

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE MEETING OF THE JOINT PLANNING COMMITTEE
1ST OCTOBER 2008

SUBMITTED TO THE COUNCIL MEETING – 21ST OCTOBER 2008

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

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| * Cllr Mrs J I Arrick | * Cllr Ms D M-R Le Gal |
| * Cllr C R Baily | * Cllr Dr N Lee |
| Cllr M H W Band | Cllr A Lovell |
| * Cllr M W Byham | * Cllr P J Martin |
| * Cllr Mrs E Cable | * Cllr T E Martin |
| * Cllr Mrs C Cockburn | * Cllr B J Morgan |
| Cllr S P Connolly | Cllr S N Mulliner |
| Cllr J H B Edwards | * Cllr S J O'Grady |
| * Cllr B A Ellis (Vice Chairman) | * Cllr S L Pritchard |
| * Cllr Mrs P Ellis | Cllr K T Reed |
| * Cllr Mrs L J Fleming | * Cllr S Renshaw |
| * Cllr R D Frost | * Cllr S N Reynolds |
| * Cllr Mrs P M Frost | * Cllr I E Sampson |
| Cllr R J Gates | * Cllr Mrs C E Savage |
| * Cllr M R Goodridge | * Cllr J M Savage |
| Cllr Mrs J P Hargreaves | * Cllr R J Steel |
| * Cllr N P Holder | * Cllr A E B Taylor-Smith |
| * Cllr J P Hubble | * Cllr Ms J R Thomson |
| Cllr S R E Inchbald | * Cllr A P Thorp |
| * Cllr D C Inman | * Cllr J A Ward |
| * Cllr P B Isherwood (Chairman) | * Cllr Mrs N Warner-O'Neill |
| * Cllr Mrs D M James | Cllr R A Welland |
| * Cllr Mrs C A King | Cllr Mrs L Wheatley |
| * Cllr R A Knowles | * Cllr A Wilson |

*Present

Also in attendance: Cllrs M Causey and V Duckett

25. MINUTES (Agenda Item 1)

The Minutes of the Meeting held on 17th September 2008 were confirmed and signed.

26. APOLOGIES FOR ABSENCE (Agenda Item 2)

Apologies were received from Councillors Connolly, Edwards, Gates, Mrs Hargreaves, Inchbald, Lovell, Mulliner, Reed, Welland, and Mrs Wheatley.

27. DECLARATIONS OF INTEREST (Agenda item 3)

The following declarations of personal & prejudicial interests were made:

Cllr R J Gates, in applications WA/2008/0279 and WA/2008/0280. The following statement from Cllr Gates was read to the meeting:

"I have declared this interest, and take this action *[to absent himself from the meeting]*, not because I have any financial or locational interest whatsoever in the application or site but because I have led discussions with the developers to amend the scheme from the moment I became Council Leader. I wish to demonstrate therefore, by making this declaration, that there will be no conflict between Waverley's position as Landlord, and its determination of the application which will be made absolutely on planning grounds. Therefore, I am declaring an interest on the basis of the test contained in the Code of Conduct that says a member also has a "prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest".

Cllr R J Steel, in application WA/2008/0280, Listed Building Consent, because of his connections with theatre in Farnham.

The following declarations of personal interests were made:

Cllr Inman, as his brother is Chairman of the Gostrey Centre.

Cllrs Mrs Cockburn, Mrs Fleming, Mr Frost, Mrs Frost, Mrs Le Gal, Mr O'Grady, Mr Steel, Mr Thorp and Mr Ward, as they are members of Farnham Town Council and took part in the review of the applications as members of that council, based on the information available to them at that time. However, they have not predetermined the applications and will take account of the additional evidence that has been and will be presented, and will listen to all that is said and presented tonight before making their final decision.

Cllr Steel, additionally, due to his activity in objecting to previous applications by the developers on this site.

Cllr Mrs Frost, additionally, as a councillor on the Gostrey Centre Committee, and as a County Councillor.

