



GUILDFORD
BOROUGH

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Tom Horwood
Joint Chief Executive of Guildford and
Waverley Borough Councils

Dear Councillor

PLANNING COMMITTEE - WEDNESDAY 29 MARCH 2023

Please find attached the following:

Agenda No Item

8. **Late Sheets - List of Amendments/Updates/Corrections and Late Representations (Pages 1 - 42)**

Yours sincerely

Sophie Butcher, Democratic Services Officer

Encs

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Planning Committee

29 March 2023

Update/Amendment/Correction/List

Election of Vice-Chairman

The Committee will be asked to elect a Vice-Chairman.

Planning Committee Minutes – 1 March 2023

The minutes of the above meeting are attached for the Committee's approval.

21/P/02333 – (Page 21) – Land south and east of the Cathedral Church of the Holy Spirit, Stag Hill, The Chase, Guildford, GU2 7UP

Reason for referral

This application has been referred to the Planning Committee by the *Joint Strategic Director, Place* because the development would affect a sensitive, prominent site in Guildford and is for a site allocation in the Guildford Local Plan: Strategy and Sites 2019-2034.

3. Formal Recommendation)

3.1 Reasons for refusal (page 28-29)

1.	The proposed development would harm the setting of heritage assets due to the resulting harm to the significance of the: a) close setting - from the intrusion and loss of separation by the built development into the eastern meadow, the visual prominence of the apartment blocks and roofscapes, the intensification of development on undeveloped parkland and encroachment of dwellings into the western processional route; and b) wider setting - encroachment of the built form into the 'green collar', that forms the foreground to the landmark silhouette in the townscape
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	<p>The proposal would result in:</p> <ul style="list-style-type: none"> i) less than substantial harm (middle of the spectrum) to the Cathedral Church of the Holy Spirit to appreciate the open spaces, monumental scale, topography, visibility, contrast with loss of the green foreground and loss of sky gap; ii) less than substantial harm (at the lowest end of that spectrum) to the two lodges to the south to appreciate the symmetrical arrangement in views from the south; iii) less than substantial harm (at the lowest end of that spectrum) to the Guildford Castle from the visual distraction and loss of the expansive town vista when looking towards Guildford Castle from the eastern meadows. <p>Special regard is given to the need to preserve heritage assets as required by Section 66 of the Planning (Listed Building and Conservation Area) Act 1990. Whilst public benefit would result from the development, including the provision of new housing and affordable housing, the endowment to the Cathedral resulting from the sale proceeds of the site and wider tree planting, this does not outweigh the harm to the significance of the heritage assets. The proposal would therefore be contrary to Policies D3 and A15(3) of the Local Plan: Strategy and Sites (2019), <i>Policy D18</i> of the Guildford Borough Local Plan: Development Management Policies (2022) as well as Chapter 16 of the NPPF (2021).</p>
2.	<p>The proposed development due to the design approach, layout and appearance fails to take the opportunities available to respect the context and identity of the surrounding areas and the very special quality of the parkland around the Cathedral and the way it functions, shaped by the quality of the landscape and views in and out of the site. The proposals do not achieve the exceptional and innovative design quality required to respond to the sensitive setting of the Grade II* Cathedral nor reinforces locally distinctive patterns of development, which would raise the standard of design more generally in the area. The scale and site layout has been predominantly dictated by the quantum of development,</p>

resulting in the introduction of a visually prominent development from the surrounding roads, townscape and Cathedral parkland with little relatable expression of locally reflective character or a positive identity through the interpretation of local vernacular patterns of development, or sympathetic contemporary design. By virtue of this and the:

- a) isolated location, style and appearance of the clergy housing, given their functional relationship;
- b) contrasting typologies of housing at the top of the Eastern Slopes, would not integrate well, thereby affected the hierarchy of streets;
- c) lack of a sense of arrival from the top of the central steps between the apartment blocks into the grounds around the Cathedral;
- d) the form, profile and rigid large block based apartment buildings;
- e) projecting balconies facing Ridgemount;
- f) single level gardens on the Western Parcel creates the need for larger retaining wall features;
- g) form, profile, setting, sectional relationship would not relate to Alresford Road;
- h) wayfinding and understanding of the parkland setting would be limited from Alresford Road;
- i) visibility of the westernmost houses on the Western Parcel from the western processional route;
- j) conflict between private and public thresholds where gardens and terraces have an aspect onto public open space;
- k) broad palette of four bricks; and
- l) Opportunities for informal car parking on the wide roads and verges;

This development would not establish an attractive, locally resonant sense of place within its own right or as a community on the slopes of the Cathedral.

The submitted Design and Access Statement and Addendum does not provide a sufficient explanation of principles that could inform the design and layout including the work undertaken in the Landscape and Visual Appraisal (LVA) (December 2022). This absence of an appreciation of the

	<p>analysis or interpretation of local architectural style, character, landscape, views or context setting fails to produce a design response adequate for this nationally important setting and parkland, that would provide a strong and positive response given what is so special and unique about this site and its hilltop location. The applicant has failed to take the opportunities identified during the Design Review process to improve the design quality of this proposal. This would be contrary to policies D1 and A15 of the Guildford Borough Local Plan: strategy and sites (2019), Policy D4 of the Guildford Borough Local Plan (2022), Landscape Character Assessment (2007) the NPPF (2021) and the National Design Guide (2019).</p>
3.	<p>The built form on the southern side of the Eastern Meadows would have a residual, adverse effects on the outward, south eastern view from viewpoint 15 in the Guildford Town Centre Views SPD and a Major adverse effect for visual receptor V11 (Stag Hill), as identified in the Landscape and Visual Appraisal (LVA) (December 2022). Furthermore, the proposed housing would compromise this unique and secluded area of open space as their courtyard gardens would open out onto the meadow. The proposals would have a harmful impact on the ability to enjoy and appreciate the landscape character and visual amenity from this elevated location which provides a vantage point over the town centre and would be compromised by the domestication and privatisation, further reducing its accessible as an area of public open space. This would fail to comply with the objectives of policies S3 and D1(4) of the Guildford Borough Local Plan: strategy and sites (2019), policy D4(3) of the Guildford Borough Local Plan: Development Management Policies (2022), Guildford Town Centre Views SPD (2019), Landscape Character Assessment (2007) the NPPF (2021) and the National Design Guide (2019).</p>
4.	<p>The site lies within the 400m to 5km zone of the Thames Basin Heaths Special Protection Area (TBHSPA). In the absence of a completed planning obligation, the Local Planning Authority is not satisfied that there will be no likely significant effect on the Special Protection Area and is unable to</p>

	<p>satisfy itself that this proposal, either alone or in combination with other development, would not have an adverse effect on the integrity of the Special Protection Area and the relevant Site of Special Scientific Interest (SSSI). As such, the development would be contrary to the objectives of saved Policy NE4 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07), Policy P5 of the Guildford Borough Local Plan: Strategy and Sites, 2019 and with saved Policy NRM6 of the South-East Plan 2009. For the same reasons, the development would fail to meet the requirements of Regulation 63 of The Conservation of Habitats and Species Regulations 2017 as amended, and as the development does not meet the requirements of Regulation 64 the Local Planning Authority must refuse to grant planning permission.</p>
5.	<p>In the absence of a completed planning obligation the development fails to mitigate its impact on infrastructure provision. This includes the following:</p> <ul style="list-style-type: none"> • provision of 31 affordable homes in accordance with Council's approved tenure split; • provision of 13 homes for occupation as staff accommodation by the Cathedral; • A contribution towards SANG mitigation in accordance with the Thames Basin Heaths SPA Avoidance Strategy 2017; • A contribution towards SAMM in accordance with the Thames Basin Heaths SPA Avoidance Strategy 2017; • A contribution of £70,000 towards an improved pedestrian crossing at The Chase/St Johns; • A contribution of £40,000 towards mitigating traffic on local residential roads; • A contribution of £35,000 towards the improvement of two bus stops within the vicinity of the site; • A contribution of £7,000 towards speed survey studies within the vicinity of the site; • £14,000 towards the upgrading, improvement and/or potential re-routing of Footpath 6 from Scholars Walk to the University site;

- £6,150 for the monitoring of the Travel Plan;
- Implementation of two Electric Vehicle Car Club spaces;
- To offer to each household of each residential unit free membership of the Car Club for two years;
- A contribution of £130,632 to support sustainable travel choices, to the Yorkie's Bridge section of the Sustainable Movement Corridor (SMC);
- A contribution to early years, primary and secondary education;
- A contribution for additional floor space at primary care facilities;
- A contribution to policing infrastructure;
- Provision and maintenance of public open spaces for the lifetime of the development;
- A contribution to off-site playing fields/sport provision;
- A contribution to off-site play space provision; and
- Implementation of new tree planting along the western approach to the Cathedral.

