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Tom Horwood
Joint Chief Executive of Guildford and
Waverley Borough Councils

Dear Councillor

PLANNING COMMITTEE - WEDNESDAY 4 JANUARY 2023

Please find attached the following:

Agenda No Item

9. **Late Sheets - Amendments/Corrections/Updates and Late Representations**
 (Pages 1 - 10)

Yours sincerely

Sophie Butcher, Democratic Services Officer

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Planning Committee
4 January 2023
Update/Amendment/Correction/List

Planning Committee Minutes – 30 November 2022

Please find attached the minutes of the Planning Committee held on 30 November 2022.

22/P/01151 – (Page 31) – 20 Pit Farm, Guildford, GU1 2JL

Two additional conditions are recommended:

Condition 17:

The first floor windows on the side elevations of Plots 1, 2 and 3 of the development hereby approved shall be glazed with obscure glass and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

Reason: In the interests of residential amenity and privacy.

Condition 18:

The rooflights on the north-west roofslope of Plots 1 and 3 and the rooflights on the south-east roofslope of Plots 2 and 3 of the development hereby approved shall be glazed with obscure glass and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

Reason: In the interests of residential amenity and privacy.

Updated Block Plan

Please also see an updated block plan to replace the incorrect image provided on page 32 of the Planning Committee Agenda.

22/P/01330 – (Page 51) – 1 Fowlers Croft, Compton, Guildford, GU3 1EH

One additional condition is recommended:

Condition 14:

The window in the west elevation of the development hereby approved shall be glazed with obscure glass and permanently fixed shut, unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

Reason: In the interests of residential amenity and privacy.

Applications 22/P/01336 and 22/P/01337 – Land bounded by the Friary Bus Station, North Street and Leapale Road, Guildford, GU1

On 3 January 2023 and in accordance with Council Procedure Rule 26 (c), Councillor Paul Spooner has proposed, and Councillor Marsha Moseley has seconded, that the above planning application be referred to the full Council for determination in its capacity as the Local Planning Authority. The rationale for the request, as stated by Councillor Spooner, is as follows:

“This application is very important to the Town and Borough and to be determined by a small number of members, some relatively inexperienced (from a Major development perspective) and some pre-determined, is wrong. Every Councillor should have the opportunity to speak and question Officers and be seen doing this in an open and transparent way.

As it stands the application falls short on policy grounds such as the provision of affordable units and there is (unusually!) strong opposition from key stakeholder partners such as Surrey County Council. If we are going to ignore policy (and we have the right to do that) then the whole Council should be party to the decision”.

Council Procedure Rule 26 (c) provides that the Democratic Services and Elections Manager shall inform all councillors by email of the request to determine an application by full Council, including the rationale provided for that request. This email was sent to all councillors yesterday evening. The matter is then placed as an agenda item for consideration at the next Planning Committee meeting.

The proposer and seconder shall each be given three minutes to state their case at the meeting. However, the seconder (Cllr Moseley) in relation to this matter has given her apologies for absence this evening. In the circumstances, Councillor Bilbe will be invited to speak on behalf of the seconder, following which the Committee will debate the proposal and then take a vote on it. Reference of this planning application (and the associated Listed Building Consent application) to the full Council for determination will be decided by a majority vote of the Committee this evening.

If the Committee decides to refer the applications to full Council for determination, an extraordinary meeting of the Council would need to be convened for this purpose, which would, if necessary, be held on Wednesday 25 January 2022 at 7pm.

PLANNING COMMITTEE

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

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

*Present

PL1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were given by Councillors Chris Barrass and Angela Goodwin for whom there were no substitutes in attendance.

PL2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

There were no disclosures of interest.

PL3 ANNOUNCEMENTS

The Committee noted the procedure for determining planning applications.

PL4 22/P/01037 - LAND AT HIGH VIEW, GOMSHALL, GU5 9LT

The Committee considered the above-mentioned full application for erection of two pairs of four-bedroom dwellings with associated access and landscaping.

The Committee received a presentation from the planning officer, Daniel Cooklin-Smith. The site was a 6-hectare plot located within Gomshall, the Green Belt and was also within the Surrey Hills Area of Outstanding Natural Beauty (AONB). Numbers 5 – 14 Highview were all properties located directly opposite the plot of land and flanking the site was 20 Queen Street to the west and Gomshall Cottage to the east. 20 Queen Street would have some oblique views into the site but was determined by the time of year due to the density of vegetation. To the rear was also a wooded area which screened the site and visibility of it. The site was therefore only really visible to the properties located at numbers 5-14 Highview; however their view of the Surrey Hills would not be interrupted by this development.

In relation to the planning history, a previous application, 15/P/01447, for the creation of 10 dwellings was refused because of its impact upon the Green Belt but was subsequently upheld at appeal. The Committee noted that comments made by the Planning Inspector that the Council had accepted, by fact and degree, that the village was within Gomshall. Further, that the site was expansive in scale and surrounded on three sides by loosely developed land. The development of ten dwellings spanning the full width of the site was therefore not perceived to represent limited infilling. The Inspector also concluded that the proposal would not be harmful to the character and appearance of the area. Planning officers had therefore deduced from this that the more modest proposal of four dwellings would not have an impact on the wider area.