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

28. APPLICATION WA/2008/0279 RELATING TO LAND AT EAST STREET, FARNHAM (Agenda Item 5)

Mixed-use redevelopment comprising: 9,814 m² of retail, restaurant and café-bar accommodation (Use Classes A1, A3 & A4, including the change of use of Brightwell House and Marlborough Head); 239 residential units (Class C3); a multiscreen cinema (Class D2); multi-storey, surface and basement car parks providing a total of 426 spaces; associated highway and access works; provision of infrastructure and landscaping; replacement facility for the existing 'Gostrey Centre'; demolition and clearance of the site at Land at East Street, Farnham (as amended by plans and documents received 15/08/2008)

28.1 At the Joint Planning Committee technical briefing meeting held on 28th May 2008, Members had an opportunity to hear presentations and representations from, and ask questions of, the planning officers, the applicant, statutory consultees, and interested parties, including Surrey Highways, Surrey Education, The Theatres Trust, Surrey Police Crime & Disorder Reduction Partnership, Surrey Wildlife Trust, and Farnham Town Council.

28.2 The Officer's report had been circulated with the agenda as Appendix A. An Addendum had been circulated subsequently setting out a number of additional representations received and additional comments from the Environment Agency, and an amended recommendation replacing that on pages 94-95 of Appendix A. A number of minor typographical errors from the original report were also corrected.

28.3 At the meeting a further update was tabled, detailing further representations, and officers' further comments in the impact of the SPA. A number of minor typographical errors from the original report were corrected.

28.4 In accordance with the guidance for public participation at meetings, the following representations were made in respect of the application and were duly considered:

Applicants: Paul Hogston, Scott Brownrigg
(27.5 minutes total) Christopher Tennant, Scott Brownrigg
Greg Vincent, Crest Nicholson

Supporter: Mark Leadale
(2.5 minutes)

Farnham Town Council: Cllr Mrs Janet Maines
(30 minutes)

Objectors: Miss Christine Hereward, Solicitor, on behalf of
(30 minutes total) The Farnham Society
Robert Mansfield
Chris Nicholls, on behalf of
Farnham Theatre Association
Jeremy Hyman
Dr Tom Lankester, Farnham LA21

28.5 In accordance with the Procedure Rule 23, Cllr M Causey addressed the meeting, and declared a personal interest as a member of Farnham Theatre Association.

- 28.6 During the Committee's deliberations consideration was given to a wide range of issues. Members' principal concerns related to the transport implications; the character and scale of the development; the loss of the theatre building; the economic impact; and the flood risk.
- 28.7 At 9.46pm, the Chairman asked the Committee, in accordance with Procedure Rule 9, if it wished to conclude its consideration of the business, and this was agreed.
- 29.1 Turning to the recommendation as detailed in the Addendum report, it was proposed by Cllr Ellis, and seconded by Cllr Mrs Le Gal, that a review of the draft conditions and heads of terms be undertaken to take account of requests for variations to these from the Farnham Society and the applicants. The Committee AGREED to the proposed amendment.
- 29.2 It was further proposed, by Cllr Mrs Cockburn, and seconded by Cllr Isherwood, that following the review the draft conditions and heads of terms of the planning agreement should be brought back to a meeting of the Joint Planning Committee for consideration.
- 29.3 Cllr Mrs James asked, in accordance with Procedure Rule 17.4, for a recorded vote. However, this proposal was only supported by Cllrs Savage and Mrs Savage, and as it failed to receive the support of five members was not agreed.
- 29.4 The Committee, having regard to the environmental information contained in the application, the Environmental Statement and responses to it, together with proposals for mitigation of environmental effects, RESOLVED that:
- A (i) Planning permission be GRANTED subject to the conditions, which shall be agreed in their final form in accordance with paragraph A(ii) below, the draft versions of which are set out in Appendix G of the report (as updated);
- And subject to:
- 1) The referral of the application to the Government Office for the South East under the Shopping Direction and because the application is:
 - (a) Accompanied by an Environmental Statement, and
 - (b) Because the following policies SEP, EN1, SSP, SE2, WBLP, D7, H10, BE1, are not complied with and provided that no direction is received calling-in the application for determination by the Secretary of State for Communities and Local Government; and
 - 2) The completion of appropriate planning and highway agreements, as set out in the draft heads of terms at Appendix H (pages 190-192 in the Agenda report), concerning:
 - (a) provision of affordable housing
 - (b) provision and maintenance of open space, town square, etc
 - (c) infrastructure contributions (education, CCTV, Open Space)
 - (d) Thames Basin Heaths SPA mitigation contribution
 - (e) financial contribution towards sport and leisure
 - (f) financial contribution in lieu of on-site provision of children's playspace
 - (g) funding and making highways orders

- (h) funding further transport studies
- (i) on-site highway, cycle and pedestrian works
- (j) off-site highway works
- (k) intelligent bus service information systems
- (l) provision and maintenance of a car club
- (m) residents and employers Travel Plans and provision of Travel Co-ordinator
- (n) any other requirements.

