

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE JOINT PLANNING COMMITTEE - 10 JULY 2017

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

**Present**

Cllr Brian Adams	Cllr Stephen Hill
Cllr Mike Band	Cllr Nicholas Holder
Cllr Maurice Byham	Cllr David Hunter
Cllr Carole Cockburn	Cllr Jerry Hyman
Cllr Kevin Deanus	Cllr Peter Isherwood
Cllr David Else	Cllr Anna James
Cllr Mary Foryszewski	Cllr Denis Leigh
Cllr Pat Frost	Cllr Stephen Mulliner
Cllr Michael Goodridge	Cllr Nabeel Nasir
Cllr John Gray	Cllr John Ward

**Apologies**

Cllr Stewart Stennett, Cllr Chris Storey and Cllr Nick Williams

12. APOLOGIES FOR ABSENCE AND DECLARATIONS OF SUBSTITUTES (Agenda item 1.)

Apologies for absence had been received from Cllrs Stewart Stennett, Chris Storey and Nick Williams.

There were no substitutes present.

Cllr Brian Adams arrived part-way through the Committee's consideration of application A1 (WA/2017/0198) and took no part in the discussion or determination of the application.

Cllrs Pat Frost and Nabeel Nasir left the meeting after the Committee's consideration of application A2 (WA/2016/0114) and therefore did not take part in the determination of application A3 (WA/2017/0104).

13. DECLARATIONS OF INTERESTS (Agenda item 2.)

There were no declarations of interests in relation to items on the agenda.

14. QUESTIONS BY MEMBERS OF THE PUBLIC (Agenda item 3.)

There were no questions from members of the public.

15. UPDATE ON THE DRAFT LOCAL PLAN (Agenda item )

Before moving to the three planning applications for determination, the Principal Planning Officer, Kathryn Laughton, provided the Committee with an update on the

status of the draft Local Plan Part 1: Strategic Policies and Sites after the conclusion of the Examination Hearings.

In concluding the Hearings, the Inspector had indicated that modifications would need to be made to the Plan and had invited the Council to submit a list of these proposed modifications. These modifications would be subject to public consultation. All representations on the proposed modifications would be taken into account by the Inspector before he issued his written report. It was considered that substantial weight could now be given to the policies where no modifications were proposed, and significant weight could be given to those policies where modifications were proposed.

16. APPLICATION FOR PLANNING PERMISSION - WA/2017/0198 - ALFOLD GARDEN CENTRE, HORSHAM ROAD, ALFOLD (Agenda item 4.)

Proposal

Outline application with all matters reserved except access and layout for erection of 27 dwellings including 9 affordable with new access and associated works following demolition of existing buildings (as amended by plan received 19/04/2017; additional surface water and drainage information received 12/04/2017 and additional ecological information received 26/05/2017).

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Officers presented a summary of the proposed development including photographs of the site currently, and detailed plans of the accessibility for all routes to and within the site; and the layout including buildings, routes and open spaces.

Public speaking

In accordance with the Council's arrangements for public participation at meetings, the following made representations in respect of the application, which were duly considered:

Adrian Clarke, Cranleigh Civic Society - Objector  
Cllr Adrian Erricker – Alfold Parish Council  
Jo Male - Agent

Discussion

The Chairman invited Cllr Deanus, as Ward Councillor, to open the Committee's consideration of the application.

Cllr Deanus advised the Committee that many of his comments applied to all three applications on their agenda this evening, whilst some were more specific to this site. The garden centre was one of the main employment sites in Alfold, and its loss would be a huge blow to the village. The location was in countryside beyond the Green Belt, and also beyond the settlement boundary. The vouchers for future occupants for the purchase of bikes or bus passes were of little use, given the safety concerns about the A281, and the bus service was infrequent, at best. The Parish Council was not opposed to some housing on this site, but 27 dwellings was too many and would have too much of an urbanising impact, and was out of

character with the linear nature of existing development along the A281. It was disappointing that Waverley had encouraged the applicant to submit an application for an expanded development.