Accordingly, the proposal is contrary to Policies P5, H2, ID1 and ID3 of the Guildford Borough Local Plan: Strategy and Sites (2019), ~~saved Policy NE4 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07), saved Policy NRM6 of the South-East Plan (2009), Policy ID6 of the Guildford Borough Local Plan: Development Management Policies (2022); the Council's Planning Contributions SPD (2017) and the NPPF (2021).~~

11. Planning policies.

11.4 Guildford Borough Local Plan: Strategy and Sites (LPSS) 2019 (page 47)

The Guildford Borough Local Plan: Strategy and Sites was adopted by Council on 25 April 2019. The Plan carries full weight as part of the Council's Development Plan. ~~The Local Plan 2003 policies that are not superseded are retained and continue to form part of the Development Plan (see Appendix 8 of the Local Plan: strategy and sites for superseded Local Plan 2003 policies).~~

11.5 Guildford Borough Local Plan: Development Management Policies (LPDMP) 2023 (page 48)

The LPDMP was adopted by the Council on 22.03.2023. This now forms part of the statutory development plan and the policies are given full weight.

The officer report refers to the policy titles in the submission version dated June 2022, this needs to be cross-referenced with the adopted version:

Submission version	Adopted version	
H8	H7	First Homes
P8/P9	P6	Protecting Important Habitats and Species
P6/P7	P7	Biodiversity in New Developments
P10	P8	Land Affected by Contamination
P11	P9	Air Quality and Air Quality Management Areas
P12	P10	Water Quality, Waterbodies and Riparian Corridors
P13	P11	Sustainable Surface Water Management
D4	D4	Achieving High Quality Design and Respecting Local Distinctiveness
D5	D5	Protection of Amenity and Provision of Amenity Space
D5a	D6	External Servicing Features and Stores
D8	D7	Public Realm
D9	D8	Residential infill development
D10	D10	Noise Impacts
D10a	D12	Light Impacts and Dark Skies
D12	D14	Sustainable and Low Impact Development
D13	D15	Climate Change Adaptation
D14	D16	Carbon Emissions from Buildings
D16	D18	Designated Heritage Assets
D17	D19	Listed Buildings

D18	D20	Conservation Areas
D19	D21	Scheduled Monuments
D19a	D22	Registered Parks and Gardens
D20	D23	Non-designated Heritage Assets
D21	D24	Enabling Development and Heritage Assets
ID5	ID5	Protecting Open Space
ID6	ID6	Open Space in New Developments
ID10	ID9	Achieving a Comprehensive Guildford Borough Cycle Network
ID11	ID10	Parking Standards

11.9 Guildford Borough Local Plan (GBLP) 2003 (as saved by CLG Direction 24 September 2007)

~~Policy G1: General Standards of Development~~

~~Policy G5: Design Code~~

~~Policy H4: Housing in Urban Areas~~

~~Policy HE4: Development which affects the setting of a Listed Building~~

~~Policy HE10: Development which affects the setting of a Conservation Area~~

~~Policy NE4: Species Protection~~

~~Policy NE5: Development Affecting Trees, Hedges and Woodland~~

~~Policy R2: Recreational Open Space in relation to Large New Residential~~

The officer report refers to policies within the saved Guildford Borough Local Plan 2003. These are now superseded by specific policies in the Guildford Borough Local Plan: Development Management Policies (LPDMP) 2023.

12. Planning considerations.

Amendments and corrections.

22/P/00738 – (Page 163) – Ipsley Lodge Stables, Hogs Back, Seale, Guildford, Surrey, GU10 1LA

Planning policies.

National Planning Policy Framework (NPPF), 2021:

2. Achieving sustainable development.
4. Decision-making.
5. Delivering a sufficient supply of homes.
8. Promoting healthy and safe communities.
9. Promoting sustainable transport.
11. Making effective use of land.
12. Achieving well-designed places.
14. Meeting the challenge of climate change, flooding and coastal change.
15. Conserving and enhancing the natural environment.

Planning Policy for Traveller Sites (PPTS), 2015:

The Government also published Planning Policy for Traveller Sites (PPTS) in August 2015. The overarching aim of the PPTS is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.

For decision taking, the PPTS states that Local Planning Authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) the existing level of local provision and need for sites;
- b) the availability (or lack) of alternative accommodation for the applicants;
- c) other personal circumstances of the applicant;
- d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated site and
- e) that they should determine applications for sites from any travellers and not just those with local connections.

South East Plan (SEP), 2009:

NRM6: Thames Basin Heaths Special Protection Area.

Guildford Borough Local Plan: Strategy and Sites (LPSS), 2015-2034:

The Council is able to demonstrate a five year housing land supply with an appropriate buffer. This supply is assessed as being 6.46 years based on most recent evidence as reflected in the GBC LAA (2002). In addition to this, the Government's recently published Housing Delivery Test indicates that Guildford's 2021 measurement is 144%. For the purposes of NPPF footnote 8, this is therefore greater than the threshold set out in paragraph 222 (75%). Therefore, the Plan and its policies are regarded as up-to-date in terms of paragraph 11 of the NPPF.

S2: Planning for the borough - our spatial development strategy

H1: Homes for all

P1: Surrey Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value

P3: Countryside

P5: Thames Basin Heaths Special Protection Area

D1: Place shaping

D2: Climate change, sustainable design, construction and energy.

ID3: Sustainable transport for new developments

ID4: Green and blue infrastructure

Guildford Borough Local Plan: Development Management Policies 2023

Guildford's Local Plan Development Management Policies (LPDMP) was adopted by the Council on 22 March 2023. This now forms part of the statutory development plan and the policies are given full weight.

P7: Biodiversity in New Developments

P6: Protecting Important Habitats and Species

P11: Sustainable Surface Water Management

D4: Achieving High Quality Design and Respecting Local Distinctiveness

D5: Protection of Amenity and Provision of Amenity Space

D14: Sustainable and Low Impact Development

ID10: Parking Standards for new development

Supplementary Planning Documents

Climate Change, Sustainable Design, Construction and Energy SPD 2020
Guildford Landscape Character Assessment 2007
Parking Standards for New Development 2023

With regard to informative 1:

Omit the word '(either)'

With regard to condition 4:

Within the reason section at the end of the sentence add: and in order to minimise the impact on bats.

Add an additional informative:

With reference to condition 4 and external lighting, it is recommended that the applicant refers to: <https://www.bats.org.uk/our-work/buildings-planning-and-development/lighting>

Summary of The Pines, Green Lane East, Normandy, GU23 2JL Appeal Decision

Appeal A (APP/Y3615/W/21/3287182) Appeal B (APP/Y3615/W/21/3287186)

Two applications were made on 4 March 2021 in respect of both sites (A and B), seeking the permanent occupation of both sites for the stationing of caravans for residential purposes for gypsy pitches. These were both refused and are the subject of these appeals.

