

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE MEETING OF THE JOINT PLANNING COMMITTEE
1ST AUGUST 2012

SUBMITTED TO THE COUNCIL MEETING – 16TH OCTOBER 2012

(To be read in conjunction with the Agenda for the Meeting)

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|----------------------------|------------------------|
| * Cllr Brian Ellis | * Cllr Carole King |
| * Cllr Peter Isherwood | Cllr Nicky Lee |
| Cllr Stella Andersen-Payne | * Cllr Bryn Morgan |
| * Cllr Maurice Byham | * Cllr Stephen O'Grady |
| * Cllr Elizabeth Cable | * Cllr Julia Potts |
| * Cllr Mary Forszewski | Cllr Stefan Reynolds |
| Cllr Pat Frost | Cllr Brett Vorley |
| * Cllr Richard Gates | Cllr Jane Thomson |
| * Cllr Michael Goodridge | * Cllr John Ward |
| * Cllr Jill Hargreaves | * Cllr Liz Wheatley |
| Cllr Stephen Hill | * Cllr Nick Williams |
| * Cllr Simon Inchbald | |

***Present**

Other Councillors in attendance: Councillors Roger Steel, Carole Cockburn, David Munro and Paddy Blagden.

6. MINUTES (Agenda Item 1)

The Minutes of the Meeting held on 8th May 2012 were confirmed and signed.

7. APOLOGIES FOR ABSENCE (Agenda Item 2)

Apologies were received from Councillors Stella Andersen-Payne, Stephen Hill, Pat Frost, Nicky Lee, Jane Thomson and Stephen Hill. Councillor Jill Hargreaves left the meeting after agenda item 5.1, planning application WA/2012/0912.

8. DECLARATIONS OF INTEREST (Agenda Item 3)

In relation to planning applications WA/2012/0912 and WA/2012/0911 (items A1 and A2 in the agenda papers) the following declarations of interest were made by Councillors:

Councillor Bryn Morgan declared a non-pecuniary interest because as Portfolio Holder for planning and environment issues he had received communications from members of the council and the public which he had discussed with Waverley Officers.

Councillors Roger Steel, Carole Cockburn and Paddy Blagden declared non-pecuniary interests as Members of Farnham Town Council. Councillor Roger Steel was also the Ward Councillor for these applications.

Councillors Stephen O'Grady and Julia Potts declared non-pecuniary interests as they were members of Farnham Town Council but had never participated in the debate or decision making on these applications at Farnham Town Council; and

Councillors John Ward and Jill Hargreaves declared non-pecuniary interests as Members of Farnham Town Council and, whilst Farnham Town Council may have made representations on this matter, they did not feel bound by these and approached the meeting with an open mind.

9. QUESTIONS BY MEMBERS OF THE PUBLIC

The Joint Planning Committee received the following question from Mr Jerry Hyman in accordance with Procedure Rule 10:-

“Will Waverley Borough Council please confirm that the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (SI No. 1824) (“the EIA Regulations”) dictate that an Environmental Statement must include, inter alia, “the data necessary to identify and assess the main effects” and “a Non-Technical Summary” of the development proposals, for the whole scheme (Sch 4 Pt 2), and that in the absence of that information, a competent authority determining proposals with an incomplete ES must refuse consent (Reg. 3(4))?”

The Chairman replied as follows:-

“Thank you for your question Mr Hyman. Your understanding of the 2011 Environmental Impact Regulations is correct, and the short answer to your question is ‘Yes’. Waverley Borough Council is fully aware of its responsibilities in relation to the EIA Regulations, and, regarding the applications before the Committee this evening, the advice from our officers is that the requirements of the legislation have been met”.

PART I – RECOMMENDATIONS TO THE COUNCIL

There were no matters raised under this heading.

PARTS II AND III- MATTERS OF REPORT

Background Papers

The background papers relating to the following items in Parts II and III are as specified in the Agenda for the meeting of the Joint Planning Committee.

PART II – Matters reported in detail for the information of the Council

There were no matters raised under this heading.

PART III – Brief summaries of other matters dealt with

10. WA/2012/0912: APPLICATION FOR A NEW PLANNING PERMISSION TO REPLACE EXTANT PERMISSION WA/2008/0279 (TIME EXTENSION) AT LAND AT EAST STREET, FARNHAM (Agenda Item 5.1)

The Committee considered the agenda report and presentation from planning officers. Members also received an update on correspondence received and matters arising following preparation of the agenda and these were noted in the update sheet circulated before the meeting. The updates included consultee responses from the Thames Water Authority, Health and Safety Executive, East Hants District Council, Guildford Borough Council, comments from the Environment Agency in response to third party concerns and noted that 2 further letters of support and 517 further letters of objection from members of the public and one from the Farnham Society had been received. The planning officer had summarised the points raised from these representations and provided a response.

In addition to the information outlined in the update sheet, the planning officer provided a further update on the legal agreement, advising the Committee that agreement had been reached on the Section 106 agreement which would carry forward the contributions included in the 2008 application and it was expected to be signed very shortly.