Cllr Deanus referred to the consultation responses from Thames Water and Southern Water, and raised concerns about the perceived inadequacy of the foul water disposal in parts of the village, and the frequency with which sewage overflowed into adjacent properties. Major investment in infrastructure was needed to resolve the problems, and this was not being prioritised highly enough within Thames Water. The issue of hydraulic flooding had also been dismissed, but the winter of 2013/14 had not been the only occasion when the village had experienced flooding.

Cllr Deanus had concerns about locating affordable housing where there were almost no local services, and limited transport to access services further away. The draft Local Plan had allocated 100 dwellings to Alfold over the life of the Plan, and recent planning permissions granted totalled 82 dwellings, with 15 years of the plan still to run. Overall, there were minimal benefits to this scheme, and lots of negatives, and he could not support it.

Cllr Cockburn referred to the Local Plan Hearings, and the strong steer that the Inspector had given throughout, that it was necessary to look at the balance between the benefit and harm resulting from development. She questioned what harm there was in developing the village and potentially encouraging location of more facilities? In view of the higher housing target that Waverley would have to meet, all sites needed to be considered and assessed.

Cllr James responded that this application would provide no additional facilities, and would remove a local employment site. She felt that 27 houses was too many and out of keeping with the area; there was no local need for more than 2 affordable dwellings, and overall the balance of benefits and harm went the wrong way.

In the discussion, Members reiterated concerns regarding unresolved sewage problems and local flooding; the loss of employment land; the impact of the extent and density of the proposed development; the unsuitable location for affordable housing, and the amount of affordable housing proposed compared to local need; and the cumulative impact of recent planning permissions on meeting Alfold's housing allocation over the life of the Local Plan without rushing to grant such an extensive application with so few benefits.

The Head of Planning addressed these concerns and advised the Committee:

- there was no policy objection to the loss of a retail land use, and the proposed provision of housing was prioritised over the retention of the retail use;
- development of this brownfield site had potential to reduce pressure on less suitable greenfield sites;
- no modification to the Spatial Strategy had been suggested by the Local Plan Inspector, therefore modest growth in Alfold was considered acceptable; the increase in housing numbers meant that the initial housing allocation should be considered a minimum, not the maximum;
- concerns about flooding and foul sewage disposal were recognised, but neither the Flood Risk Authority, nor Thames Water or Southern Water had

raised objections, and it was very difficult to go against a technical consultation response;

- the concerns raised by Cranleigh Civic Society relating to asbestos were an operational matter for Thames Water to address, and were not part of the planning test, which was whether additional growth could be accommodated;
- with regard to affordable housing, as the site was a brownfield site, rather than a rural exception site, the need for affordable housing was assessed against Waverley's overall need as set out in the SHMA, and it would be inconsistent to insist that sites in Alfold only had to provide for Alfold's particular need.

Cllr Frost reminded Members that, unusually, the outline application was for access and layout, and it was important that the Committee did consider whether the layout was acceptable. Personally, she felt that the layout was unimaginative, and the location was not suitable for affordable housing as there would be such reliance on having a car to access all services; consideration should be given to asking for a commuted sum to fund affordable housing in a more suitable location.

The Chairman invited Cllr Deanus to sum up his objections before moving to the recommendation. Cllr Deanus reminded the Committee that the definition of sustainable development was development in the right place at the right time; this application failed the tests of sustainable development, and was too dense, a poor design, and would have an urbanising impact on the character of the village. The Chairman put Recommendation A to the Committee, that outline permission including access and layout, be granted subject to completion of a s106 agreement and subject to conditions, as set out in the agenda report. The proposal to grant outline permission was lost, with 8 votes in favour, 9 against, and 2 abstentions.

Cllr Deanus proposed an alternative recommendation, to refuse outline planning permission on the grounds that the location was harmful to the countryside and would have an urbanising impact on the character of the village due to over-development, poor design and layout, and lack of sustainability.