Appeal A - 21/P/00454, dated 4 March 2021, was refused by notice dated 17 May 2021. The application sought planning permission for variation of condition 3 of planning consent 10/P/00507 (approved on appeal on 14/06/2011) for the use of land for stationing of caravans for residential purposes for 1 gypsy pitch, with ancillary utility/day room, to allow permanent occupation of the pitch on the site without complying with conditions attached to planning permission Ref 15/P/02363, dated 5 March 2018.

The conditions in dispute are Nos 1 and 2 which state that:

- (1) *The use hereby permitted shall be carried on only by the following individuals: John Searle (senior) and John Searle (junior) and their dependants and shall be for a limited period being the period of three (3) years from the date of this decision, or the period during which the premises are occupied by them, whichever is the shorter.*
- (2) *When the premises cease to be occupied by those named in condition 1) above, or at the end of three (3) years, whichever shall first occur, the use hereby permitted shall cease and all caravans, buildings, structures, materials and equipment brought on to the land, or works undertaken to it in connection with the use, shall be removed and the land restored to its condition before the development took place.*

Appeal B - Ref 21/P/00456, dated 4 March 2021, was refused by notice dated 17 May 2021.

The application for planning permission for the use of land for the stationing of caravans for residential purposes for 1 No. gypsy pitch together with a utility/dayroom ancillary to that use without complying with conditions attached to planning permission Ref 15/P/02364, dated 5 March 2018.

The conditions in dispute are Nos 1 and 2 which state that:

- (1) *The use hereby permitted shall be carried on only by the following individuals: Jade Searle and her dependants and shall be for a limited period being the period of three (3) years from the date of this decision, or the period during which the premises are occupied by them, whichever is the shorter.*
- (2) *When the premises cease to be occupied by those named in condition 1) above, or at the end of three (3) years, whichever shall first occur, the use hereby permitted shall cease and all caravans, buildings, structures, materials and equipment brought on to the land, or works undertaken to it in connection with the use, shall be removed and the land restored to its condition before the development took place.*

The Inspector found that the openness of the Green Belt had been reduced as a result of the development and would continue be reduced through the ongoing use of the sites, and the development and caravans associated with

this. In the context of the rural edge, but in close proximity to existing development the Inspector concluded that the development would result in moderate harm to the openness and the purpose of including land within the Green Belt.

The Inspector accepted that Guildford Borough Council can demonstrate a supply of deliverable sites sufficient to provide 5 years' worth of sites against its locally set target and that this target includes those persons who would fall outside of the Planning Policy for Traveller Sites (PPTS) Annex 1 definition of a traveller.⁽¹⁾

However, the Inspector went on to point out, that whether or not there were alternative sites available is a relevant matter and that alternative accommodation would need to be suitable, affordable, available and acceptable. The Inspector noted that the Council is seeking to deliver a number public pitches during the plan period, however, it was confirmed that there are currently no alternative pitches available that the sites' occupants could move to in the short-term.

The Inspector referred to caselaw which established that there was no burden on the appellant to prove that there are no alternative pitches or sites available and whilst in this case the appellants were not on the waiting list for a Council site, 17 people were already on the waiting list, (although it was accepted that this could not be relied upon to provide an accurate assessment of need as it may include those currently residing on private sites but looking to move to a public site for example). However, due to the absence of alternative sites in the short term, this could lead to the occupants of the site having to resort to an unauthorised roadside encampment or doubling up on pitches occupied by extended family, neither of which the Inspector considered to be satisfactory.

The Inspector referred to Article 3 of the United Nations Convention on the Rights of the Child which requires a child's best interests to be a primary consideration, and no other consideration must be regarded as more important or given greater weight than the best interests of any child. In this case, whilst the Inspector acknowledged that it would certainly be in the best interests of the children on the site to continue to have access to education and health care from a settled base, she also acknowledged that it was also not uncommon for children to move schools or change GPs when their families move home.

The Inspector concluded that in the absence of suitable, acceptable, and affordable alternative locations to which the occupants could move to in the short-term, (should the appeals be rejected), the families would be either forced into a roadside existence or into doubling up with other family members, with likely issues around overcrowding arising. The Inspector considered that this would have a negative impact upon the child on that site attending school. In addition, having no settled base would not give the pre-school aged children currently residing on the sites an optimal start in life. The Inspector also found that it would cause some inconvenience in terms of medical care. This result, she considered would not be in the best interest of the children.

The Inspector also found that that despite the sites being located outside the defined settlement boundary, they are not detached from the settlement, given their proximity to development both within and adjacent to the boundary. Whilst concerns were raised that this may set a precedent for similar forms of development, she concluded that any such proposal would have to be assessed on its own individual planning merits.

In this appeal, the sites were located within the Green Belt and the applicant sought unrestricted occupation of the site; as such the Inspector rightly stated that the personal circumstances of the occupants of the site would not be a factor to weigh against the harm to the Green Belt and that the other considerations put forward in favour of the proposals did not outweigh the harm to the Green Belt sufficiently to amount to the very special circumstances to allow the permanent occupation of the sites on an unrestricted basis.

However, taking into account the Public Sector Equality Duty and the best interest of the children residing on the site which is a primary consideration, as well as the right to respect private and family life enriched under Article 8 of the Human Rights Act, the Inspector considered whether a personal permission would be appropriate and able to amount to very special circumstances to justify the proposal. It was considered that should a personal permission be granted it is likely that the sites would remain occupied in the long-term with the harm to the Green Belt arising from this to be similarly long-term, and in the Inspectors view, not dissimilar to the permanent occupation of the site; and as such the personal circumstances were not considered to outweigh the harm to the Green Belt.

In this instance it was considered that a temporary permission would reduce the period in which the actual harm to the openness of the Green Belt would

occur. Given the sites occupants had changed in the case of appeal site A and that there were children residing on both sites, whose best interests would not be served should the appeal be dismissed, the Inspector concluded that this would be sufficient to amount to the very special circumstances to outweigh the Green Belt harm and that a further temporary permission should be granted for both sites. This would enable the occupants of the sites time to find suitable alternative accommodation whilst allowing for more delivery of sites through the Local Plan and that three years should be a sufficient time period within which this could take place.

⁽¹⁾ Court of Appeal in *Smith v SSLUCH & Ors* found the definition in Annex 1 of the PPTS to be unlawful on the basis that it discriminates against those gypsies and travellers who have permanently ceased to travel due to age and / or disability

22/P/01770 – (Page 209) – Chalk Barton, Shere Road, West Horsley, Leatherhead, KT24 6EW

Guildford Borough Council v (1) Secretary of State for Levelling Up, Housing and Communities

and (2) Christopher Weeks.

On 17 March 2023, the High Court handed down judgement in the matter of a statutory review by Guildford Borough Council against a Planning Inspector's grant of planning permission at Foxwell Cottage, Hunts Hill Road, Normandy. The review proceeded on a single ground, namely that the Planning Inspector had misinterpreted Policy P2(2) of the Guildford Borough Plan 2015-2034 ("GBP").

Policy P2 closely mirrors the requirements of the National Planning Policy Framework ("NPPF") in seeking to protect the Green Belt from inappropriate development and states that development will not be permitted unless it falls within one of the exemptions listed in the NPPF. Of relevance to this case are the exemptions applicable to extensions, alterations and replacement buildings.

