant consideration was the heritage assets and the effect on the setting of the listed buildings and conservation area which was more significant than perhaps considered in the officer's report. The harm to the character of the conservation area had also been overlooked, particularly the character of Church Street which was typified by a variety of building types and sizes as well as Church Cottages which had spacious frontage gardens. The proposed development included small aprons of green which was not in keeping with the prevailing character. The development proposed the installation of five streetlights which would harm the dark skies village designation that was also in a conservation area. Lastly, the Committee considered concerns raised that the development did not make adequate provision for smaller one and two bedroom homes and therefore did not comply with the Neighbourhood Plan or the SHMA mix and there was no financial viability statement to justify the exception to that policy.

The Committee also considered concerns raised regarding a large house that was located at the southern end of the plan, plot 8, which was a four-bedroom detached family home being located adjacent to the proposed new burial ground extension. A fence would only separate that garden in which children might play from the grief stricken and therefore there was a concern regarding the impact of the burial ground's proximity upon neighbouring amenities. The density of the plot was also considered and confirmed by the planning officer that the removal of the burial ground extension would not change the overall density of the development site significantly.

The Committee considered overall that the application represented a form of over-development that would harm the local heritage assets and setting of the Conservation Area owing to it being out of character. The housing mix was not compliant with the SHMA and no financial viability statement had been submitted to justify the exception to this policy.

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

Councillor Susan Parker was having connection issues for the duration of the consideration of this application, and so was unable to vote owing to not having heard the entire debate. Councillor Caroline Reeves also had to leave the meeting during the consideration of this application and therefore did not participate in the vote:

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Jan Harwood	X		
2	Caroline Reeves			
3	Maddy Redpath		X	
4	Fiona White	X		
5	Ruth Brothwell		X	
6	Paul Spooner	X		
7	Chris Blow		X	
8	David Bilbe	X		
9	Susan Parker			
10	Jon Askew		X	
11	Marsha Moseley	X		
12	Tim Anderson		X	
13	Angela Gunning		X	
14	Colin Cross		X	
15	Liz Hogger		X	
	TOTALS	5	8	0

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	David Bilbe		X	
2	Chris Blow	X		
3	Jon Askew	X		
4	Fiona White			X
5	Colin Cross	X		
6	Maddy Redpath	X		
7	Ruth Brothwell	X		
8	Caroline Reeves			
9	Liz Hogger	X		
10	Paul Spooner		X	
11	Marsha Moseley		X	
12	Jan Harwood		X	
13	Susan Parker			
14	Angela Gunning	X		
15	Tim Anderson	X		
	TOTALS	8	4	1

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

RESOLVED to refuse application 19/P/01726 for the following reasons:

1. The proposal would not be small scale and represents overdevelopment of the site with the resultant development having a cramped nature with excessive built form and small

gardens in comparison to the size of buildings. The proposal is therefore contrary to policies ENP-SA1 of the Effingham Neighbourhood Plan, 2016-2030, policy D1 of the LPSS, 2015-2034, policy G5 of the saved Local Plan, 2003 and Chapter 12 of the NPPF, 2019.

2. The proposed development would, by virtue of its location, scale, design and lack of design variety, the lack of visible gardens and street lighting, cause harm to the historic character and significance of the Effingham Conservation Area and the setting of the surrounding listed buildings. The development results in less than substantial harm to the significance of the designated heritage assets and their setting (the level of this harm is at the higher level). The scheme would deliver housing which is a public benefit, however, this would not outweigh the harm identified to the heritage assets. The proposal is contrary to policies ENP-SA1 and ENP-G2 of the Effingham Neighbourhood Plan, 2016-2030, D3 of the LPSS, 2015-2034, HE4, HE6, HE7 and HE10 of the saved Local Plan, 2003, and Chapter 16 of the NPPF, 2019. Due regard has also been given to section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Area) Act, 1990.
3. The housing mix of the market housing is not compliant with the Strategic Housing Market Assessment or the Effingham Neighbourhood Plan. A number of the market homes also include a study which is large enough to serve as a single bedroom. There is no financial viability report to justify departure from ENP-H2. Therefore, the proposal is contrary to ENP-H2 of the Effingham Neighbourhood Plan, 2016-2030, and H1 of the LPSS, 2015-2034.
4. In the absence of a completed planning obligation the development fails to mitigate its impact on infrastructure provision. This may include, but is not limited to the following:
 - Financial contribution towards SANG and SAMM (in accordance with the updated tariff);
 - 7 affordable housing units;
 - a financial contribution of towards early years, primary and secondary education; and
 - burial ground extension transfer to Effingham Parish Council

Accordingly, the proposal would be contrary policy ENP-SA1 of the Effingham Neighbourhood Plan (ENP) 2016 – 2030, policies ID1 and ID3 of the Guildford Borough Local Plan: Strategy and Sites (LPSS) 2015-2034, Planning Contributions SPD 2017 and the NPPF, 2019.

