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Tom Horwood
Joint Chief Executive of Guildford and
Waverley Borough Councils

Dear Councillor

PLANNING COMMITTEE - WEDNESDAY 26 APRIL 2023

Please find attached the following:

Agenda No Item

Late Sheet - List of Speakers/Amendments and Corrections/Late Representations
(Pages 1 - 14)

Yours sincerely

Sophie Butcher, Democratic Services Officer

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Planning Committee

26 April 2023

List of Public Speakers

In accordance with the Council's adopted scheme to allow the public to address meetings of this Committee on planning and related applications and on site specific matters, the following persons have given notice of their wish to speak at this meeting on the applications/matters listed in the table below.

These applications/matters will be considered ahead of the other applications/matters on the Agenda and will be taken in the order indicated. Unless stated otherwise, the page number in the first column of the table refers to the page number on the List of Planning and Related Applications on the Agenda (Item 5).

In each case where an objector has given notice to speak, the applicant (or the applicant's agent) will have been informed and offered the opportunity to address the Committee in accordance with the scheme.

The Committee will deal with tonight's applications in the following order:

ITEM 5 – Planning and Related Applications

PAGE NO.	APPLN. NO	SITE	DETAILS OF SPEAKERS
65.	22/P/00990	13 Oxford Road, Guildford, GU1 3RP	1. Ms Helen Marshall (to object) via Teams 2. Mr James Deverill, MCA Architects (in support) 3. Mr Rafe Hill (in support) 4. Ward Councillor: John Redpath
81.	22/P/01083	Orchard Farm, Harpers Road, Ash, Guildford, GU12 6DE	1. Mr. Phil Buckley (to object) 2. Ms. Sue Wyeth-Price, AGRA (to object)

			<ol style="list-style-type: none"> 3. Mr James McConnell, McConnell Planning on behalf of Bellway Homes (in support) 4. Mr Jon Williams I-Transport (in support) 5. Ward Councillor: Jo Randall
149.	22/P/01831	Land to the rear of 164-176 New Road, Chilworth, GU4 8LX	<ol style="list-style-type: none"> 1. Ms Bridget Hayward (to object) 2. Mr Grant Martindale (to object) 3. Mr. Kevin Scott, Solve Planning (in support)
179.	22/P/01845	Abbotswood, High Park Avenue, East Horsley, Leatherhead, KT24 5DF	<ol style="list-style-type: none"> 1. Ms. Louise Entwistle (to object) 2. Mr. Lorne Vary (in support) 3. Ward Councillor: Catherine Young

Planning Committee

26 April 2023

Update/Amendment/Correction/List

22/P/01083 – (Page 81) – Orchard Farm, Harpers Road, Ash, Guildford, GU12 6DE

The date on page 85 relating to responding to the Planning Inspectorate should read 28 April.

Planning contributions and legal test -

paragraph 7.15.7 NHS (Health) (pg. 144): we note that the financial contribution sum sought remains pending information. We note that we may need to revert to the Chairman of the Planning Committee and lead Ward Member regarding resolution of this financial contribution. We have had a response from Frimley Health and Care ICS (26 April) regarding health financial contributions. They are to revert.

paragraph 7.15.12 SCC Education (pg. 145) the contribution sums should read: a) Early years contribution £46,446; b) Primary contribution £229,153; c) Secondary contribution £11,577: Total sum: £487,176

Following the Member's Site Visit (25 April), it was requested that the following Conditions and Informatives were added to the application (to follow on from pg. 103 and 106 respectively), namely:

(34) Path Link Works: no development above ground shall take place until details of the design, finish, materials, and lighting to be used for the pedestrian and cycle path links leading from the development to join up with the Wildflower Meadow development's path links, as illustrated on the Pedestrian and Cycle Path Links drawing (dwg. 111909-BEL-SL-LINKS01; December 2022) have been submitted to and approved in writing by the Local Planning Authority. The agreed details shall be constructed and implemented before the first occupation of the development and thereafter shall be retained for the lifetime of the development. The works shall, as a minimum, include:

- a. A raised 3.5m wide pedestrian and cycle asphalt or similar porous hard-standing surface pathway with edging and with low-level lighting as

illustrated in the Open Space Landscape Strategy report Figures 7.1 (Allen Pyke; December 2022);

- b. A timber or similar material bridge with railings over the stream, at a minimum width of 3.5m, designed to ensure free flow of water below the bridge at all times; and,
- c. Include the provision of the path link extensions from the development's site boundary across third-party land to connect with the Wildflower Meadows estate roads and including dropped kerbs as so required, as illustrated on the Pedestrian and Cycle Path Links drawing (dwg. 111909-BEL-SL-LINKS01; December 2022).

Reason: to ensure the continued use of the public right of way to promote walking and physical activity in accordance with NPPF §98 and §104 respectively, Manual for Streets (2007), and in accordance with Policy ID3(1)(2)(6)(8) of the Guildford Local Plan.

(35) Overhead Cables: before the commencement of the development hereby approved, a scheme for placing the existing overhead wires and cables underground shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include a timetable for the implementation of the works. The development shall only be carried out in accordance with the agreed details.

