

PLANNING COMMITTEE

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

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

*Present

PL1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Chris Barrass and Marsha Moseley. Councillors John Redpath and Jo Randall attended as substitutes respectively.

PL2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

There were no disclosures of interest.

PL3 MINUTES

The minutes of the Planning Committee meeting held on 30 November 2022 were approved and signed by the Chairman.

PL4 ANNOUNCEMENTS

The Committee noted the procedures for determining planning applications.

PL5 22/P/01151 - 20 PIT FARM, GUILDFORD, GU1 2JL

The Committee considered the above-mentioned full application for demolition of existing building and erection of three dwellings.

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

- Ms Anne Cheese (to object) and;
- Ms Felicia Cox (to object)

The Committee received a presentation from the Planning Officer, Lisa Botha. The application was recommended for approval subject to conditions and a legal agreement securing the necessary mitigation against the impact of the proposal on the Thames Basin Heaths Special Protection Area (TBHSPA). Additional conditions were also detailed on the supplementary late sheets to secure the

treatment of openings on the side elevations of the proposed dwellings. Page 32 also had the wrong block plan and the correct version had been included in the supplementary late sheets.

The site was located within the urban area of Guildford and was characterised by residential detached dwellings within sizeable plots, set back from the road, with off-street parking and front boundary treatments. The site comprised the majority of the existing plot of 20 Pit Farm Road. The plot had a detached building which had been subdivided into two units, a single garage and a further outbuilding. The existing buildings on the site would be demolished and replaced by a two-storey pair of semi-detached dwellings and a single detached dwelling. The two-storey dwellings would respect the building line of the road and would have a single storey element to the rear with green roofs. Two parking spaces would be provided for each unit and an integral garage would be provided for plot 3. The parking areas would be constructed with a grass crete surface, which would allow grass to grow through with soft landscaping. To the front of the properties cycle stores would be provided within the rear gardens.

In response to comments made by the public speakers, the planning officer, Lisa Botha confirmed that the application was not to retain the existing building and it was neither possible to protect it as it was not listed. There were some differences in terms of materials to be used and some impact upon neighbouring amenities would be experienced in relation to a reduced amount of sunlight but was only anticipated to occur in the late evening in the summer.

The Committee discussed the application and queried what an integral parking space was. It was confirmed that this was the garage space. 2.5 car parking spaces were recommended as per the supplementary planning guidance but was rounded down owing to the site being located in a sustainable area where other modes of transport existed.

The Committee noted concerns that the proposed development created too much of a wall of building that filled the site and created an artificial building line in that part of Pit Farm Road. The proposal represented a form of over-development that was against the spirit of the NPPF paragraph 130.

The Committee queried whether when the buildings proposed to be demolished would be undertaken with a licensed bat ecologist and if any of the conditions explicitly requested this.

The Committee noted further concerns raised that the proposal appeared very dense and looked cramped onsite with a continuous wall of buildings very close together. Concerns were also raised about rounding down the number of parking spaces required, given it was a proposal for a six-bedroom house and that one of those spaces was the garage when most people used garages for alternative uses rather than park a car in it. Concern was also raised about demolishing the building and officer input was required as to whether there was any merit in quoting paragraph 152 of the NPPF which related to supporting the transition to a low carbon future and shaping places which encourages the reuse of existing resources, including the conversion of existing buildings. The release of carbon when you demolish a building was of great concern.

In response to queries raised the planning officer, Lisa Botha confirmed that a condition could be added requiring that a bat licence would be required. In addition, a condition could be applied which required that the integral parking space in the garage was retained for parking and domestic storage only. If the applicant wished to convert the garage into residential accommodation in the future, they would therefore have to apply to the planning authority. It was also confirmed that as the building was not listed and it was not therefore possible to apply a policy in relation to the retention of the building. With regard to how sustainable and energy efficient the building was currently it was not possible to qualify nor explore the possibilities of retrofitting the existing house as that was not the application before the Committee. Therefore NPPF 152 was not a sufficient policy that could not be upheld at appeal.

