

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE JOINT PLANNING COMMITTEE - 19 SEPTEMBER 2018

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

Present

Cllr Peter Isherwood (Vice Chairman)	Cllr David Hunter
Cllr Maurice Byham	Cllr Jerry Hyman
Cllr Carole Cockburn	Cllr Anna James
Cllr Kevin Deanus	Cllr Nabeel Nasir
Cllr Paul Follows	Cllr Liz Townsend
Cllr Mary Forszyszewski	Cllr John Ward
Cllr John Gray	Cllr Nick Williams

Cllr Bob Upton (Substitute) Cllr Patricia Ellis (Substitute)

Apologies

Cllr David Else, Cllr Brian Adams, Cllr Mike Band, Cllr Michael Goodridge, Cllr Val Henry, Cllr Denis Leigh, Cllr Stephen Mulliner and Cllr Chris Storey

53. MINUTES (Agenda item 1.)

The minutes of the meeting that took place on 13 August 2018 were confirmed and signed.

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

There were apologies for absence from Councillors David Else, Brian Adams, Mike Band, Michael Goodridge, Val Henry, Denis Leigh, Stephen Milliner and Chris Storey.

Councillor Maurice Byham missed part of the first application on the agenda – Garden Style Nursery so did not take part in the vote.

55. DECLARATIONS OF INTERESTS (Agenda item 3.)

There were no declarations of interest.

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

There were none.

57. QUESTIONS FROM MEMBERS (Agenda item 5.)

There were none.

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

Performance was noted.

59. ITEM A1 - WA/2017/1778 - GARDEN STYLE NURSERY, WRECCLESHAM HILL, WRECCLESHAM GU10 4JX (Agenda item 7.)

Proposed development

Erection of 72 dwellings, including 26 affordable following demolition of existing buildings with associated access, car and secure cycle parking, landscaping and servicing (as amended by plans received 19/03/2018, 27/06/2018 and 01/08/2018, 08/08/2018, 31/08/2018, 03/09/2018, 04/09/2018)

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 then outlined 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 permission was sought for the erection of 72 dwellings, including 26 affordable dwellings, following demolition of existing buildings with associated access, car and secure cycle parking, landscaping and servicing. Some works associated with this application had commenced on site, including the demolition of the former nursery buildings and the construction of some dwellings. As such, this application was partially retrospective.

Erection of 65 new dwellings, including 26 affordable, following demolition of existing buildings with associated access, car and secure cycle parking, landscaping and servicing (WA/2015/2163) had been approved by the Committee on 7 July 2016.

Members noted that since the publication of the agenda, additional plans had been received and the Council's Greenspaces Manager had requested a change to the infrastructure projects for leisure/parks and countryside. There were a number of changes/amendments proposed to the conditions which were outlined in the update sheet.

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:

Stephen Trenwith - Applicant/Agent

Debate

The Committee considered the application and was very disappointed about the breach of conditions by the applicants in relation to the trees. Works pursuant to the existing 65-unit scheme had commenced without appropriate tree protection measures in place, in breach of relevant conditions. The works included the construction of a temporary access road within root protection areas. The Council's Tree & Landscape Officer had visited the site and witnessed direct damage to tree roots from the roadway installation at an inappropriate juxtaposition. It was noted that exposed shattered rooting was visible.

The Committee was informed that the removal of the trees had not been appropriately justified by the applicants. As such, a criminal offence may have occurred under the Town and Country Planning Act 1990 and this matter was the subject of an open planning enforcement investigation. This position was far from desirable, but it was not possible to reverse the harm that had been caused through the tree removal. However, there was an opportunity to secure improvements over the existing position and the new application proposed compensation planting towards the rear of the site.

Members noted the apology from the applicant during the public speaking but were still frustrated that this had not been picked up earlier so that the damage could have been avoided. It was noted that this was subject to planning enforcement action and the officers could not go into the details during public session. Councillor Paul Follows questioned whether or not they should wait for the investigation to be complete before making a decision. Elizabeth Sims explained that they were two different processes and that this was not in their remit.