The appealed application sought permission for the conversion of a garage to habitable accommodation (involving two-storey side and rear extensions, raised ridge height and three dormer windows) as well as a single-storey side

extension to the main house. Foxwell Cottage and its garage were built in 2003/04 under planning permission for the demolition of an existing bungalow and the erection of a detached chalet bungalow.

As part of its evidence to the Court, the Council produced a plan from 1975 showing the dwelling that existed before demolition (known only as 'Foxwell'). When overlapped with a map showing the current Foxwell Cottage, it was apparent that 'Foxwell' was slightly smaller than Foxwell Cottage and that no garage existed in 1975 or, if it did, it was not in the same location or of the same size as the current garage.

The Court's considerations centred on: (1) what was the correct starting point for assessing whether the proposed works were disproportionate, (2) the meaning of "original building" in Policy P2 and the NPPF, and (3) whether the Inspector had applied the correct limb of Policy P2.

The Council submitted that Policy P2(2)(a) was the relevant policy and it prohibits disproportionate additions over and above the size of the original building. The starting point for assessing disproportionality should have been the square meterage of the demolished 'Foxwell' (and no garage) as the "original building" and, had the Inspector taken that as the starting point, the degree of total uplift in floor space as a result of the proposals would have been significant.

The Secretary of State argued that the starting point was the total square meterage of the current cottage and its garage, and therefore the degree of uplift was less significant. It was also argued that the situation of a previously demolished building was not precisely covered by Policy P2 and as such it was a matter of planning judgement for the Inspector to decide what should be the starting point for his assessment.

Judge Jarman K.C. found that:

- the Inspector had not dealt with limbs (a) and (b) of Policy P2(2) as distinct policies and had impermissibly factored into his assessment notions relating to replacement buildings under limb (b);
- the Inspector did not make clear that he adopted the approach he did because of a gap in Policy P2 or that he was using his planning judgment to fill that gap;

- Policy P2(2)(a) was clear that what must be considered in the evaluation of proportionality is the original building as existed on 1 July 1948 or the first building as originally built after that date;
- the “original dwelling” was the now demolished ‘Foxwell’ not the current cottage and its garage; and
- had the Inspector followed the correct approach, a materially larger percentage in the total uplift would have been arrived at.

The Court held that the Inspector’s decision must therefore be quashed and the appeal submitted for redetermination by the Planning Inspectorate. The judgement provides a helpful endorsement as to the Council’s approach to extensions, alterations and replacement dwellings under GBP policy P2.

Legal Services

27th March 2023

Guildford Borough Local Plan: Development Management Policies (LPDMP) 2023

The LPDMP was adopted by the Council on 22.03.2023. This now forms part of the statutory development plan and the policies are given full weight.

The officer report refers to the policy titles in the submission version dated June 2022, this needs to be cross-referenced with the adopted version:

Submission version	Adopted version	
H5	H4	Housing Extensions and Alterations including Annexes
D4	D4	Achieving High Quality Design and Respecting Local Distinctiveness
D5	D5	Protection of Amenity and Provision of Amenity Space

The officer report refers to policies within the saved Guildford Borough Local Plan 2003. These are now superseded by specific policies in the Guildford Borough Local Plan: Development Management Policies (LPDMP) 2023.

23/P/00003 & 23/P/00007 – (Pages 217 and 227) 6 Orchard Gardens, Effingham, Leatherhead, KT24 5NR

Guildford Borough Local Plan: Development Management Policies (LPDMP) 2023

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D4	D4	Achieving High Quality Design and Respecting Local Distinctiveness
D5	D5	Protection of Amenity and Provision of Amenity Space
ID11	ID10	Parking Standards for New Development

The officer report refers to policies within the saved Guildford Borough Local Plan 2003. These are now superseded by specific policies in the Guildford Borough Local Plan: Development Management Policies (LPDMP) 2023.

PLANNING COMMITTEE

- * Councillor Fiona White (Chairman)
- * To be Elected (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

Councillors Tony Rooth and Catherine Young were also in attendance.

PL1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillors Chris Barrass and Ruth Brothwell. Councillor Bob McShee was in attendance as a substitute for Councillor Ruth Brothwell. Councillor David Bilbé was not in attendance and Councillor Angela Gunning was not in attendance for the consideration of the first application 22/P/02589 – Unit 32, Kings Court, Burrows Lane, Gomshall, Shere.

PL2 ELECTION OF VICE-CHAIRMAN

The Chairman asked the Committee for nominations for Vice-Chairman for which none were received. The Chairman stated that this item of business would therefore be placed on the next agenda of the Planning Committee meeting on 29 March 2023.

PL3 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

21/P/02036 – Land adjacent to 12 Oak Hill, Wood Street Village, GU3 3ER

Councillor Fiona White declared a personal interest in the above application. Given that the applicant was the husband of Councillor Julia McShane who Councillor White knew well, owing to this personal interest, she would leave the room for the consideration and vote taken in respect of that application.

Councillors Liz Hogger and Pauline Searle would also leave the room for the consideration and vote taken in respect of the above application for the same reasons.

PL4 MINUTES

The minutes of the following meetings; 22 November 2022, 4 January, 1 and 7 February 2023 were approved by the Committee and signed by the Chairman.

PL5 ANNOUNCEMENTS

The Committee noted that Chairman's Announcements.

PL6 21/P/02589 - UNIT 3C, KINGS COURT, BURROWS LANE, GOMSHALL, SHERE, GU5 9QE

The Committee considered the above-mentioned full application for change of use of part of building (Use Class E) to two residential units (C3) including minor fenestration changes and associated external alterations.

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

- Ms Janet Dent (to object);
- Mr Luke Margetts (Bakersgate Development Ltd) (to object) and;
- Mr Matt Smith (D&M Planning) (In support)

The Committee received a presentation from the Senior Planning Officer, Katie Williams. The proposal was for the change of use of part of an existing building currently in business use to two residential units, including minor fenestration alterations and associated external alterations.

The Committee noted that the site was within the Green Belt outside of a settlement area, it was also within an Area of Outstanding Natural Beauty and an Area of Great Landscape Value. It was located on the western side of Burrows Lane to the south of the village of Gomshall.

The site was comprised of a recently constructed new development made up of four detached buildings, comprised of eight units all with commercial use, with the exception of Unit 2, which was a work/live unit. The wider Kings Court site was surrounded on all sides by residential dwellings, including Meadowside and

Mill Cottage which immediately adjoined the western boundary. Unit 3C was set within the largest building on the site, there was existing parking along the eastern boundary of the site and between the buildings.

Planning Officers were satisfied that comprehensive marketing of the unit in its current commercial use, had been carried out for over 12 months, in line with the requirements of Policy 3 of the Local Plan. Information submitted with the application confirmed that the units were completed over two years ago and had been on the market for four years. Unit 3 was currently vacant and a unit to the front was occupied by a business use.

The proposed floor plan layout showed the two proposed one-bedroom flats, one at ground floor level and one at first floor level. The flats would be accessed via a shared access. The only external alterations would be an increase in the size of an existing dormer window and the provision of a balcony in set within the roof slope, and also a new side door on the side elevation and changes to a window on the front. Alterations were proposed to enlarge the existing dormer window and the proposed balcony, which would provide an area of outdoor amenity space. Each proposed unit would have an allocated parking space. The Committee noted the existing parking spaces and the proposed space that would be allocated to the first floor flat and ground floor flat, as well as the area proposed for outdoor amenity to the side of the unit.

In conclusion, the proposal would result in the re-use of an existing building and therefore would not result in inappropriate development within the Green Belt, the proposal would deliver a net increase of 2 one-bedroom dwellings in a sustainable location. It had been demonstrated that comprehensive marketing of the property had been carried out and the loss of the employment unit had been sufficiently justified. The proposal would not harmfully affect the character or appearance of the site, or surrounding area, would not materially impact on neighbouring amenity and would not give rise to adverse impacts to highway safety. The application was therefore recommended for approval, subject to the conditions as set out on page 74 of your agenda and amendments to conditions 9 and 10 as set out on the supplementary late sheets.