The Committee noted further concerns that the proposal represented a form of over-development. The two buildings proposed were identical and was not in character with Pit Farm Road which was characterised by properties of differing appearances. It was considered that planning officers had not considered the Residential Design Guide 2004 which tries to give some protection to character and loose-knit late 19th and early 20th century housing. Developers should consider the possible conversion or extension of existing houses of character, in particular Victorian and Edwardian houses. Historic character, street layout, plot boundaries, spaces between building lines and adjoining buildings height, scale, form and bulk all need to be adequately assessed. The proposal was for two properties too close to each other that failed to respect the character of the area.

Further concerns were raised about the gap between the proposed dwellings and if planning officers could comment on the fact that the street scene looked idyllic with plenty of space when the block plan did not, and the Committee therefore queried if it was to scale. On page 40 it was noted that there was concern about the boundary with Knowle Cottage not being shown correctly. Concern was also expressed about the effects of climate change and carbon use by demolishing the Victorian house.

In response to queries raised by the Committee, the planning officer, Lisa Botha confirmed that the gaps to the boundaries along Pit Farm Road did vary and therefore there was not an established distance between each of the buildings to the side boundaries. It was 1.6 metres to Knowle Cottage, and Moonrakers was set at a lower level and was in line with rising ridge heights. In terms of the boundaries, the distances were not measured onsite by the planning officers. The application form required applicants to provide the correct information and declare that it was correct, but the Council did not have the resources to check all of these things and the applicant confirmed that everything within the red line was within their ownership. It was also confirmed that the character of the area had been assessed by planning officers who concluded that Pit Farm Road was comprised of varying properties of differing ages, styles and sizes and therefore the existing proposal did not need to comply with a specific character as well as the property being to scale.

A motion was moved and seconded to approve the application which was lost. (As Councillor Bilbe was not present for the entire debate regarding this application, he did not take part in the votes as listed below.)

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	Ruth Brothwell		X	
7	Pauline Searle		X	
8	Liz Hogger		X	
9	Maddy Redpath		X	
10	Jo Randall		X	
11	Colin Cross		X	
12	Angela Gunning		X	
13	John Redpath		X	
14	Paul Spooner			X
	TOTALS	2	10	2

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Fiona White	X		
2	Maddy Redpath	X		
3	Liz Hogger	X		
4	Ramsey Nagaty	X		
5	Pauline Searle	X		
6	Angela Gunning	X		
7	Paul Spooner	X		
8	Angela Goodwin			X
9	Jo Randall	X		
10	Colin Cross	X		
11	Jon Askew			X
12	John Redpath	X		
13	Chris Blow	X		
14	Ruth Brothwell	X		
	TOTALS	12	0	2

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

RESOLVED to refuse application 22/P/01151 for the following reasons:

1. By virtue of the combination of their scale, mass and height together with the proposed limited gaps to the side boundaries and between the two proposed buildings, the development would fail to comply with the established spacious character of the area and fail to comply with policies D1(1) and D1(4) of Guildford Borough Local Plan: Strategy and Sites 2015-2034, the Guildford Borough Council Residential Design Guide 2004 and paragraph 130 of the NPPF.
2. The proposal would fail to provide sufficient on-site parking spaces to serve the proposed development contrary to saved policy G5(8) of the Guildford Borough Local Plan 2003 and the Guildford Borough Local Plan Draft Parking Supplementary Planning Document 2022.
3. The site lies within the 400m to 5km zone of the Thames Basin Heaths Special Protection Area (TBHSPA). The Local Planning Authority is not satisfied that there will be no likely significant effect on the Special Protection Area and, in the absence of an appropriate assessment, is unable to 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). In this respect, significant concerns remain with regard to the adverse effect on the integrity of the Special Protection Area in that there is likely to be an increase in dog walking, general recreational use, damage to the habitat, disturbance to the protected species within the protected areas and road traffic emissions. As such the development is contrary to the objectives of 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 (LPSS) 2015-2034 and conflicts 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.