PL81 20/P/00793 - WEST LODGE, BLACKSMITH LANE, CHILWORTH, GUILDFORD, GU4 8NQ

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

- Mr Andrew Norris (in support)

The Committee considered the above-mentioned full application for proposed change of use of vacant single storey dwelling to a community use, including education with associated refurbishment and redecoration.

The Committee noted the supplementary late sheets which detailed a correction with regard to the designation of the site which was described in the report as being located in an area of high

archaeological potential however this was not the case and this zone designation was located further to the south-west on the other side of Blacksmiths Lane.

The Committee was informed by the planning officer that West Lodge was a grade II listed residential building within the Chilworth Gunpowder Mills works site, the Chilworth Conservation Area and was in an area inset from the Green Belt. The site was also located within a scheduled ancient monument and a small part of the site was designated as an Area of Great Landscape Value (AGLV). The building was originally used as a gate lodge for people who managed the Gunpowder Mills. The original part of the building was a small Victorian structure fronting the street. The Mills closed in 1920 and the building became vacant in 2007.

The Committee noted that the proposed community use of the building would result in the loss of a single residential unit which was modest in size but in the planning officers view justified in this instance.

The Committee considered the application and fully supported the change of use of the building for community use given it had become dilapidated in recent times and would give the building a new lease of life.

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	Jan Harwood	X		
3	Chris Blow	X		
4	David Bilbe	X		
5	Tim Anderson	X		
6	Liz Hogger	X		
7	Fiona White	X		
8	Ruth Brothwell	X		
9	Marsha Moseley	X		
10	Jon Askew	X		
11	Paul Spooner	X		
12	Angela Gunning	X		
13	Susan Parker	X		
14	Caroline Reeves	X		
15	Maddy Redpath	X		
	TOTALS	15	0	0

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

RESOLVED to approve application 20/P/00973 subject to the conditions and reasons as detailed in the report.

PL82 20/P/00794 - WEST LODGE, BLACKSMITH LANE, CHILWORTH, GUILDFORD, GU4 8NQ

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

- Mr Andrew Norris (in support)

The Committee considered the above-mentioned full application for Listed Building Consent for proposed change of use of vacant single storey dwelling to a community use, including education, with associated refurbishment and redecoration.

The Committee noted the supplementary late sheets which detailed a correction with regard to the designation of the site which was described in the report as being located in an area of high archaeological potential however this was not the case and this zone designation was located further to the south-west on the other side of Blacksmiths Lane.

The Committee was informed by the planning officer that West Lodge was a grade II listed residential building within the Chilworth Gunpowder Mills works site, the Chilworth Conservation Area and was in an area inset from the Green Belt. The site was also located within a scheduled ancient monument and a small part of the site was designated as an Area of Great Landscape Value (AGLV). The building was originally used as a gate lodge for people who managed the Gunpowder Mills. The original part of the building was a small Victorian structure fronting the street. The Mills closed in 1920 and the building became vacant in 2007.

The Committee noted that the proposed community use of the building would result in the loss of a single residential unit which was modest in size but in the planning officers view justified in this instance.

The Committee considered the application and fully supported the change of use of the building for community use given it had become dilapidated in recent times and would give the building a new lease of life.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Ruth Brothwell	X		
2	Fiona White	X		
3	Paul Spooner	X		
4	Angela Gunning	X		
5	Susan Parker	X		
6	Colin Cross	X		
7	Liz Hogger	X		
8	Jon Askew	X		
9	Caroline Reeves	X		
10	Maddy Redpath	X		
11	Jan Harwood	X		
12	Chris Blow	X		
13	Tim Anderson	X		
14	Marsha Moseley	X		
15	David Bilbe	X		
	TOTALS	15	0	0

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

RESOLVED to approve application 20/P/00974 subject to the conditions and reasons as detailed in the report.