Reason: to ensure the public safety of the development in accordance with Policy ID1(1-5) of the Guildford Local Plan.

(36) Implementation: the development hereby approved shall not commence unless and until the Ash Road Bridge scheme (as approved through planning application 19/P/01460) construction contract has been engrossed and construction works have been commenced on site.

Reason: to ensure the delivery of essential infrastructure required to enable the development in accordance with Policy ID1(1-5) of the Guildford Local Plan.

(Additional) INFORMATIVES

(8) The Applicant is strongly encouraged as part of the Construction Transport Management Plan, to review alternative routes of temporary construction

access to the site to minimise such traffic on Harpers Road, and to review delivery of materials outside local peak traffic times to minimise local disruption.

(9) The Applicant should enter into a formal agreement with South East Water to provide the necessary fresh water infrastructure required to service this development. The extent of the network proposed for adoption will be addressed at detailed design stage and agreed with South East Water. Any remaining shared infrastructure will be maintained by an appointed management company. The Applicant is advised that prior approval and agreement must be obtained from Thames Water before any works are carried out

22/P/01831 – (Page 149) – Land to the rear of 164 – 176, New Road, Chilworth, GU4 8LX

Please find attached an appeal decision in relation to the above application.

Cllr Nagaty has requested plans be provided to show the development approved under application 21/P/01722, the building as constructed, and the proposed modifications under the current application 22/P/01845.



Dwelling as previously existing



As approved under application 21/P/01722



As constructed



Modifications under current application 22/P/01845

Key information:

Amended swept path analysis plan (received 17th April) to incorporate relocated bin collection point adjacent to the entrance to the site with New Road.

Planning considerations:

Correction to typo on Page 170:

*The proposal is for 100% two bedroom dwellings' corrected to 'the proposal is for 100% **three** bedroom dwellings'.*

Conditions:

Condition 7 (Electric vehicle charging):

Reason amended to:

Reason: To encourage the use of electric cars in order to reduce carbon emissions.

Condition 9 (Noise from railway):

Wording amended as follows:

Before the development commences the site allocated for residential housing shall be assessed for noise impact, arising from the operation of rail noise. The build and design of all residential dwelling living areas shall have regard to day and night noise recommendations and desirable external levels for garden areas as advised in BS 8233:2014 and World Health Organisation guidance.

Reason: In the interests of residential amenity

Condition 22 (LEMP / ecological enhancements)

Following further consultation with Surrey Wildlife Trust (SWT) it is considered that a fully detailed LEMP is not necessary for the site. The condition is subsequently revised as follows:

No development shall take place beyond slab level until a scheme, including a proposed enhancement plan, to enhance the nature conservation interest of the site and to demonstrate a net gain in biodiversity (based on the proposed impact avoidance, mitigation and enhancement measures specified in the Aspect Ecology report), has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved and maintained..

Reason: To increase the biodiversity of the site and mitigate any impact from the development.

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Appeal Decision

Site visit made on 4 July 2022

by **S Edwards BA MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 August 2022

Appeal Ref: APP/Y3615/W/21/3287773

Land to the rear of 164-176 New Road, Chilworth GU4 8LX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by BlackOnyx Projects Limited against Guildford Borough Council.
 - The application Ref 21/P/01761, is dated 10 August 2021.
 - The development proposed is formation of vehicular access and erection of 5 no. two storey dwellings on land to the rear of 164-176 New Road with associated parking and landscaping.
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Decision

1. The appeal is dismissed, and planning permission for formation of vehicular access and erection of 5 no. two storey dwellings on land to the rear of 164-176 New Road with associated parking and landscaping is refused.

Preliminary Matters

2. Amended plans¹, which did not form part of the planning application considered by the Council, were submitted during the course of the appeal. These relate to minor changes to the first floor internal layout of the proposed dwellings. Having regard to the Wheatcroft principles, I consider that these changes would not fundamentally alter the nature of the development previously consulted upon and considered by the Council. As such, I am satisfied that my consideration of these amended plans would not prejudice anyone's case in the appeal. I shall therefore determine the appeal on the basis of the submitted drawings, together with the amended plans.
3. The appeal was made against a failure to give notice of a decision on the planning application within the prescribed period. However, the Council have detailed their concerns within their submissions, and advised that, had they been in a position to determine the application, it would have been refused.

Main Issues

4. Having regard to the Council's putative reasons for refusal, the main issues are:
 - The effect of the proposal on the character and appearance of the area;

¹ BLAC210113 P.1-3p.01 Rev.B & P.4-5p.01 Rev.B.

- Whether the proposal would provide a satisfactory living environment for the intended occupiers of the development, having particular regard to the size of the accommodation; and
- The effect of the proposal on the living conditions of the neighbouring occupiers of nos 174 and 176 New Road, having particular regard to noise and disturbance.