Informatives:

1. This decision relates expressly to drawing numbers: 0000-Block Location plan- P02 0001-Proposed Site plan- P03 0101-Proposed Floor Plans Plot 1-2- P02 0102-Proposed Floor Plans Plot 3- P01 0301-Proposed Elevations Plot 1-2- P02 received on 06/10/22 and 0303-Proposed Street Scene- P03 and 0304-Proposed Elevations Plot 3- P02 received 28/11/22.
2. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:
 - Offering a pre application advice service.
 - Where pre-application advice has been sought and that advice has been followed, we will advise applicants/agents of any further issues arising during the course of the application.
 - Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process. However, Guildford Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application is required.

Pre-application advice was not sought prior to submission and alterations were required to overcome concerns, these were sought, and the applicant agreed to the changes.

PL6 22/P/00706 - WHITE TIMBERS, FOREST ROAD, EAST HORSLEY, KT24 5ER

The Committee considered the above-mentioned full application for retention of the car port with cantilevered canopy and gable roof together with the existing patio area (retrospective application).

The Committee received a presentation from the planning officer, Kieran Cuthbert. The proposal was for a retrospective application for the retention of a car port at the front of the dwelling of White Timbers. The application had been called to Committee due to receiving more than 10 letters of objection. The site was located on Forest Road which was in the northern side of the East Horsley Village area, inset from the Green Belt. There were no planning constraints on the site. The carport would extend out from the front of the dwelling at a depth of 10.5 metres which included the hardstanding area. The carport had a simple pitched roof with gable ends and was of a modest height with eaves set below the single storey element.

The Committee noted that an important material consideration was that the previous application recommended for refusal had been approved at appeal. The scale of the proposed car port previously approved would be the same as that of the appeal scheme. The hardstanding section of this application was part of the main car port, and as such this proposal would be smaller than that already approved. The appeal Inspector stated that the proposal would appear sufficiently subservient given its modest scale and relationship with the main dwelling. Given the site had an approval granted for a larger scheme, as per the recent appeal decision, refusal of the proposal would be contrary to the appeal Inspector's decision and as such was therefore recommended for approval.

The Committee discussed the application and agreed that given the extant permission already existed for the previous scheme that the proposal should be approved. The Committee noted that the application had received at least 14 objections, including from East Horsley Parish Council. The Ward Councillor had raised concern that she did not receive a 7-day notification. The planning officers confirmed that the trigger point for the scheme had already been met by the number of objections received and it therefore did not need to go on the 7-day notification list.

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

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

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

RESOLVED to approve application 22/P/00706 subject to the reasons and conditions as detailed in the report.

PL7 22/P/01330 - 1 FOWLERS CROFT, COMPTON, GUILDFORD, GU3 1EH

The Committee considered the above-mentioned full application for subdivision of the existing plot and erection of a detached two-storey dwelling with rooms in the roof.

The Committee received a presentation from the planning officer, Kieran Cuthbert. The proposal was for a new dwelling in the centre of the village within the Compton Conservation Area. The application had been called in by the ward councillor. The proposal would be sited on the street in the centre of the settlement area and was within the Green Belt. Limited infilling in the Green Belt was an exception of the NPPF as long as the site was within the settlement boundary. The supporting text to policy P2 outlined that limited infilling included the infilling of small gaps within the built development and that it should be appropriate to scale and not have an adverse impact on the character of the countryside or local environment. In this instance, the planning officer had concluded that the site was in a small gap and as such limited infilling would apply. The existing access would be retained, and parking provided for both dwellings. The dwelling would have a separation distance of 2.5 metres and 2.1 metres respectively. The dwelling would also be set back from Oak Lodge and set slightly in front of 1 Fowlers Croft. The dwelling would be two-storeys with a habitable loft space. The roof would have a flat top with hipped elements. The dwelling was similar in character to many of the surrounding properties. The dwelling did fit into the gaps in the existing built form and the design was similar to that of the neighbouring dwellings. There were also no conservation concerns and the Surrey Highways Authority had raised no concerns. The application was therefore recommended for approval.