The Committee considered the application and noted concerns raised regarding the number of applications that had been made for the site, notably 12 applications in the last 15 years. Four previous applications for residential accommodation had also been turned down. Concern was raised regarding the location so close to the residential dwellings at Meadowside.

The Committee noted that on page 88 of the report it said that no changes were proposed to the west elevation towards Meadowside. However, it did seem possible to see the top of the ground-floor window above the fence. Was it therefore possible to have obscure glazing installed on at least the top part of the window.

The Senior Planning Officer, Katie Williams confirmed that there was a window but that the fence sufficiently screened the window from being able to see over the fence line. It was also further clarified that ground-floor windows would not be required to be obscure glazed. If it was a first-floor window, obscure glazing would be considered. 1.7 metres in height was the industry standard for fences and the proposal was for the re-use of an existing building.

The Committee noted concerns raised regarding the pedestrian access to and from Burrows Lane being a problem as well as the boundary line of 1 metre from the rear wall appeared incredibly close.

The Chairman, Councillor White reminded the committee that they could not consider legal disputes as they were not material planning considerations. The Senior Planning Officer, Katie Williams confirmed that in terms of rights of access and land ownership these were civil matters separate to the determination of the application. The plans did nevertheless show that the rights of access had been taken into account. If subsequent proposals came forward for additional units they would have to be considered according to their own merits. The separation was as had been built out, what had been approved under the previously consented scheme for the office development which had not changed. The distance to the boundary was therefore considered acceptable under the previously consented schemes.

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	Chris Blow		X	
3	Ramsey Nagaty		X	
4	Fiona White	X		
5	Angela Goodwin	X		
6	Bob McShee	X		
7	Pauline Searle	X		
8	David Bilbe	Absent		
9	Liz Hogger	X		
10	Maddy Redpath	X		
11	Marsha Moseley	X		
12	Colin Cross	X		
13	Angela Gunning	(was not in attendance for this application)		
14	Paul Spooner	X		
	TOTALS	10	2	0

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

RESOLVED to approve application 21/P/02589 subject to the conditions and reasons as detailed in the report and amended conditions 9 and 10:

Condition 9:

Prior to occupation of the new residential units hereby approve, a scheme for protecting the proposed dwellings from noise from the adjacent residential and commercial units shall be submitted to and approved in writing by the local planning authority. The agreed details shall be implemented before any permitted dwelling is occupied unless an alternative period is agreed in writing by the authority.

Reason: As occupiers of the development, without such a scheme, are likely to suffer from noise to an unacceptable degree.

Condition 10:

No works shall take place to install the new balcony at first floor or amenity area at ground floor until detailed drawings of the new balcony (including balustrade design, materials and finish) to the first floor flat and boundary treatment to the amenity area for the ground floor flat (including design and height of proposed

fencing) have been submitted and agreed in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the building is satisfactory.

PL7 22/P/00738 - IPSLEY LODGE STABLES, HOGS BACK, SEALE, GUILDFORD, SURREY, GU10 1LA

The Committee considered the above-mentioned full application for change of use of part of land for the proposed creation of 4 Gypsy/Traveller pitches, comprising the siting of 4 Mobile Homes, 4 Touring Caravans, and the erection of 4 Dayrooms.

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

- Councillor Matt Furniss (Surrey County Council, Cabinet Member for Transport, Infrastructure and Growth) (to object) and;
- Resident (to object) (to be read by the Democratic Services Officer)

The Committee received a presentation from the Senior Planning Officer, Lisa Botha. The proposal was a retrospective application for the change of use of the land for the creation of for gypsy traveller pitches, comprising the siting of four mobile homes, 4 touring caravans and erection of four day rooms. It was recommended that a personal and temporary permission be granted, subject to a legal agreement, to secure the necessary mitigation against the impact of the proposal on the Thames Basin special protection area.

The application had been called to the Committee due to receiving more than 10 letters of objection. The Committee also noted the supplementary late sheets where an additional letter of objection had been received. The number of applications received for the site had also been updated and an unknown numbered condition omitted from the report. Lastly, an appeal decision for the Pines, Green Lane East, Normandy had been summarised. The appeal was relevant to the determination of this application as, in short, the Inspector considered that, despite the Council demonstrating that Guildford Borough Council had five year's worth of sites, none were currently available and as such, the occupants of that site, if that appeal were to be dismissed, would likely have to resort to a roadside existence or would need to double up on another pitch which would likely result in issues arising from overcrowding. Inspectors took

into account the best interests of the children on the site, and this provided the very special circumstances that outweighed the harm to the Green Belt when considering whether to grant temporary planning permission.

The site was located within the countryside beyond the Green Belt and was located on the border with the Green Belt, Surrey Hills Area of Outstanding Natural Beauty (AONB) and Area of Great landscape Value (AGLV). The site was also in the Blackwater Valley strategic Open Gap and was located within 400m to 5 kilometres of the Thames Basin Heath Special Protection Area (TBHSPA). It was also clarified that the site should not be confused with the adjacent site as there had been previous applications associated with it. The application site was now outside of the ownership of Ipsley Lodge Stables.

The site was accessed via the Hog's Back and used an existing access, which also served the pitches on the adjacent site to the south and east. An access road was provided along the southern end of the main part of the site to access each of the four pitches. The nearest residential sites were located to the south-west, south and east, with a small number of outbuildings close to the site. The four pitches would be served via the access which was shared with Ipsley Lodge Stables. Each pitch would have a central access, with an area of landscaping either side with a mobile home, a touring caravan and a day room located towards the northern half of the site. Additional planting was proposed as part of the proposal across the site.

The distance from the site to the urban area was 340 metres or a 15- minute walk along the pavement. The elevations and floor plans of the proposed day rooms would be five metres wide and three metres deep.

In conclusion, the Council had conducted a full balancing exercise and concluded that full planning permission should not be granted in reaching this conclusion. However, taking into account the personal circumstances of the occupants on site and taking into consideration the best interests of the children, it was considered that a temporary and personal permission should be granted in order for sufficient time to pass for the provision of all of authorised sites subject to the imposition of conditions and a legal agreement to secure the necessary mitigation against the impact of the proposed development on the integrity of the Thames Basin Heaths Special Protection Area (TBHSPA).

The Chairman permitted Councillor Tony Rooth to speak in his capacity as the ward councillor for the adjacent ward, Pilgrims.

The Committee considered a request by Councillor Paul Spooner that a site visit was held in respect of this application. The reasons given were in relation to being able to see the views in and out of the Area of Outstanding Natural Beauty (AONB). A site visit would also give members the opportunity to understand how isolated the site was as it was felt it was actually quite some distance from the local retail centre and schools. It was a rural area and the adjacent ward, The Pilgrims was very rural and it was therefore important to understand the application in that context. Policies P1, P3, H1, D1 and G5 as well as the PTTS were cited in support of the recommendation.

The Committee noted that the request for a site visit was seconded by Councillor Marsha Moseley.

The Senior Planning Officer, Lisa Botha confirmed that in her opinion the position of the mobile homes could not be seen from distant views. The benefit of a site visit in terms of viewing the impact upon neighbouring amenity was therefore doubted.

The Committee also noted comments regarding the limited benefits of a site visit, given the report and photographs provided as part of the presentation were already clear. The main consideration was the rights of the children who were in education and if those considerations over-rode the extent of giving it a temporary and personal planning permission.

