

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE JOINT PLANNING COMMITTEE - 9 APRIL 2018

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

Present

Cllr Peter Isherwood (Chairman)	Cllr Nicholas Holder
Cllr Carole Cockburn (Vice Chairman)	Cllr David Hunter
Cllr Brian Adams	Cllr Jerry Hyman
Cllr Mike Band	Cllr Denis Leigh
Cllr Maurice Byham	Cllr Stephen Mulliner
Cllr Kevin Deanus	Cllr Nabeel Nasir
Cllr David Else	Cllr Chris Storey
Cllr Mary Forszewski	Cllr John Ward
Cllr Michael Goodridge	Cllr Nick Williams
Cllr Bob Upton (Substitute)	Cllr Patricia Ellis (Substitute)

Apologies

Cllr Paul Follows, Cllr Pat Frost, Cllr John Gray, Cllr Stephen Hill, Cllr Anna James and Cllr Stewart Stennett

75. MINUTES (Agenda item 1.)

The minutes of the meeting held on 27 February 2018 were approved and signed.

76. APOLOGIES FOR ABSENCE AND DECLARATIONS OF SUBSTITUTES (Agenda item 2.)

Apologies for absence were received from Councillors Paul Follows, Stephen Hill and Pat Frost. Councillors Patricia Ellis and Bob Upton attended as substitutes.

77. DECLARATIONS OF INTERESTS (Agenda item 3.)

There were no declarations of interests..

78. QUESTIONS BY MEMBERS OF THE PUBLIC (Agenda item 4.)

There was one question received from Farnham resident Stewart Edge and the answer was given by the Chairman as follows:

“The report on the planning application WA/2016/2455 to be considered tonight contains particular references to adjusting the S106 agreement - in the light of new CIL processes and schedules which I have been unable to find on the Waverley website. The new proposals (identified for the first time in papers which local residents became aware of at a maximum 9 days before the meeting) would provide £91,220 less money in total for infrastructure projects; and identify specific projects for proposed expenditure which ignore projects related to the development suggested by North West Farnham Residents' Association. Could the processes being followed in the specification of CIL- related projects be confirmed (as agreed by the Council) and put on the web site where they can be found? And could

interested parties such as local residents and Residents' Associations be advised in good time during the planning process of proposed CIL projects”

In response:

“The Council does not yet have an adopted CIL Charging Schedule. The draft proposals for this would see Farnham Town Council receiving 25% of CIL contributions for developments in their area – this would require Farnham Town Council to adopt their own protocol for allocating these. As part of the outline permission and as a result of the amended housing mix part of this reserved matters application, Farnham Town Council were consulted on possible environmental improvements. Farnham Town Council identified a contribution towards the West Street Cemetery Railings project. There are corrections to the figures in the agenda report. These are addressed within the revised Planning Infrastructure Contributions section, contained on the update sheet. The case officer will talk through the update sheet in more detail as part of the presentation”.

79. PERFORMANCE AGAINST GOVERNMENT TARGETS (Agenda item 5.)

The Committee was advised that there had been quite a few major appeal decisions taken since the last meeting. Therefore an updated performance report would be received at the next round of area planning committees.

80. APPLICATION FOR PLANNING PERMISSION - WA/2016/2455 - LAND AT CRONDALL LANE, FARNHAM (Agenda item 6.)

Proposed development

Approval of reserved matters (appearance, landscaping, layout and scale) following the outline approval of WA/2014/1565 for the erection of 120 new dwellings with associated access, public open space and landscaping (as amended by plans and documents received 12/02/2018)

With reference to the report circulated with the agenda, Officers presented a summary of the planning context for making a decision on the application, and the proposed development including site plans and the layout. Officers outlined the determining issues and those matters of a more subjective nature.

The Committee was advised that since the agenda had been published there had been 6 further letters of objection but these did not raise any new points which had not already been detailed in the agenda report. There were two amendments to conditions proposed from the Council's tree and Landscape Officer which secured tree protection measures. There was also a further amended condition following the submission of two additional plans which would require compliance with these.

The Committee was advised that the planning infrastructure contributions outlined in the report was incorrect, both in terms of the amounts sought at the outline application stage and in terms of the amounts now sought to reflect the amended housing mix. Furthermore, additional responses had been received from the

relevant infrastructure providers. The update sheet outlined the correct information in relation to planning infrastructure contributions.

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:

Stewart Edge - Objector
Thomas Rumble - Applicant/Agent

The Committee considered the planning application. The Local Ward Councillor advised that the development had been rejected by the people of Farnham. Clarification was sought on why there was no provision for primary education within the section 106. Officers advised that Surrey County Council could not justify to secure it. Members were disappointed that the contributions had been reduced and they felt that they should have been consulted. They asked that in future, when there is major changes between outline and reserved matters, the Committee were given the opportunity to review this before it came back for a decision. A further question was asked about having electrical charging points and members were advised that this was within the conditions and they would be in place prior to commencement.

During debate Members asked that condition 3 be amended to include the removal of permitted development rights, and condition 10, regarding landscaping, request that if the landscaping died within 5 years then it must be replaced like for like.

It was noted at the meeting that there was no legal presence and the Local Ward Councillor, Councillor Hyman, felt that there should be so they could discuss in more detail the section 106 agreement. He moved a motion to defer the application which was lost. Following this, they moved onto the revised recommendation, which included the above amendments and this was granted with 17 in favour, 2 against and 1 abstention. The revised recommendation B was also agreed on a vote with 19 in favour and one abstention.

Decision

Recommendation A:

RESOLVED that, the Reserved Matters of Layout, Scale, Landscaping and Appearance be APPROVED subject to conditions 1-7 (condition 3 being amended to remove permitted development rights) and 11 on the agenda report, amended conditions 8, 9 and 10 above, additional condition 12 (as amended at the meeting to say that if the landscaping dies within 5 years then it must be replaced like for like), Informatives 1-5 and an additional informative relating to any further increase in dwelling numbers it requiring a new application, and a S106 agreement to secure a deed of variation to the original legal agreement to amend the infrastructure contribution figures being completed by 09/07/2018.

Recommendation B:

RESOLVED that That, in the event that the requirements of recommendation A were not met, that permission be refused for the following reasons:

1. In the absence of a deed of Variation to the Legal agreement secured under WA/2014/1565 to secure infrastructure contributions that are fairly and reasonably related to the amended housing mix and to identify specific projects, the development fails to comply with Regulation 122(2) and 123 of the Community Infrastructure Levy Regulations 2010 (as amended).
2. In the absence of a deed of Variation to the Legal agreement secured under WA/2014/1565 to secure the appropriate Natural England fee for Strategic Access Management (SAMM), the proposal (in combination with other projects) would have a likely adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA). The proposal would fail to comply with NE1 and NE3 of the Local Plan 2018 (Part 1), Policies FNP12 and FNP13 of the Farnham Neighbourhood Plan 2017, Policy NRM6 of the South East Plan, paragraph 118 of the NPPF 2012 and the Thames Basin Heaths SPA Avoidance Strategy Review (2016) and Regulation 62 of the Conservation of Habitats and Species Regulations 2010 (The Habitats Regulations). Permission must therefore be refused in accordance with Regulation 61(5) of the Habitats Regulations and Article 6(3) of Directive 92/43/EE.

The meeting commenced at 7.00 pm and concluded at 8.53 pm

Chairman