Reasons

Character and appearance

5. The appeal site lies within an established residential area typically characterised by dwellings with clearly defined frontages to the street, and set within long but relatively narrow plots. The detailed design of the properties and spacing between buildings, together with the established landscaping, give the area a pleasant feel. Infill developments have also become an important aspect of the character and appearance of this area, and have generally been carried out in a comprehensive manner.
6. The site is adjacent to the railway line and currently forms part of the garden area of nos 174 and 176 New Road, which also extends to the rear of several other residential properties. The proposal would represent a significant intensification of development on the site, not only in respect of the number of dwellings relative to the size of the plot, but also the footprint of the buildings and hardstanding areas required for the provision of access and parking.
7. By reason of the restricted depth of the site and its overly complicated layout, some of the dwellings would sit tightly against at least one of their side boundaries. The dwellings would not benefit from front gardens and would have little defensible space. These various elements are symptomatic of a proposal which would lead to the creation of a cramped and congested form of development and cause significant harm to the surrounding area. The piecemeal approach of the scheme would also be evident, in that it would fail to have regard to the alignment and pattern created by other infill schemes which have been completed in the locality.
8. The harm would be exacerbated by the loss of vegetation required as part of the development, not only for the construction of the houses but also the creation of the vehicular access. The proposed built forms and hardstanding would leave limited scope for the provision of meaningful landscaping to soften the visual impact of the development. It is for instance regrettable that the main view from the driveway would be onto the side boundary of plot 5, which would also be surrounded by hardstanding. This is not a matter which in my view could be satisfactorily addressed by condition.
9. For these reasons, the appeal scheme would cause unacceptable harm to the character and appearance of the area and would therefore fail to accord with Policy D1 of the Guildford Borough Local Plan 2015-2034 – Adopted 25 April 2019 (the 2019 LP), Saved Policies G5 and NE5 of the Guildford Borough Local Plan 2003 – Adopted January 2003 (the 2003 LP). Amongst other things, these policies seek to ensure that all new developments achieve high quality design that responds to distinctive local character of the area in which it is set. Similarly the proposal would be contrary to paragraph 130 of the National Planning Policy Framework (the Framework) and the National

Design Guide, which seek to ensure that new developments function well and add to the overall quality of the area.

Living conditions – Intended occupiers of the development

10. The Council has raised concerns regarding the living environment which would be created for future occupiers of the development, having particular regard to the size of Bedroom 2, as shown on the proposed floor plans for the new dwellings. Policies H1 and D1 of the 2019 LP require new residential development to conform to the nationally described space standards as set out by the Government. The standard notably requires single bedrooms to have a floor area of at least 7.5 square metres.
11. The amended plans submitted by the appellant during the course of the appeal show minor alterations to the first floor internal layout of the proposed dwellings, which in effect increase the size of Bedroom 2. Whilst these changes would reduce the size of the bathroom for each unit, these would have no negative effect on the living environment which would be created for future residents. Accordingly, I am satisfied that the proposed houses would provide a satisfactory living environment for future occupiers, and thus find no conflict with Policies H1 and D1 of the 2019 LP.

Living conditions – Neighbouring residents

12. The proposed driveway would be adjacent to the side boundaries of nos 174 and 176 New Road and run along the entire length of their rear gardens. However, these neighbouring properties front a busy thoroughfare and their rear boundary is adjacent to the railway line. In this context and having regard to the available evidence, which includes a Noise Review, the additional vehicular movements generated by five additional dwellings would be limited. Noise levels associated with car movements would in all likelihood remain acceptable and relatively brief.
13. It is also reasonable to expect that some form of boundary treatment would be installed along the side boundaries of these neighbouring properties, which would to some extent soften noise levels. Overall, the appeal scheme would not therefore cause significant harm to the living conditions of the occupiers of nos 174 and 176 New Road, or affect the enjoyment of their rear garden, having regard to noise and disturbance. There would consequently be no conflict with Saved Policy G1(3) of the 2003 LP, which seek to ensure that the amenities enjoyed by occupants of buildings are protected from unneighbourly development, notably in terms of noise.

Other Matters

14. Various concerns have been raised by interested parties, notably in respect of the effect of the development on highway safety and the landscape character of the Area of Outstanding Natural Beauty and Area of Great Landscape Value, located beyond the railway line to the north of the site. These matters have been considered within the Council's submissions, who did not object in these respects. In the absence of substantive evidence to the contrary, there are no reasons for me to disagree.

Conclusion

15. The appeal scheme would make a contribution towards housing supply and choice, as support the local economy to some degree. However, these benefits would be outweighed by the harm caused by the proposal. There are no material considerations, which indicate that the appeal should be determined, other than in accordance with the development plan. For the reasons detailed above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

S Edwards

INSPECTOR

Planning Committee

26 April 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

22/P/01083 – (Page 81) – Orchard Farm, Harpers Road, Ash, Guildford, GU12 6DE

Since the publication of the Committee Report, a further single letter of objection has been received (against each application). We have reviewed both this application and the 22/P/02121 as the dual application has caused some confusion with the general public. Issues raised in the letter have already been raised by others and are addressed in the Report.

Reps have been received (26 April; 02h21) by Sue Wyeth-Price on behalf of Ash Green Residents Association (AGRA), issued via the Planning Chair to the Officers.

Reps have been reissued (26 April; 09h27) by Ash Parish Council. These have already been addressed in the Officer's Report (see paragraph 6.17; pg. 114).

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