

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE JOINT PLANNING COMMITTEE - 25 JULY 2018

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

Present

Cllr David Else (Chairman)	Cllr Val Henry
Cllr Peter Isherwood (Vice Chairman)	Cllr David Hunter
Cllr Mike Band	Cllr Jerry Hyman
Cllr Maurice Byham	Cllr Anna James
Cllr Carole Cockburn	Cllr Stephen Mulliner
Cllr Kevin Deanus	Cllr Nabeel Nasir
Cllr Paul Follows	Cllr Chris Storey
Cllr Mary Forszewski	Cllr John Ward
Cllr Michael Goodridge	Cllr Nick Williams
Cllr John Gray	

Apologies

Cllr Brian Adams, Cllr Denis Leigh and Cllr Liz Townsend

Also Present

Councillor Andy MacLeod

22. MINUTES (Agenda item 1.)

The minutes of the meeting which took place on 27 June 2018 were confirmed and signed.

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

Apologies for absence were received from Councillors Brian Adams, Denis Leigh and Liz Townsend. There were no substitutes.

24. DECLARATIONS OF INTERESTS (Agenda item 3.)

There were no declarations of interest.

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

There were no questions.

26. QUESTIONS FROM MEMBERS (Agenda item 5.)

There were no questions.

27. PERFORMANCE AGAINST GOVERNMENT TARGETS (Agenda item 6.)

Performance against government targets was noted.

28. APPLICATION FOR PLANNING PERMISSION - WA/2018/0458 - THE WOOLMEAD, EAST STREET, FARNHAM (Agenda item 8.)

Proposal

Erection of a building to provide 138 dwellings, 4097m² of mixed use commercial floor space with associated access, parking and landscaping (as amplified by plans received 14/5/18, 4/6/18, amended by plan received 27/6/18 and additional information received 20/04/18, 4/06/18, 1/06/18, 27/6/18 and 29/6/18).

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. It was noted that since the agenda had been published there had been an amended National Planning Policy Framework (NPPF) published. This was a material planning consideration in planning decisions. However, the document retained a focus on housing delivery and a presumption in favour of sustainable development and did not alter the conclusions of the agenda report.

The Officers detailed that there were some amendments to the report which are noted below and pages refer to the agenda report:

On p.112 in the market housing table the total number of units should be 138 not 73 as printed.

On p.92 the SANG contribution figures are incorrect. This should be amended to read: £292,557.00 (comprised of SANG payment of £225,231 and SAMM payment of £67,326) in line with the Waverley Borough Council Thames Basin Heaths Special Protection Area Avoidance Strategy (December 2016).

On p.136 the SPA contribution should read £292,557.00. The Total on this table should therefore be updated to read £952,858 plus requirements to be provided by the developer.

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:

Max Gaulton - Applicant/Agent

Debate

The Committee considered the report and amended recommendation as detailed in the update sheet.

Concerns were raised from Members regarding the fact that affordable housing was not being provided on site. They were advised that although the proposal did not include any provision of affordable housing, in conflict with the 30% requirement of Policy AHN1 of the Local Plan Part 1 2018. But, the applicant had demonstrated that it would not be financially viable to provide any affordable housing, either on

site or off site, and this position had been verified by independent assessors. Members requested that, in future, this information be provided to them in advance of the meeting as an exempt annexe.

The Committee agreed that it was a sustainable site and although there would be no on site vehicle parking spaces for the commercial units, being in a sustainable location and near public car parks and that the County Highway Authority had raised no objection, subject to financial payment for sustainable transport improvements in Farnham Town Centre, this was agreeable.

A motion was moved by Councillor Jerry Hyman and seconded by Councillor Paul Follows to defer the application for a viability appraisal. As this was debated, it was raised that they had been given the appropriate expert advice from the lawyers and that although disappointed about the provision of the affordable housing, they had to accept their advice. Consequently, This motion put to the vote was lost with 17 against, 2 in favour and 1 abstention. A further motion was put forward in relation to increasing the number of electrical charging points which was also lost in a vote of 13 against, 5 for and 2 abstentions.

The Committee moved to the revised recommendation as noted in the update sheet which proposed a number of amendments to the conditions. Officers reiterated in their presentation that whilst the proposal would not be entirely in accordance with the Development Plan, the benefits of 138 new dwellings in a highly sustainable location, commercial units, and a significantly visually enhanced appearance of the area, resulting in a redevelopment scheme for Farnham, would outweigh the adverse impacts in relation to limited provision of amenity space, lack of commercial parking space and standard of accommodation.

Put to the vote, 18 voted in favour of the revised recommendation (as noted below), 1 against and there was 1 abstention.

Decision

Decision A:

RESOLVED that the application be GRANTED subject to the applicant entering into an appropriate legal agreement to secure the provision of: contributions towards education infrastructure, SuDS management/maintenance, open space management/maintenance, contributions to off-site play pitch improvements and play space refurbishments, leisure contributions towards Heathland Hub and Farnham Leisure Centre, contribution to recycling containers, contributions to SANG at Farnham Park, off-site highways improvements, travel plan, bicycle/bus vouchers, funding and procurement of loading bays and creation of car club, and subject to conditions 2-4, 6-22, 24-32 and 36 (renumbered where necessary) and subject to amended conditions 1, 5 and 23, additional condition 39, and informatives.