The Committee finally noted that members had attended a site visit some 5-6 years ago on this site and it was felt that a new visit would be of benefit to all.

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

RESOLVED that a site visit was held in relation to application 22/P/00738 on Monday 27 March at midday. The application would next be considered by the Committee at its meeting on Wednesday 29 March 2023.

**PL8 22/P/00998 - LAND TO THE REAR OF 168, THE STREET, WEST HORSLEY,
KT24 6HS**

The Committee considered the above-mentioned full application for extension of a detached self-build / custom build dwelling with associated garaging and new access on land to the rear of Dytchleys, 168 The Street.

The Committee received a presentation from the Senior Planning Officer, Katie Williams. The proposal was for the erection of a detached self-build dwelling with associated garaging and new access on land to the rear of Dytchleys, 168 The Street. The site was within the settlement boundary of West Horsley and inset from the boundary with the Green Belt. To the east of the site was the boundary and it was also within the 400 metre to five kilometres TBHSPA buffer zone. As existing, it was an overgrown open area, forming part of the garden of 168, The Street. It was bounded by dwellings to the north and south and open countryside to the east. A recent application 21/P/00182 for three dwellings on the site was refused on the grounds that the number of dwellings, along with their associated scale, would appear out of character and would not achieve a transitional edge to the village.

The proposed dwelling would be a two storey, detached dwelling sited approximately 33 metres to the east of number 168, which itself was sited adjacent to the street. The proposed dwelling would be 7.3 metres in overall height with excavation works, setting the building down from the surrounding dwellings, it would be of an Arts and Crafts style with traditional materials such as brick and clay tiles, with an oak framed double height porch. The proposed dwelling would provide 4 bedrooms and a further single storey detached garage in front to the north-west of the principal elevation, providing two designated parking spaces. There would also be additional space for parking on the driveway to the front of the house. Access would be provided off the street with a new access driveway running between number 168 and number 164 The Street.

The dwelling would comply with the nationally described space standards in terms of room, sizes and overall floor area. The existing tennis court, boundary hedging and trees would be largely retained. The bin collection point would also be provided adjacent to the highway and the County Highway Authority had confirmed no objections to the proposal. Several trees were proposed to be removed to accommodate the access these were rated to be the category of lower quality, and no objection has been raised by the Council's Tree Officer subject to recommended conditions. A landscaping condition was recommended to ensure appropriate landscaping to include new tree planting within the site if the application was approved. Some additional biodiversity enhancements had been suggested in the ecology report, and this could be secured by condition. The site was within Flood Zone 1 and was considered to be at low risk from surface water flooding. Sustainability measures were also recommended to be

secured by condition and section 106 has been drafted to secure the required SANG and SAMM contributions.

In conclusion, there was no objection to the principle of development and the proposal would deliver a net increase of one new four-bedroom dwelling in a sustainable location, the development would not harm or affect the character or appearance of the surrounding area and would not materially impact on neighbouring amenity.

There were also no concerns in terms of adverse impacts on the highway on highway safety or the Thames Basin Heath SPA. The application was therefore recommended for approval, subject to recommended conditions and the S106.

The Chairman permitted Councillor Catherine Young to speak in her capacity as ward councillor for three minutes.

The Senior Planning Officer, Katie Williams confirmed in relation to points raised by the ward councillor that there was no such thing as housing being surplus to requirements. The overriding objective of the NPPF was to boost the supply of housing overall.

The Committee considered concerns raised regarding why the proposal which appeared to be a backland development was recommended for approval when previously planning policy did not support such applications. The West Horsley Neighbourhood Plan should also be given appropriate weight. Having a six and a half year housing supply should be a safeguard against inappropriate developments.

The Committee also noted comments that the application site was not located in the Green Belt. The proposal was considered to be acceptable given it was for one property albeit with four bedrooms. The Committee noted doubts of how it could be demonstrated that significant harm would be caused through a back garden development for one unit.

The planning officers commented that the development plan was the primary principal planning consideration. The objective of the NPPF remained, subject to conforming with other policies in the plan. Therefore, some weight had to be given to the contribution of an additional dwelling but it did not mean that it could not be outweighed by other considerations. In addition, it was the planning officers view that a detailed assessment had been carried out of why the proposal was considered to be in character with its surroundings. This was

mainly because it followed a similar line to the two adjacent dwellings. In relation to other examples of other applications, it's important to stress that the Committee had to look at each application on its own merits, assessing the context and characteristics of the site in relation to the immediate surroundings.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	David Bilbe	Absent		
2	Fiona White	X		
3	Maddy Redpath	X		
4	Liz Hogger	X		
5	Ramsey Nagaty		X	
6	Pauline Searle	X		
7	Angela Gunning	X		
8	Angela Goodwin	X		
9	Marsha Moseley	X		
10	Colin Cross			X
11	Jon Askew	X		
12	Paul Spooner	X		
13	Chris Blow	X		
14	Bob McShee			X
	TOTALS	10	1	2

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

RESOLVED to approve application 22/P/00998 subject to a Section 106 Agreement securing appropriate SANG and SAMM mitigation payments.

PL9 22/P/01050 - WEYSIDE URBAN VILLAGE (SLYFIELD REGENERATION PROGRAMME), SLYFIELD GREEN, GUILDFORD, GU1

The Committee considered the above-mentioned reserved matters application pursuant to outline permission 20/P/02155 permitted on 30/03/2022, to consider appearance, means of access, landscaping, layout and scale in respect of the erection of a new GBC Depot, Multi Storey Car Park, MOT Test Centre and sprinkler tank compound with associated external areas of hard and soft landscaping, parking and storage. (EIA Development).

The Chairperson, Councillor White wished to point out, so to avoid any conflict of interests, and to comply with the 1992 Regulations, Guildford Borough Council had, firstly, a corporate team that had worked on the development of the proposed scheme and secondly, the local planning officers who had undertaken negotiations with the applicant, both pre and post submission of this application, assessed the proposed development prepared the Committee report and formed a recommendation on the application, similarly, no committee member taking the decision on this application had participated in the negotiation and agreement of the proposals.

The Committee received a presentation from the Senior Planning Officer, Jo Chambers. The application was a reserved matters application in respect of the proposed new council depot at Weyside Urban Village. The application site formed part of site allocation, A24 Slyfield Area Regeneration Project now referred to as Weyside Urban Village, located on the western side of the River Wey, approximately 2 kilometres north of Guildford town centre. The site was bounded on the west by residential areas and to the north and north-west by the Slyfield Industrial Estate. The River Wey ran along the eastern boundary. Hybrid planning consent was granted for the development comprising 1,500 new homes and supporting community and employment uses in March 2022.

The existing Woking Road Depot was located in the southern part of the site adjacent to the existing Thames Water sewage treatment works. Both facilities were required to be relocated to facilitate redevelopment of the area. The new depot site was located in the north eastern part of site. The application site adjoined the new Thames Water sewage treatment works to the north and the future Surrey County Council waste transfer sated stations. to the south, the site was bounded with an existing woodland belt, which extended to the north around the sewage treatment works, with an area of green space and the River Wey. Beyond the access to the new depot a newly constructed road provided access to the industrial estate from the junction with Woking Road. The transport assessment indicated that the proposed development may result in additional traffic on this junction, but the Highway Authority did not consider the potential impact to be severe and had recommended a number of conditions to be imposed in any permission granted, in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport.

The principle of development had been established through the hybrid consent, and the application sought reserved matters approval only in respect of appearance means of access, landscaping, layout and scale. The design had been developed to meet operational requirements and would enable the

rationalisation of council services on a single site. It represented an efficient use of the site and the designers responded positively to site constraints and conditions.