In accordance with the guidance for public participation at meetings, each party (objectors, Town Council, applicant/supporters) had been allocated up to 10 minutes to speak. The following representations were made in respect of the application and were duly considered:

Objectors

Andy Macleod
Tim Cox
Jerry Hyman and
Abigail McKern

Town Council

Councillor Carlo Genziani and
Jim Duffy

Supporters

Ian White
Jon Bray and
Mark Leedale

And, in accordance with Procedure Rule 23 the following Councillors also registered to speak in respect of the application and were duly considered: Councillors Roger Steel, David Munro, Carole Cockburn and Paddy Blagden.

During debate, a number of Members expressed concerns regarding condition 1 in relation to the commencement of works and felt that the applicants should not be given five years but three to start work on the site.

Cllr Peter Isherwood proposed an amendment to Condition 1 that the development should be started before the expiration of three years from the date of the permission. The motion was seconded by Cllr Bryn Morgan.

Members voted: For: 13
Against: 2
Abstained: 1

Therefore the motion carried.

Having considered all relevant matters, the Committee considered the revised recommendation, including amendments to conditions outlined in the update sheet and RESOLVED that:-

Having regard to the environmental information contained in the application, the accompanying Environmental Statement and responses to it, together with proposals for mitigation of environmental effects and the conclusion of the appropriate legal agreement permission be GRANTED subject to conditions 2-73 and informatives 1-12 noted in the agenda report, and subject to the following changes to conditions:

(Note: the amendments to the conditions are shown in bold and the original text, which no longer applies, struck out)

1. The development hereby permitted shall be begun before the expiration of ~~five years~~ **three years** from the date of this permission.
3. The plan numbers to which this permission relates are:
 - Site Boundary Plan: TPN-MP-102
 - Demolition Site Plan: TPN-MP-101
 - Materplans: TPN-MP-001A, 005 to 011, 014 to 020, 023 to 030, 032, **033** and 034, 040 to 042, 045 to 052, 055 to 065.....
7. Before construction above the ground floor slab level or above the suspended ground floor slab dpc level where over a basement area of the appropriate phase of development as agreed under Condition 2 above, samples of the materials to be used in the construction of the external surfaces of the development within that phase, including the surface materials for public spaces, hereby permitted have been submitted to and approved in writing by the Local Planning Authority if ~~thought fit~~. Development shall be carried out in accordance with the approved details
44. (a) a written desk top study shall be carried out by a competent person appointed by the developer and approved in writing by the Local Planning Authority if thought fit, which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information; and using this information, a diagrammatic representation (conceptual mode) for

the site of all potential contaminant sources, pathways and receptors. The desk top study shall be submitted to and approved in writing by the Local Planning Authority if thought fit; and

60. Before construction above the ground floor slab level or above the suspended ground floor slab dpc level where over a basement area of the appropriate phase of development as agreed under Condition 2, details of the Combined Heat & Power (CHP) plan, community heating system and private wire network and associated equipment including a timeframe for installation for that phase shall be submitted to and approved in writing by the Local Planning Authority if thought fit.....

11. WA/2012/0911: APPLICATION FOR THE PROVISION OF TEMPORARY CONSTRUCTION ACCESS TO THE A31 AT LAND TO THE SOUTH OF EAST STREET, FARNHAM (Agenda Item 5.2)

The Committee considered the agenda report and presentation from planning officers. Members also received an update on correspondence received and matters arising following preparation of the agenda and these were noted in the update sheet circulated before the meeting. The updates included a consultee response from the Health and Safety Executive and noted that 5 further letters of objection had been received including one from the Farnham Society and 39 proforma objection letters. The planning officer had summarised the points raised from these representations and provided a response.

At 9.42pm, in accordance with Procedure Rule 9, it was agreed that the meeting should continue until all business on the agenda had been transacted. There was a short adjournment and the meeting continued at 9.51pm.

In accordance with the guidance for public participation at meetings, each party (objectors, Town Council, applicant/supporters) had been allocated up to 10 minutes to speak. The following representations were made in respect of the application and were duly considered:

Objectors

Stephen Cochrane and
Michael Hyman

Supporters

Jon Bray

And, in accordance with procedure rule 23 the following Councillors also registered to speak in respect of the application and were duly considered: Councillors Roger Steel, David Munro and Paddy Blagden.

The Committee noted that since the application considered earlier in relation to the main Brightwells development had been agreed, and this included an amendment to the commencement of work, for consistency, this should also apply to this application. Consequently, Cllr Michael Goodridge proposed an

amendment to Condition 1 that the development should be started before the expiration of three years from the date of the permission. The motion was seconded by Cllr Brian Ellis.

Members voted: For: 15
Against: 0
Abstained: 0

Therefore the motion carried.

Having considered all relevant matters, the Committee considered the revised recommendation, including the amendment outlined in the update sheet and RESOLVED that:-

Having regard to the environmental information contained in the application, the accompanying Environmental Statement and responses to it, together with proposals for mitigation of environmental effects, permission be **GRANTED** subject to conditions 2-23 and informatives 1-6 noted in the agenda report, and subject to the following change to condition 1 and amendment to the reason for condition 22:

1. The development hereby permitted shall be begun before the expiration of ~~five years~~ **three years** from the date of this permission.
22. In the interests of the character and amenity of the area and pedestrian safety in accordance with Policies D1, D4, M2 and ~~M14~~ of the Waverley Borough Local Plan 2002.

The meeting commenced at 7.00pm and concluded at 10.25 p.m.

Chairman