The Committee noted that this was a new proposal for four dwellings, split into two pairs of semi-detached houses, which did not span the full width of the site and was loosely developed. Internally, each house would consist of four double bedrooms and were allocated a generous amount of amenity space which complied with the national space standard requirements. The dwellings were of contemporary design, surrounded by landscaping and located on a slope which reduced their overall impact and dominance on the surrounding area. The landscaping proposed enhanced the surrounding trees and was supported by Guildford's Arboricultural Officer. The access to the new houses was also considered acceptable by Surrey Highways.

In conclusion, it was outlined by the planning officer that the main issues related to the Green Belt. Paragraph 149 of the NPPF stated that an exception for building in the Green Belt was limited infilling in villages. The Local Plan states that limited infilling maybe appropriate outside the identified settlement boundaries where it can be demonstrated that the site could be considered to be within a village. Gomshall was identified as one of those villages. The Planning Inspector stated that the 10 dwellings spanning the full width of the site would not represent limited infilling. The proposal was now for less than half of the dwellings previously refused and did not span the full width of the site. The proposal was also low in density when compared with the dwellings on the opposite side of the road and was loosely developed. A legal opinion had also been sought from Cornerstone Barristers who stated that each application must be taken on a case-by-case basis and that no development could be seen as a precedent for other schemes. However, the appeals did form some guidelines for planning officers to consider and an analysis of overturned appeals showed that the development for four dwellings could be seen as limited infilling, provided that the spaciousness of the surrounding area was respected. As such, it was the planning officers view that the current proposal by reason of its modest scale, reduced quantum and spaciousness should therefore be considered to be limited infilling. It was also materially relevant to factor in other elements of the scheme. When considering the impact on the surrounding area and local character, including the Area of Outstanding Natural Beauty, it had been established that a proposal of this nature would not have an unacceptable impact. There were also ecological enhancements proposed which the Surrey Wildlife Trust had no objection to provided that a Landscape and Ecological Management Plan and a Construction Environment Management Plan was submitted. In terms of sustainability, the dwellings were highly sustainable as they were passivhaus that included low energy lighting and thermal hot water panels. The provision of four dwellings, each with four bedrooms would also assist in delivering housing for Guildford. No highway impacts resulted from the scheme. In terms of public benefits of the proposal, the Shere Parish Millennium Trail ran along Highview, and a new pedestrian path was proposed along the site's planted frontage which would enhance the narrow road. The application was therefore recommended for approval.

The Committee discussed the application and noted comments that the report was very clear. It was commended that the applicant had significantly reduced the number of units and that conditions were in place to control the development. It was important to note that the Local Plan did not allocate small sites and it would not have allocated a site of this size anyway. It was therefore a question in relation to Policy P2 and the schemes compliance to that.

The Committee noted additional comments that the dwellings had been designed to sit well within the site and the adoption of a passivhaus design was welcomed.

The Committee noted concerns raised regarding limited infilling. It was noted that on page 27 it stated that limited infilling can be allowed if there was a small gap in an otherwise continually built-up frontage. However, there wasn't any built up frontage in this scheme. It was also noted that the Planning Inspector looked at another site and stated that this site formed a gap between two residential dwellings, which of course this scheme did not. This scheme was completely different, and concern was raised about limited infilling and whether the proposal did actually comply. The additional area of concern raised was regarding whether there was any evidence of Gomshall needing housing in this area as well as the sustainability of the location. On page 22 of the report, it stated that the site was

reasonably accessible and sustainable and within walking distance from Gomshall village centre with good transport links to Dorking and Guildford. The Committee noted comments that the buses did not run frequently, and the closest station was some distance away from the proposed dwellings. Access to amenities such as local shops and supermarkets were therefore impeded by these restrictions.

In response to the concerns raised by committee members, Gemma Fitzpatrick, Interim Team Leader confirmed that it had been acknowledged that the site was reasonably accessible, it was in a village and not a rural location and within a reasonable distance of local amenities. In addition, the applicant was not obliged to demonstrate whether there was a need for housing in Gomshall, but there was a need for housing more generally. With regard to concerns regarding infilling, this was a matter of judgement for the Committee.

The Committee noted further comments regarding infilling which was seen as a matter of interpretation. The Committee had considered other applications for limited infilling which included up to 4-6 houses and therefore it had to be careful not to set a different precedent by virtue of refusing the application. If the application was refused it would go to appeal. The Committee noted comments made that the AONB Officer had raised concerns regarding the urban design of the proposal which was out of character with the village. Therefore the Committee also had to consider the AONB Management Plan which was incorporated into the Local Plan and policies D1 and D3. D1 stated that any new development had to achieve high quality design that responded to the distinctive local character of the area and required all new development zones to reflect the distinct local character and to reinforce locally distinct patterns of development, including landscape setting. Concerns were also raised that the dwellings had too many bedrooms and did not meet with the housing mix of smaller two-three-bedroom properties required. Concerns were raised that there were no exceptional circumstances for building in the Green Belt and the AONB. The proposal would affect local residents, the enjoyment of their amenities and the views from the houses opposite. The previous application which was refused for ten homes took place when the council had a 5-year housing supply and yet now we had a 7-year housing supply.