A(ii) The Head of Planning and Solicitor to the Council consider and review requests for variations to the draft conditions and to report to a future meeting of the Joint Planning Committee with recommendations for conditions and the heads of terms of the planning agreement.

B The Committee, having granted planning permission on the terms set out above, authorised the making of the necessary Orders for the diversion and stopping up of footpaths under section 257 of the Town and Country Planning Act 1990 (as amended), which are needed to enable the East Street Development to be carried out.

30. APPLICATION WA/2008/0280 RELATING TO LAND AT BRIGHTWELL HOUSE, EAST STREET, FARNHAM (Agenda Item 6)

Application for listed Building Consent for the demolition of the attached Redgrave Theatre. Conversion of Brightwell House to form 2 no. restaurant units. Works to include single/two storey extensions to the north and west (containing additional ground floor restaurant space, kitchen areas, stores, toilets, staircase and plant room and first floor kitchens, stores, staff wc, and plant room). Works to existing house to include reinstatement of 3 no. original hipped roofs and roof light to the northern elevation and hipped roofs over existing bay windows and reinstatement of glazed canopy in the southern elevation. Reinstatement of original chimneys and other internal works. Demolition of boundary walls, toilet block, bowling pavilion and cottage at Land at Brightwell House, East Street, Farnham (as amended by plans and documents received 15/08/2008).

30.1 The Officer's report had been circulated with the agenda as Appendix B. At the meeting an update was tabled, detailing further representations and correcting a number of minor typographical errors in the original report.

30.2 In accordance with the guidance for public participation at meetings, the following representations were made in respect of the application and were duly considered:

Applicants: (10 minutes total)	Paul Hogston, Scott Brownrigg Greg Vincent, Crest Nicholson Christopher Tennant, Scott Brownrigg
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Objectors: (10 minutes total)	Mrs Anne Cooper, on behalf of Farnham Theatre Association Michael Murphy, on behalf of Farnham Buildings Preservation Trust
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30.3 The Committee RESOLVED to agree the recommendation that Listed Building Consent be GRANTED subject to the following conditions:

1. The works hereby consented to shall be begun within three years from the date of this consent.

Reason To comply with the provision of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. **Before the relevant work begins**, detailed plans and information in respect of the following in relation to Brightwell House shall be submitted to and approved in writing by the Planning Authority. The work shall be carried out in full in accordance with such approved details:
 - (a) joinery at a scale of 1:5
 - (b) sections through roof ridge, hips, valleys, eaves & verges at a scale of 1:5
 - (c) internal drainage routes, noting all necessary cutting, chasing and other alteration to historic fabric at a scale of 1:
 - (d) samples of external materials and surface finishes.
 - (e) schedule of works/specification
 - (f) schedule of all doors, windows, joinery, fireplaces, decorative plasterwork and other architectural features that are to be altered, relocated, concealed or removed, fully describing the work proposed.
 - (g) method statement
 - (h) test panel of brick/stone

Reason To ensure that special regard is paid to the interests of protecting the special character and architectural integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3. **Before any work begins details**, of the following steps in relation to the retained portion of Brightwell House shall have been submitted to and approved in writing by the Planning Authority and then undertaken to secure the safety and stability of that part of the building to be retained. Such steps to relate to:
 - (a) strengthening any wall or vertical surface
 - (b) support for any floor, roof or horizontal surface, and/or
 - (c) provision of protection for the building against the weather

Reason To ensure that special regard is paid to the interests of protecting the special character and architectural integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been awarded and planning permission has been granted for the redevelopment for which the contract provides. A copy of this contract shall be submitted to the Planning Authority for verification before any works commence.

Reason To ensure that premature demolition does not take place and that a derelict site does not detract from the special character of the area.

31. There being no matters needing to be dealt with in exempt session, the Chairman declared the meeting closed at 11.14pm.

Chairman