The development comprised a new depot building including ancillary offices and conference training facilities for the council and multi-storey car parks in the north of the site including storage. An MOT test centre and sprinkler tank compound to the west and associated external areas of hard and soft landscaping parking and storage, which, by the nature of the development, were obviously quite extensive. The multi-storey car park would provide a total of 361 spaces for council vehicles, staff and visitors as well as storage, space and public car parking to replace the existing on-street spaces which would be displaced by the proposed and controlled parking zone on Woodlands Road, Slyfield Green which will be implemented as part of the wider development the building is within.

The depot building was within the maximum height parameter of 16 metres, however, the highest car parking deck, the multi-storey car park was 15.3 metres. The highest part, comprising the lift, extended to 17.3 metres and therefore exceeded the maximum height parameter by 1.3 metres. Planning Officers had explored with the applicant potentially reducing the height, but this would breach building regulations and fire safety regulations. As the height falls within the worst case parameters assessed in the original environmental statement, it was unlikely that there would be any new or different effects that would impact landscape, townscape and visual impact.

The existing woodland belt along the eastern boundary of the site provided an important screen to the River Wey and adjoining open spaces. Detailed design determined there would be a requirement for some limited loss of trees as a result of site levelling, however, the majority of the plantation woodland would be retained and the loss of a small proportion of this habitat did not affect the functionality of the woodland as a landscape feature nor its use by wildlife such as bats.

Concerns had also been raised by the local amenity groups about the impact of floodlights and at the top level of the multi-storey car park will permit car headlights to shine a look across the nature reserve into residential properties on Bowes Lane. The lighting strategy was acceptable in principle, but further details would be required to be submitted and approved, taking into account concerns regarding light spill and the need to minimise impacts of lighting, an appropriate condition was recommended. T

The design of the buildings reflects the industrial character of the area. The size of the buildings had been determined by operational requirements and officers, considered the size and massing to be acceptable within the framework of the hybrid planning consent.

Concerns had been raised by the Guildford Society about the visual impact of a relatively industrial development which borders countryside and is close to the River Wey. Planning Officers had considered this and were of the view that further consideration could be given to the materiality and colour of the building, to minimise visual impacts and different cladding designs and colours should be assessed. A condition was therefore proposed to require details of materials and sample cladding panels to be submitted and approved by the Local Planning Authority. The Burpham Neighbourhood Forum had also raised concerns about the limiting scope of the landscape masterplan. However, it's noted there's limited opportunity for on street planting and landscaping because of the operational requirements of the Depot. Provision had been made for grassland, landscaping around the entrance to the site and some limited native trees and shrub planting to enhance biodiversity value. In addition areas of brown and blue roofs were proposed on the top of the buildings to enhance biodiversity value details of these will be subject to condition. The application was also supported by detailed biodiversity mitigation enhancement plan.

The new depot would provide bespoke state of the art facilities for the departments, and services would be relocated there. A major upgrade in the quality of the facilities for staff and delivery of services to the local community the new facilities would also provide benefits in terms of environmental performance. The proposed energy strategy said the site would result in savings of 86% against the baseline building using gas stick fired boilers, representing a major improvement above Policy D2 requirements.

In conclusion, the development would facilitate the delivery of the Weyside Urban Village and associated public benefits. It was considered that concerns raised regarding the visual impact of the development could be minimised by the imposition of conditions relating to materials, landscaping and biodiversity enhancement and any residual impacts would be outweighed by the significant benefits of the scheme. The officer recommendation was to grant permission subject to the conditions set out in the report and the additional informative in the late papers.

The Committee considered the application and noted comments that they were pleased to see the proposed controlled traffic zone in Woodlands Road and a vastly improved sewage works. Clarification was sought on what the brown and

green roofs related to and who was going to oversee the health of the trees proposed to be planted as well as be responsible for their replacement.

The Planning officer confirmed that the multi-storey car park had been oversized to allow for additional parking to meet the needs of the staff so to avoid parking on residential roads. Brown and green roofs related to incorporating environmental enhancements within the building by creating additional planting for example. With regard to the replacement planting, the Parks Department was moving to the site and so it would be Guildford Borough Council's responsibility to maintain the standard condition about replacement of trees if they died and an additional condition had been included in this regard. With regards to the woodland belt, which was very similar to the condition on the Thames Water sewage treatment works which will enable them, a review of the planting after a five-year period was required to see whether any further enhancement was needed. It was recognised that the buffer created a really important screen. The whole point of the facility was the replacement of the existing facilities, including the existing Woking Road Depot and Nightingale Road with an element of space to allow for future expansion, so it could meet the needs of the council the next 5-10 years.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	David Bilbe	Absent		
2	Angela Gunning	X		
3	Pauline Searle	X		
4	Maddy Redpath	X		
5	Bob McShee	X		
6	Ramsey Nagaty	X		
7	Jon Askew	X		
8	Angela Goodwin	X		
9	Chris Blow	X		
10	Fiona White	X		
11	Paul Spooner	X		
12	Marsha Moseley	X		
13	Liz Hogger	X		
14	Colin Cross	X		
	TOTALS	13	0	0

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

RESOLVED to approve application 22/P/01050 subject to the conditions and reasons as detailed in the report.

PL10 21/P/02036 - LAND ADJACENT TO 12 OAK HILL, WOOD STREET VILLAGE, GU3 3ER

Councillor Colin Cross chaired the following item, as agreed by the Committee, owing to the Chairman's disclosure of a personal interest in this application. Councillors Fiona White, Liz Hogger and Pauline Searle all left the room for the consideration and vote taken in relation to the application owing to the personal interest declared.

The Committee considered the above-mentioned outline application for the erection of a 4 bedroom detached house on land adjacent to 12 Oak Hill to assess the access, appearance, layout and scale.

The Committee received a presentation from the Senior Planning Officer, Katie Williams. The application site was a vacant plot of land to the eastern end of Oak Hill, the site was within the urban area of Guildford and was also within the 400 metre to five kilometres buffer zone of the Thames Basin Heath SPA. The site was tree covered and was afforded a Tree Preservation Order Protection on the 26th of April 2022. The Order was confirmed without modification, on the 25th of October 2022. The existing dwelling and garden at 12 Oak Hill was located to the west. There was also an industrial yard to the east of the site.

The proposal would result in the removal of a significant number of trees, the majority B-grade to facilitate the access, the footprint of the property and to provide usable amenity space. The Council's Tree Officer had objected to the application. The tree survey plan submitted with the Arboricultural Report showed the extent of the tree removal proposed. There was also concern regarding the proximity of the trees to be retained, the proposed development in terms of future pressure for tree works and subsequent adverse impact on the trees.

In conclusion, the application was subsequently recommended for refusal due to the impact on the TPO trees. The proposed development would result in the removal of a significant number of trees, with the majority of which a B grade afforded TPO protection. In order to facilitate the new access, the dwelling and provide amenity space as such, the proposal was concluded to be contrary to

British Standard 58 37 2012 and Policy D1 of the Local Plan. A reason for refusal was also included relating to the Thames Basin, Heaths SPA, without the completion of a legal agreement to secure the required SANG and SAMM contributions, the proposal would fail to comply with the Council's Thames Basin Heaths, SPA strategy.

The Committee considered the application and noted that the track leading up to the house was a private road which could prove to be restrictive if building works were to take place for local residents. The Committee agreed with the officer recommendation to refuse owing to the impact the application would have on a large number of TPO trees.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Fiona White	Personal interest did not vote and was not present		
2	Maddy Redpath	X		
3	Angela Gunning	X		
4	Paul Spooner	X		
5	David Bilbe	Absent		
6	Jon Askew	X		
7	Chris Blow	X		
8	Marsha Moseley	X		
9	Bob McShee	X		
10	Ramsey Nagaty	X		
11	Colin Cross	X		
12	Angela Goodwin	X		
13	Pauline Searle	Personal interest did not vote and was not present		
14	Liz Hogger	Personal interest did not vote and was not present		
	TOTALS	10	0	0

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

RESOLVED to refuse application 21/P/02036 for the reasons as detailed in the report.