The Committee noted concerns that the application was not compliant with the requirement for limited infilling. The development did have development on three sides, but it was considered to be loose development characterised by two large properties with big gardens. The development site was also some 110 metres away which did not constitute a small gap. The proposed site read as a rural area in the village and the additional dwellings would change the character of the village with the design being overly urban. The benefit of the proposal was its energy efficient design.

In response to concerns raised by the Committee, the planning officer confirmed that with regard to the proposal being harmful to the AONB setting, it was difficult to counter-argue against the planning Inspectors conclusions that ten dwellings, as previously proposed was found to not be harmful. This also included the character of the area. Strategy and mitigation conditions were included for the landscaping.

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	Chris Blow		X	
3	Ramsey Nagaty		X	
4	Liz Hogger		X	
5	Marsha Moseley	X		
6	Fiona White	X		
7	Maddy Redpath	X		
8	Jon Askew		X	
9	David Bilbe	X		
10	Paul Spooner	X		
11	Pauline Searle	X		
12	Colin Cross	X		
13	Angela Gunning		X	
	TOTALS	7	6	0

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

RESOLVED to approve application 22/P/01037 subject to the conditions and reasons as detailed in the report.

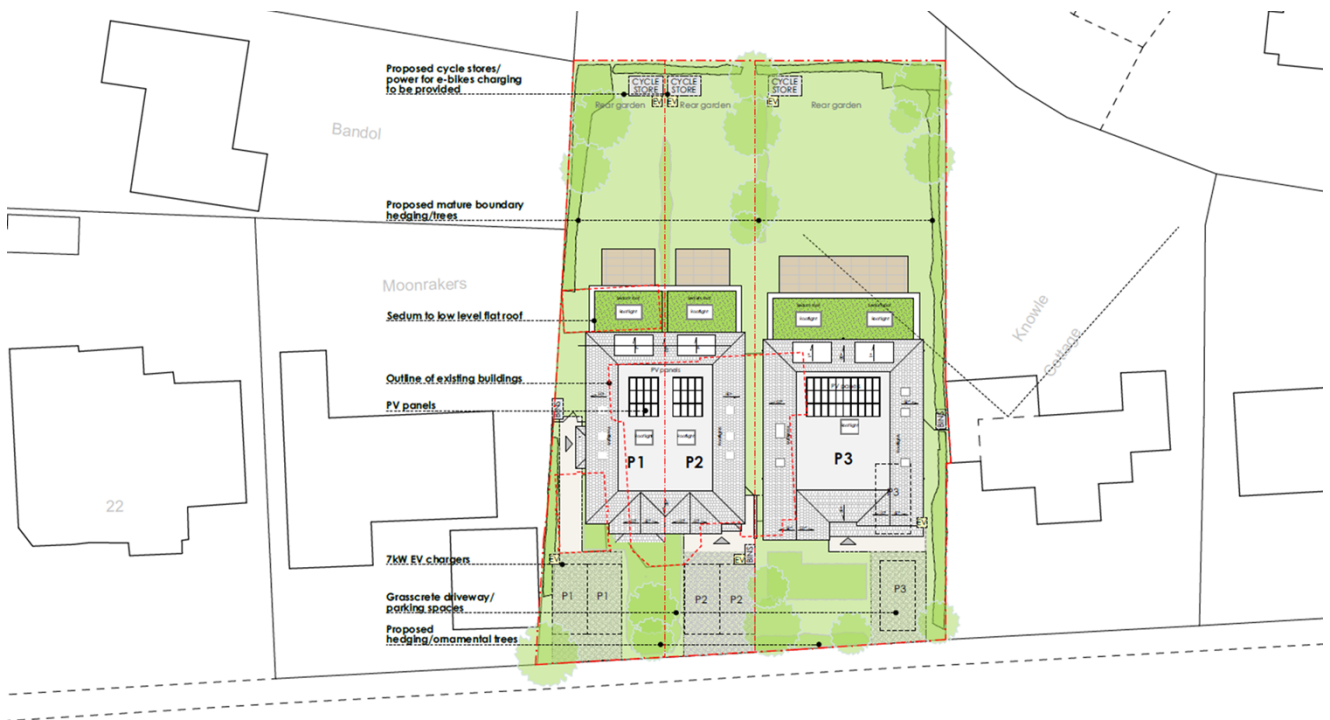
The meeting finished at 8.30 pm

Signed

Chairman

Date

22/P/01551 – 20 Pit Farm Road, Guildford



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Planning Committee

4 January 2023

Late Representations

Since the last date for the submission of views on applications/matters before the Committee this evening, representations in respect of the under mentioned applications/matters have been received. The letters, copies of which will be available for inspection by councillors at the meeting, are summarised below.

Item 5 – Planning Applications

There were no late representations received.

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