Cllr Gray seconded the recommendation to refuse permission. The Council's legal advisor cautioned against including sustainability as a reason for refusal, as this could be considered unreasonable if the applicant appealed the decision.

The Chairman put the alternative recommendation to the Committee, to refuse outline permission for the reasons put forward by Cllr Deanus and the failure of the applicant to complete a S106 agreement to secure agreed contributions, and this was carried with 9 votes in favour, 6 votes against, and 4 abstentions.

### Decision

RESOLVED to REFUSE outline planning permission, for the following reasons:

1. The proposed development by reason of the poor design and layout, number of dwellings and urbanising impact would harm the intrinsic character and beauty of the Countryside contrary to Policy C2 of the Waverley Borough Local Plan 2002 and paragraph 17 of the NPPF 2012.

2. The applicant has failed to enter into an appropriate legal agreement to secure the provision of affordable housing within the meaning of the NPPF, appropriate to meet Waverley Borough Council's housing need. The proposal would therefore fail to create a sustainable, inclusive and mixed community contrary to the requirements of paragraph 50 of the NPPF 2012.
3. The applicant has failed to enter into an appropriate legal agreement to secure contributions towards education, environmental enhancements, play space provision, recycling, highway and footpath improvements and the ongoing maintenance and management of SuDS and public open spaces. The proposal therefore conflicts with Policies D13, D14 and M2 of the Waverley Borough Local Plan 2002 and paragraphs 7 and 17 of the NPPF 2012.

17. APPLICATION FOR PLANNING PERMISSION - WA/2016/0114 - ALFOLD GARDEN CENTRE, HORSHAM ROAD, ALFOLD (Agenda item 5.)

Proposal

Outline application for the erection of 10 dwellings, including 2 affordable with associated access works following demolition of existing garden centre buildings and associated works. Access and layout to be considered at outline (as amended by plan received 20/04/2017).

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Officers presented a summary of the proposed development including photographs of the site currently, and detailed plans of the accessibility for routes to and within the site; and the layout including buildings, routes and play space. Of the two affordable dwellings proposed, one would be 1-bed and one 2-bed.

Public speaking

In accordance with the Council's arrangements for public participation at meetings, the following made representations in respect of the application, which were duly considered:

Adrian Clarke, Cranleigh Civic Society - Objector  
Jo Male - Agent

Discussion

The Chairman invited Cllr Deanus, as Ward Councillor, to open the Committee's consideration of the application.

Cllr Deanus reminded the Committee that the Parish Council had not objected to this application, although they did regret the loss of the employment in the village. He agreed with the view that a development of 10 dwellings was more in keeping with the size of the site and the character of the village. In principle, he felt this was a good application, but suggested more time was needed for Planning to work with the applicant to clarify the requirements of a S106 agreement, and conditions to be attached to an approved application.

Cllr Deanus therefore proposed that this application be deferred to allow for further discussions with the applicant. Cllr Forszewski seconded the proposal to defer a decision.

The Principal Planning Officer advised the Committee that it could put forward an alternative recommendation to grant outline permission subject to the completion of an appropriate S106 agreement, and subject to conditions.

Speaking in support of the proposal to defer the application, Cllr Forszewski suggested that this would provide an opportunity to look at an alternative scheme, perhaps with a mixed use. There was some goodwill behind a development of some kind on this site, but it was important that it was good, and the proposed site layout diagram was not very clear.

Cllr Frost agreed that the layout was not very clear, and she did not like or see the need for the play area; but she preferred this application to the larger one for the same site, felt the indicative designs were good, and was pleased to see that the affordable housing included both rented and shared ownership dwellings. Cllr Frost did not want to defer the application, and felt that it could be resolved by the Committee this evening.

Cllr Adams supported a deferral, but suggested that this would enable a full application to be submitted, rather than an outline application.

Cllr Hyman also supported deferring the application, but this was as he felt that there were issues to be clarified in relation to the Flood Risk Assessment, and drinking water quality.