The Committee discussed the application and noted concerns raised regarding the proposed development being out of character with the general area. The existing properties are mostly old, in a Conservation Area and in the Green Belt. The gap that was being infilled was a driveway. Previously,

the plot had a large garden and the applicant applied for planning permission to construct a number of houses which was refused. The end of the garden was then sold, and a house was built on that land. This additional house was considered to be a form of over-development. In addition, concerns were raised regarding reversing vehicles off a very steep drive onto an already busy road where a number of accidents had occurred in the last three years including a death. The site was also located in the Compton Air Quality Management Area (AQMA).

The Committee noted comments that the proposed scheme fitted well into the streetscene, and the design was of a high standard. It was also noted that the County Highway Authority had not submitted any objections to the scheme despite the dangerous road.

Clarification was sought from planning officers that the site was located outside of the Compton AQMA as stated on page 57 of the report.

The Committee noted that some Planning Committee members had attended a site visit for this application the day previously. It was noted that the proposed development with the houses on either side did constitute limited infilling as there was a clear gap between the two houses. Unless a huge property was to be built, there was plenty of room to put another dwelling in the gap and it was in line with the existing dwellings.

The planning officers confirmed that the site was located outside of the Compton AQMA but was close to it. However, the impact of one additional dwelling on the AQMA was not considered to have a significant impact upon it.

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

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

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

RESOLVED to approve application 22/P/01330 subject to the conditions and reasons as detailed in the report. (post-meeting note: the planners have confirmed that the site was not within the 400m – 5km SPA buffer zone and as such no Section 106 is required, as was previously stated in the report).

PL8 PLANNING APPEAL DECISIONS

The Committee noted the planning appeal decisions and that a number of non-determination were listed as well as a number that had been withdrawn.

The Committee noted that two of the appeals related to Berkeley Homes at no.15. Appeal B for the Howard of Effingham School, Lower Road, Effingham, KT24 5JR stated that the decision had been delegated to refuse. However, that was not the case, the Committee had over-turned the officer recommendation to approve and refused the application. The Planning Inspectorate agreed with the Planning Committee and upheld the refusal.

PL9 APPLICATIONS 22/P/01336 AND 22/P/01337 - LAND BOUNDED BY THE FRIARY BUS STATION, NORTH STREET AND LEPALE ROAD, GUILDFORD, GU1

The Committee noted, as detailed on the supplementary late sheets the following:

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

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

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

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

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

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

The Chairman, Councillor White clarified for the Committee that it was not debating any aspect of applications 22/P/01336 or 22/P/01337. Gemma Fitzpatrick, Interim Team Leader was invited to make an introductory statement.

Councillor Spooner was invited to make a three-minute speech in support of his request that application 22/P/01336 was deferred to full Council for determination in its capacity as the Local Planning Authority. He stated that it had been ten years since he last brought forward such a motion owing to the application being very important for both the borough and town and therefore necessary for full Council to ultimately determine it.

Councillor Bilbé who seconded the motion stated that it was a highly topical subject and was going to be a popular debate. Many people wished to comment on the application in the town centre and in the spirit of transparency wished for the application to be considered by full Council.

The Committee debated the motion and noted comments that the Council had appointed the Planning Committee to determine such applications. Planning Committee members had the expertise to look at applications in detail and attended training sessions to qualify their knowledge. There was concern that some councillors who did not sit on the Planning Committee might not have attended any training in relation to planning to date and would therefore need to attend appropriate training prior to the consideration of the application. Some councillors may have already pre-determined their decision meaning that they would be unable to take part in the debate.

The Committee also noted concerns regarding putting the Mayor in the situation of having to chair a meeting of Council which had convened to consider such an application when he had no previous experience of chairing meetings that considered planning applications.

The Committee RESOLVED to refuse the motion to request that applications 22/P/01336 and 22/P/01337 be deferred to full Council. Both applications would therefore be considered at the Special Planning Committee meeting on 11 January 2023 at 7pm.

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

The meeting finished at 8.50 pm

Signed

Date

Chairman