PL11 APPLICATION DEFERRED: 22/P/00367 - THE FIRS, ASH GREEN ROAD, ASH, GUILDFORD, GU12 6JJ

The above application was deferred owing to needing more time to consider the application and needing to make further engagement with consultees with regard to the culverting of the water course.

PL12 PLANNING APPEAL DECISIONS

The Committee noted that there was a lot of appeals and reflected the backlog by the Planning Inspectorate. In addition, a lot of those appeals had been allowed and the Committee were concerned that it represented a worrying trend.

The summary of the appeals was quite lengthy and the Committee supported a review of how the information would be best presented.

The meeting finished at 9.10 pm

Signed

Date

Chairman

Planning Committee

29 March 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

21/P/02333 – (Page 21) – Land south and east of the Cathedral Church of the Holy Spirit, Stag Hill, The Chase, Guildford, GU2 7UP

The applicant and third parties have submitted the speeches they would have given if the item was eligible for public speaking. These have been treated as comments on the application and any new matters have been summarised below and should be read in conjunction with the summary in the officer's report.

5. Proposal. (page 33)

5.9 Further to the assessment from Amanda Reynolds, AR Urbanism published on 06.03.2023, the applicant has made a response dated 24.03.2023; comments on the officer report dated 24.03.2023 and further comments dated 28.03.2023, in summary:

- Has not reviewed the supporting landscape documents
- Makes efficient use of land to reduce pressure on the Green Belt
- Houses require more land than flats
- Subjective opinion on quantum on housing
- Site allocation not a cap
- Hillside not easily accessible
- Site accessible by various modes of travel and wheelchair/less able bodied

- incorrect in their interpretation as to the extent of the land being described as “not to be built upon”, on the 1954 Maufe plan
- Wider landscape benefits
- All application documents and Design and Access statement should be read as a whole and not in isolation
- Rationale for clergy housing to the north of the Eastern Meadow
- Highway design on Eastern Slopes achieve technical requirements and design matters
- Link to Old Court Road discounted
- New trees and orchard to mitigate loss of green space
- Tree removal justified
- Sufficient car parking to avoid overspill parking
- Design approach and accommodation provision of clergy housing response to needs and feedback
- Reduction in mass would reduce visibility to apartment blocks
- Roof forms varied and to allow space for solar panels and green roofs
- The palette of materials has tone variation to not compete with the Cathedral
- Buildings on the Western Parcel reflect housing on Alresford Road
- Principle of development acceptable
- Weight to endowment as a planning benefit should be significant
- Sensitive designed
- Cathedral would continue to be dominant on the hilltop
- Design is subjective
- Impact on viewpoint in SPD not a previous reason for refusal
[officer comment: the SPD was adopted in 2019 after the decision on the previous scheme]
- View can still be seen from other parts of the meadow
- Meet under delivery of affordable homes
- Deliver much needed affordable housing
- Substantial public benefits from response to climate change
- Substantial financial contributions secured by S106
- Substantial public benefits from surface water management
- Contribute to housing land supply in next five years

- Developer would retain stewardship of the land
- Responded to extensive engagement process

A letter was received from the Dean of Guildford dated 16.03.2023. Requesting a deferment until June 2023 to respond to consultees comments and officer recommendation for refusal.

[officer comment: there are fundamental concerns that cannot be overcome through amendments to the current scheme, therefore there is no reason to delay the decision on the proposed development]

9. Consultations.

9.1 Historic England: (page 36) additional comments

- no Conservation Plan submitted
- funding details for repairs achieved and delivered in a transparent way

9.31 Friends of Stag Hill (FOSH): (page 42) additional comments:

- Cathedral did not provide all information available when promoting the site allocation regarding the history of the site
 - Relying on superseded comments from Historic England
 - ‘privatisation’ of open amenity green space
 - drainage improvement would not justify development
 - unsubstantiated risk to the Green Belt
 - historic significance of land surrounding the Cathedral
 - homes for Cathedral staff not a type of affordable housing
- [officer comment: the Housing Development Lead has assessed the proposal and is satisfied these constitute affordable housing]

9.40 SAVE Britain’s Heritage: (page 46) object and have raised the following matters:

- harm to setting of a heritage asset
- some benefit from restoration of treeline to processional routes
- public benefits do not outweigh the harm
- Out of character – density scale, massing and materials
- Clergy housing does not relate to the Cathedral
- Harm to views
- Lack of financial justification including the endowment

10. Third party comments.

10.1 288 letters of representation have been received relating to the proposal. Following the publication of the report these additional objections and repeat those reported. (page 46)

10.2 24 letters of representation have been received which raise the following additional matters in support of the application (page 46):

- Endowment for the Cathedral
- Sustainable location
- Good design
- Improvement to surface water flooding risk
- Improved public realm
- Housing choice
- Improved connectivity
- Houses not all flats

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Two further letters of objection have been received raising the following objections / concerns:

- It is not an allocated site (Officer note: this would not prevent the submission of a planning application the site)
- Impact on the character of the area sited directly adjacent to a number of properties and very close to town
- The site is equestrian and adjacent to SANG and opposite AONB
- There have been a number of other applications on the site for the same change of use of the land
- It would set a precedent for the site to be redeveloped (Officer note: the use of the land would revert back to agricultural use after 5 years should permission be granted for the temporary use of the land as recommended)
- The development is retrospective

- Work has been carried out on site after the injunction was placed on the site (Officer note: this is a matter for enforcement officers)
- Objections for the previously submitted applications should be taken into account (Officer note: objections received on other application can not be considered against the current proposal)
- The S106 payment is hugely outweighed by the damage and precedent that would be set (Officer note: the requirement to pay a legal agreement to mitigate against the impact of the proposed development on the Thames Basin Heaths Special Protection Area does not add weight in favour of the proposal, but would be necessary for an approval to be granted)
- Caravans should be taken off the land for 6-8 weeks each year
- The site address has changed from Ipsley Lodge (Officer note: the site has been sold off and separated from Ipsley Lodge and no longer forms part of it)
- The Council has a housing land supply for traveller sites so there is no justification (Officer note: there are currently no pitches available)
- There is an injunction on the land, and this has been breached by works carried out to the wall and gate pillar (Officer note: these works were carried out outside of the applicant's ownership)
- Highway safety concerns, increased traffic and fuel emissions (Officer note: no objection has been raised by the County Highway Authority)
- Incongruous and detract from the countryside and the setting of the Surrey Hills AONB and AGLV (Officer note: no objection has raised by the AONB officer)
- Increased surface water run-off
- Insufficient infrastructure to support the proposal
- Unsustainable location (Officer note: the site is located a 15-minute walk from the urban area)
- Light pollution (Officer note: a condition is recommended to secure details of any external lighting)
- Litter and burning on site (Officer note: this would fall under the remit of Environmental Health)
- Businesses are run from the site (Officer note: this application does not seek any commercial use of the site; a separate planning permission would be required should any use of the land constitute a material change in the use of the land)
- Noise (Officer note: should there be a statutory nuisance, this would be dealt with by Environmental Health officers)

- Loss of an equestrian facility (Officer note: there are no policies to retain such facilities)
- Bins left by the roadside (Officer note: it is understood that the site has arranged private refuse collection)
- Impact on the Thames Basin Heaths Special Protection Area (Officer note: a legal agreement will secure the necessary mitigation to mitigate against the impact of the development on the Thames Basin Heaths Special Protection Area)