PL83 20/P/01174 - LAND AT THE ENTRANCE TO EFFINGHAM PLACE, EFFINGHAM PLACE, GUILDFORD, KT24 5JT

The Committee considered the above-mentioned application for erection of black painted, metal, automated vehicle access gates and separate side pedestrian access gate on Effingham Place, set back a minimum of 15 metres from Lower Road.

The application had been referred to the Planning Committee by the ward councillor who considered that the proposal might not have a harmful effect on the heritage assets. The Committee noted that the application related to the entrance to the residential cul-de-sac of Effingham Place. The access road was a private road and opposite the application site was a reserved matters site approved for 159 dwellings which was adjacent to the Howard of Effingham School. The site was located within the Effingham Conservation Area and close to the Lodge which was Grade II listed.

The Committee was informed by the planning officer that the lowest height of the gates would be 1.8 metres increasing to 2.6 metres. At the highest point, the pillars were approximately 2.15 metres. The gates would be of metal construction and painted black. The proposed gates were desired by the applicant to achieve the private benefits of security and overcoming nuisance from unauthorised vehicles. It was the planning officer's view that the design and positioning of the gates would result in harm to the heritage assets. No public benefits had been identified and was similarly identified as a reason for refusal for an identical application refused in 2013. Secondly, the proposal would undermine community cohesion. Good design was something that should promote social inclusion as underpinned by the National Design Guide. In this case, planning officers considered that the proposal did introduce a physical barrier which would give the appearance of a gated community and the application was therefore recommended for refusal.

The Committee considered the application and concerns raised that the gates proposed in this instance could be construed as acceptable given they were required by the applicant to protect their property from the nuisance of unauthorised vehicles associated with the development that was due to commence.

The Committee considered however that on balance the gates were not in keeping with the character of the area and would fail to support community cohesion.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Chris Blow		X	
2	Ruth Brothwell	X		
3	Angela Gunning		X	
4	Paul Spooner		X	
5	Liz Hogger		X	
6	Jon Askew	X		
7	Susan Parker		X	
8	Fiona White	X		
9	Jan Harwood	X		
10	Maddy Redpath	X		
11	Tim Anderson		X	
12	David Bilbe	X		
13	Colin Cross		X	
14	Caroline Reeves	X		
15	Marsha Moseley	X		
	TOTALS	8	7	0

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

RESOLVED to refuse application 20/P/01174 subject to the reasons as detailed in the report.

PL84 20/P/01663 - LAND ADJACENT TO 28 ALMSGATE, COMPTON, GU3 1JG

The Committee considered the above-mentioned full application for proposed new two bedroom attached dwelling.

The Committee was informed by the planning officer that the site was located in the Green Belt within the Compton settlement boundary, within an Area of Outstanding Natural Beauty and an Area of Great Landscape Value. The new dwelling proposed would be located in a cul-de-sac which currently consisted of two storey and single storey semi-detached and terraced dwellings. There was an area of green space to the front of the site and three trees with Tree Preservation Orders (TPOs) assigned to the southern boundary. An application for a new dwelling on the site was refused in 2014 and dismissed at appeal on the grounds of the impact of the development upon the TPO trees and their amenity value for local residents. A copy of the appeal had been attached to the supplementary late sheets for information. The design of the proposed dwelling had been significantly revised with an increased separation distance between the house and the TPO trees achieved. Two additional parking spaces would be created either side of the existing parking spaces to the front consisting of permeable paving to avoid adverse impact on the root protection area of the trees. An Arboricultural Method Statement had been submitted with the application which included details on how the trees would be protected during the course of the development and those measures were secured by condition.

The design of the dwelling incorporated significantly more space compared to the refused scheme and included wrap around windows on the ground floor so to maximise light into the property.

The Committee noted that the proposal for a new dwelling had been revised from previous schemes in order to minimise the impact on the TPO trees and had therefore addressed the arboricultural concerns previously raised. The proposal would result in limited infilling within a

village which fell within the exceptions for appropriate development within the Green Belt. The scale, height and design of the proposed dwelling would be in keeping with the character of the surroundings and would not detract from the wider landscape character of the AONB and also no adverse impact to neighbouring amenity or highway safety would be caused. The application was therefore recommended for approval.

The Chairman permitted Councillor Ramsey Nagaty to speak in his capacity as ward councillor for three minutes.