Decision B:

That, if the requirements of Decision A are not met within 6 months of the date of resolution to grant permission, then permission be REFUSED for the reasons noted in the update sheet.

29. APPLICATION FOR PLANNING PERMISSION - WA/2018/0329 - LITTLE ACRES NURSERY, ST GEORGES ROAD BADSHOT LEA GU9 9NT (Agenda item 7.)

Proposed development

The erection of 94 dwellings including associated parking, landscaping, open space and infrastructure following the demolition of existing buildings (Amended description following amended plans and supporting documents received 04/05/2018, additional and amended information received 08/05/2018, 11/05/2018, 14/05/2018, 15/05/2018, 31/05/2018, 21/06/2018 and 03/07/2018)

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. It was noted that since the agenda had been published, the same advice as the application before in relation to the NPPF. There were 4 additional letters of objection received and although Officers were satisfied that the proposal would not prejudice the development of the entire allocated site, this had been demonstrated in the submitted Transport Statement and shown in figure 5 in that report. In light of the comments received though, an additional condition was recommended to secure details of the access to the remainder of the site.

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:

Jon Bradburn - Objector
James McConnell - Applicant/Agent

Debate

The Committee considered the application and asked for clarification from officers regarding the affordable housing element. Members were advised that the proposal would provide a housing mix in line with the requirement of the SHMA 2015 and would provide 30% on site affordable housing. The proposal was considered to be acceptable with regards to affordable housing provision and would accord with Policy AHN1 of the Local Plan Part 1 (2018). Members still raised concern about the position of affordable housing in clusters though.

Questions were raised about the access and it was noted that the County Highway Authority was satisfied that the proposal was acceptable in terms of highway safety, access location, traffic capacity, parking provision and policy considerations. This was subject to a legal agreement to ensure that the appropriate highway mitigation would be secured and that appropriate conditions be applied to any approval.

Members considered the design of the development and it was raised that it was important that the developers consulted with the residents/local community groups to get their views and this be added as an informative to the decision. Furthermore a motion was raised that 100% of electronic charging points be provided (above the Surrey CC standard) which was part of condition 15. This was agreed with 14 in favour, 2 against and 3 abstaining. It was also agreed that there should be the removal of permitted development rights.

Having come to a conclusion, the recommendation was put as below with the above amendments and it was agreed with 13 in favour, 2 against and 4 abstaining.

Decision

Decision A:

RESOLVED to GRANT the application subject to a Section 106 agreement to secure contributions towards education, recycling provision, playing pitch improvements, off-site environmental improvements, mitigation for the impact on the SPA, off-site highways improvements and SUDs and open space management/maintenance and conditions 1-6 inclusive, 8-19 inclusive and 22-25 inclusive as set out in the agenda report and amended conditions 7 and 20, amended reasons for conditions 17, 18, 19, 22, 23 and 24 and additional conditions 26 and 27 in the update sheet, and an additional condition raised at the meeting in relation to the removal of planning development rights, plus amending condition 15 to refer to providing 100% electrical charging points, permission be GRANTED.

Decision B:

That, in the event that the requirements of Decision A are not met within 6 months of the date of the resolution to grant permission, then permission be REFUSED for the following reasons:

1. In absence of an appropriate legal agreement to secure a programme of highway improvement works to mitigate the impact of traffic generated by the development, the proposal would have a severe impact on the safety of the surrounding highway network. The application therefore fails to meet Policy ST1 of the Local Plan 2018 (Part 1), Policies FNP14(c) and FNP30 of the Farnham Neighbourhood Plan (2017) and paragraph 109 of the NPPF 2018.
2. In the absence of an appropriate 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 fail to create a sustainable, inclusive and mixed community and would be contrary to Policy AHN1 of the Local Plan Part 1 (2018) and the requirements of paragraph 62 of the NPPF 2018.
3. In the absence of an appropriate legal agreement to secure appropriate planning infrastructure contributions towards education, recycling, playing pitches and off-site environmental improvements, the proposal fails to limit the impacts of the development on existing infrastructure. The proposal therefore conflicts with Policy ICS1 Local Plan (Part 1) 2018, Policies FNP14(c) and FNP32 of the Farnham Neighbourhood Plan (2017) and paragraph 8 of the NPPF 2018.
4. In the absence of an appropriate legal agreement, the proposals (in combination with other projects) would have a likely significant effect on the integrity of the Thames Basin Heath Special Protection Area (SPA). Accordingly, since the planning authority is not satisfied that Regulation 62 of the Conservation of Habitats and Species Regulations 2010 (as amended) (The Habitats Regulations) applies in this case, it must refuse permission in accordance with Regulation 61(5) of the Habitats Regulations and Article 6(3) of Directive 92/43/EE. The proposal conflicts with Policy NE1 and NE3 of the Local Plan (Part 1) 2018, Policies FNP12 and FNP13 of the Farnham Neighbourhood Plan (2017) and paragraphs 170, 175 and 177 of the National Planning Policy Framework 2018.

Joint Planning Committee 6
25.07.18

The meeting commenced at 6.30 pm and concluded at 9.00 pm

Chairman