Cllr Goodridge reminded the Committee that it was their role to consider and determine the application in front of them, not to negotiate what they would like. He did not support a deferral and recommended that the Committee decide the application this evening. Both Cllr Leigh and Cllr Gray felt that there were sufficient positive elements to the application that they were also comfortable to decide the application.

The Chairman put the recommendation that the application be deferred, and this was lost, with 5 votes in favour and 14 against. The Chairman therefore directed the Committee to consider the application as set out in the agenda report.

In response to Members' questions, Officers clarified that as the site was not a rural exception site the affordable housing would be available to meet Waverley's general affordable housing need; and, it would not be appropriate or reasonable for Waverley to impose a Grampian condition in relation to waste water drainage that the technical consultees had not asked for.

Whilst Cllr Deanus was reluctant to agree the application without seeing the details of the proposed conditions and S106 agreement, he did agree in principle with Cllr James' conclusion that the proposal was modest in scale, and with no significant environmental impacts.

The Chairman put the recommendation to the Committee, as set out in the agenda, that the application be refused. The recommendation was lost, with 3 votes in favour, 13 against, and 4 absentions.

The Chairman then put the alternative recommendation to the Committee, that outline permission be granted, subject to the completion of an appropriate S106 agreement and subject to conditions, the details to be agreed by the Chairman, Vice-Chairman, Ward Member and the Head of Planning. This was carried with 17 votes in favour, no votes against, and 3 abstentions.

#### Decision

RESOLVED to GRANT outline planning permission subject to the completion of an appropriate S106 agreement and subject to conditions, the details to be agreed by the Chairman, Vice-Chairman, Ward Member and the Head of Planning.

The Committee also RESOLVED that if the requirements of the above resolution were not met, then outline permission be REFUSED.

18. APPLICATION FOR PLANNING PERMISSION - WA/2017/0104 - LAND ADJOINING BROCKHURST FARM, DUNSFOLD ROAD, ALFOLD (Agenda item 6.)

#### Proposed development

Outline application for up to 39 dwellings, provision of public open space and SuDS attenuation with all matters reserved except access (as amended by plans and email received 11/05/2017 and amplified by drainage information received 16/02/2017).

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With reference to the report circulated with the agenda, Officers presented a summary of the proposed development, including photographs of the site currently, site plans and an indicative layout, and the determining issues. The Committee was also shown how the proposal had been amended to reduce the number of proposed dwellings, and match the line of the developed part of the site in line with the curtilages of the neighbouring properties on either side.

The Committee noted a verbal update to proposed Condition 3, relating to plan numbers: Plan no. 16.011.09 Rev F to read '(Indicative Only)'; and Plan no. 096.0002.003 Rev D to read 'Rev E'.

#### Public speaking

In accordance with the Council's arrangements for public participation at meetings, the following made representations in respect of the application, which were duly considered:

Alastair Denton Miller - Objector  
Adrian Erricker – Alfold Parish Council  
David Murray Cox - Agent

#### Discussion

The Chairman invited Cllr Deanus, as Ward Councillor, to open the discussion and members consideration of the proposal.

Cllr Deanus reiterated his principle concerns about the scale of the proposed development in relation to the size of the Alfold settlement and applications already granted, and the impact on roads and on the waste water and sewage network infrastructure that were already felt to be under strain. The Parish Council had made substantial objections to the scheme, that were detailed in the agenda report, and he endorsed these. In particular, Cllr Deanus drew attention to pre-application advice from Waverley that had indicated that over-delivery on the housing numbers allocated to Alfold in the spatial strategy would not be sustainable; and, the 'estate' layout was not in-keeping with the linear development that was characteristic of Alfold. Cllr Deanus also pointed out that the S106 agreement for the 2015 planning permission for commercial buildings on Dunsfold Park had stipulated a contribution towards delivery of a new footpath between the Compass Gate and Alfold Crossways, and so far nothing had been provided on the ground.