The Committee received an update from the Arboricultural Officer, Tim Holman. The Committee noted that he had visited the site in 2016 with regard to an application which was subsequently withdrawn owing to tree issues. In 2020 a tree works application to raise the crowns was carried out owing to highway safety concerns. It was the Arboricultural Officer's view that the proposed dwelling was sufficiently located at a distance that would protect the root protection zones of T2 and T3 and only slightly encroach upon the root protection area for T6.

The Committee considered concerns raised that the new development would not be in keeping with the setting of the bungalows located nearby and would harm the wider rural character. The Parish Council had objected to the application owing to the unacceptable impact upon this historic site, the light pollution caused and concern regarding it representing a form of over-development.

The Committee considered on balance that the revised scheme represented appropriate development within the Green Belt. No adverse impact would be caused to the tree root zone of the TPO trees and the scale, height and design of the proposed dwellings would be in keeping with the character and surroundings of the local area.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Liz Hogger	X		
2	Tim Anderson		X	
3	Jan Harwood	X		
4	Caroline Reeves	X		
5	Colin Cross		X	
6	Maddy Redpath	X		
7	Angela Gunning		X	
8	Susan Parker		X	
9	Jon Askew	X		
10	Fiona White	X		
11	Marsha Moseley	X		
12	Ruth Brothwell		X	
13	Chris Blow		X	
14	David Bilbe	X		
15	Paul Spooner	X		
	TOTALS	9	6	0

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

RESOLVED to approve application 20/P/01663 subject to the conditions and reasons as detailed in the report.

PL85 20/P/01936 - 186 NEW ROAD, CHILWORTH, GUILDFORD, GU4 8LX

The Committee considered the above-mentioned full application for change of use from C3 Dwelling House to a sui generis larger HMO and erection of a single storey side extension following demolition of existing utility room.

The Committee noted the supplementary late sheets which included an amended plan for the first floor where the depth of the single storey side extension was not correctly illustrated. The site was inset from the Green Belt characterised by residential development comprised largely of two storey semi-detached dwellings. The proposed building was a two-storey semi-detached dwelling with a side addition set back from the road with driveway parking. The site was located outside the 5km buffer zone of the Thames Basin Heaths Special Protection Area (TBHSPA). It was the planning officers view that there was no in principle objection to an extension to the existing dwelling and its conversion into a House of Multiple Occupation. The proposed extension would be in keeping with the scale and character of the existing dwelling and would only be marginally larger than the existing addition that it would replace. The dwelling would retain permitted development rights. The site could also be used as a small house in multiple occupation for up to six people without the need for planning permission. The site was also located in a sustainable location within walking distance of the bus stop, railway station and local convenience store.

The Chairman permitted Councillor Ramsey Nagaty to speak in his capacity as ward councillor for three minutes in relation to the above application.

The Committee considered concerns raised that the proposed House of Multiple Occupation (HMO) was out of character in the surrounding area; the property could potentially home 5-7 individuals and the shared access was not wide enough for the potential number of parked cars and that the HMO represented an increase fire risk, would be of detriment to the enjoyment of neighbouring amenities and should be retained as a family home.

The Committee queried whether the amount of flat roof extension was acceptable and was confirmed by planning officers that it was given there was a flat roof element already to the front of the property.

The Committee considered that the application would provide homes for young professionals who more frequently chose to live in HMO's owing to it being an affordable option in an increasingly over-priced housing market. The fact that families occupied neighbouring properties should not be a reason to refuse an application for an HMO and/or be prejudicial on that basis.

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	David Bilbe	X		
3	Caroline Reeves	X		
4	Marsha Moseley	X		
5	Angela Gunning	X		
6	Paul Spooner	X		
7	Jan Harwood	X		
8	Chris Blow		X	
9	Ruth Brothwell	X		
10	Fiona White	X		
11	Susan Parker		X	
12	Liz Hogger		X	
13	Colin Cross	X		
14	Maddy Redpath	X		
15	Tim Anderson	X		
	TOTALS	12	3	0

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

RESOLVED to approve application 20/P/01936 subject to the conditions and reasons as detailed in the report and amended condition 2, as detailed below to address a discrepancy on drawing 3198_110 received 06/01/21:

The development hereby permitted shall be carried out in accordance with the following approved plans: 3198_100 received 13/11/20 and 3198_101 revision A received 06/01/21 and 3198_110 revision A received 03/02/21.

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.

PL86 PLANNING APPEAL DECISIONS

The Committee noted and discussed the planning appeal decisions.

The meeting finished at 9.35 pm

Signed

Chairman

Date