In summing up his objections to the proposals, Cllr Deanus reiterated that the site was outside of the defined settlement, Waverley already had a 5 year housing supply, this proposal would go beyond the number of dwellings allocated to Alfold in the spatial strategy with 15 years of the Local Plan life still to run, there were very limited services in Alfold, it was urbanising overdevelopment in the countryside, and would cause material visual harm.

Cllr Cockburn had some reservations about the site, but did not agree with all the points raised and felt that circumstances had changed as a result of the Local Plan Inspector's comments. Waverley would have to take significantly more houses than anticipated, and the Inspector had emphasised that new development should be contiguous with existing settlement boundaries. The revised proposal met this steer from the Inspector.

Cllr James felt that development of a greenfield site should be considered a last resort, and there was plenty of time within the life of the Local Plan for Alfold to meet its housing allocation. However, Cllr Hill felt that the outline proposal was acceptable in the way it fit with neighbouring properties, was satisfied with the landscaping, and the overall density; and felt that it made a valuable contribution to Waverley's new housing target.

Cllr Gray expressed his reservations about the number of houses being developed so far from the limited services available in Alfold village centre, and the estate-style of development proposed. He also felt that Alfold had substantially met its housing allocation, and there was no need to rush to agree this site at this time.

In response to questions regarding flood risk and the future management of the public open space, Officers confirmed that a Flood Risk Assessment had been submitted by the applicant and assessed by the Local Flood Risk Authority, which had recommended conditions. The arrangements for the management of the public open space and SuDS would be secured under a S106 agreement. The Grampian condition requested by Thames Water was embedded within proposed Condition 18, which required a drainage strategy detailing on- and off-site drainage works to be submitted and approved; and the phasing of development was covered by Condition 19.

The Chairman put Recommendation A to the Committee, to grant outline permission subject to the completion of a S106 agreement and subject to



conditions, as set out in the agenda report. The recommendation was lost, with 3 in favour, 11 against, and 2 abstentions.

Cllr Deanus proposed an alternative recommendation that outline permission be refused on the grounds that the number of dwellings and density of development would have a harmful and urbanising impact on the character of the countryside. Cllr Mary Forszewski seconded the alternative recommendation.

The Chairman put the alternative recommendation to the Committee, to refuse outline permission for the reasons put forward by Cllr Deanus and the three reasons set out under Recommendation B in the agenda report, and this was carried with 14 votes in favour, none against, and 4 abstentions.

### Decision

RESOLVED to REFUSE outline planning permission, for the following reasons:

1. Reason  
The proposed development, by reason of the extent of the development and number and density of dwellings would harm the intrinsic character and beauty of the Countryside, contrary to Policy C2 of the Waverley Borough Local Plan 2002 and paragraph 17 of the NPPF 2012.
2. Reason  
The applicant has failed to enter into an appropriate legal agreement to secure the provision of affordable housing within the meaning of the NPPF appropriate to meet Waverley Borough Council's housing need. The proposal would therefore fail to create a sustainable, inclusive and mixed community contrary to the requirements of paragraph 50 of the NPPF 2012.
3. Reason  
The applicant has failed to enter into an appropriate legal agreement to secure contributions towards education, environmental enhancements, play space provision, recycling, and the ongoing maintenance and management of SuDS and public open spaces. The proposal therefore conflicts with Policies D13, D14 and M2 of the Waverley Borough Local Plan 2002 and paragraphs 7 and 17 of the NPPF 2012.
4. Reason  
The applicant has failed to enter into an appropriate legal agreement to secure a programme of highway improvement works to mitigate the impact of traffic generated by the development. As such, the proposal would fail to limit the significant impacts of the development on the surrounding highway network. The application therefore fails to meet the transport requirements of the National Planning Policy Framework 2012, Policies M2 and M14 of the Waverley Borough Local Plan 2002 and Policy ST1 of the Pre-Submission Local Plan Part 1: Strategic Policies and Sites 2016.

**The meeting commenced at 6.30 pm and concluded at 9.52 pm**

**Chairman**