Councillor Kevin Deanus raised several points particularly around the Affordable Housing being in one place and not spread out across the site, and six of the dwellings being below the minimum space limit standard. Councillor Jerry Hyman asked about an Appropriate Assessment and the Council's Planning Lawyer confirmed that it was satisfactory.

Councillor Paul Follows left at 7.49pm so did not take part in the vote.

During debate the Committee requested condition 4, regarding electrical charging points, be amended to be more robust, and asked for additional conditions in relation to the management of the proposed pumping plan and dwellings have been completed to meet the requirement of 110 litres of water per person per day.

The Chairman moved to the revised recommendation A, on which 12 voted in favour, 2 against with 1 abstention. Voting on recommendation B was unanimous in favour.

Decisions

Decision A RESOLVED that, permission be APPROVED subject to the completion of an appropriate legal agreement by 22/02/2019 to secure affordable housing, planning infrastructure contributions, contributions towards Farnham

Park SANG, a Landscape Ecological Management Plan and conditions 2-5 and 7- 10, 12-24, 26-27 and 29 as set out on the agenda report, amended conditions 1, 6 and 25 set out on this update sheet and the amendments and additional conditions noted below:

- **Amended Condition 4:**

The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority and the Council's Environmental Health Officer for:

- (a) The secure parking of bicycles within the development site. Such facilities to be integral to each dwelling/building.
- (b) Electric Vehicle Charging Points **within the development in accordance with Surrey County Council's Vehicular and Cycle Parking Guidance (January 2018). Charging points should be 7kw as a minimum, and shall as a minimum be provided for each dwelling and for 20% of spaces for flats.**
- (c) Details confirming that the publically accessible Electric Vehicle Charging Points will be registered with a national scheme to ensure availability of Electric Vehicle Charging Points to a wider network of users

These facilities shall thereafter be retained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

- **Additional condition 30:**

Prior to the first occupation of the development, a management plan relating to the proposed pumping station in the north east corner of the site, shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall detail how the pumping station will be maintained and accessed, including in the event of any system failures and shall include measures to avoid any resultant harm to the Ancient Woodland resulting from the maintenance and operation of the pumping station. The pumping station shall be operated in complete accordance with the approved details.

- **Additional condition 31:**
Prior to the first occupation of each dwelling, details shall be submitted to and be approved in writing by the Local Planning Authority to confirm that the dwelling has been completed to meet the requirement of 110 litres of water per person per day.

Decision B That, in the event that the requirements of Recommendation A are not met, permission be REFUSED.

60. ITEM A2 - WA/2015/2283 - LAND ON WEST SIDE OF GREEN LANE, BADSHOT LEA (Agenda item 8.)

Proposal

Outline application with all matters reserved except for access for the erection of up to 105 dwellings including 32 affordable together with associated works (as amended by Design and Access Statement received 09/11/2016, amended drainage information and FRA received 28/04/2017 and amended plans and additional information received 07/07/2017 and amended location plan received 09/11/2017 and additional Certificate B received 24/11/2017)

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 the application was originally brought before the Joint Planning Committee on 26 July 2017. The Committee resolved to grant permission for the development subject to the completion of a Section 106 Agreement to secure the provision of: 30% on site affordable housing; contributions towards SANG, education infrastructure, SuDS management/maintenance, play space provision and maintenance, open space management/maintenance, contributions towards off-site play pitch improvements, off-site highways and public footpath improvements and travel plan within 6 months of the resolution, conditions and informatives, and additional informative in respect of engagement in respective of future reserved matters details.

The timeframe for the completion of the Section 106 Agreement was 26 January 2018; however, the Section 106 Agreement had not been completed by this time.

Officers outlined changes to the NPPF and Local Plan policies since the Committee last considered the application. Officers were satisfied that the content of these would not change the conclusions made within the original Committee Agenda report.

Officers advised that they expected the Section 106 Agreement would be completed within the next 3 months. The application was therefore being brought back to the Joint Planning Committee to extend the original Committee resolution to enable the completion of the Section 106 Agreement.

There were no updates since the papers had been published but officers attached the previous Committee report for information.

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:

Cliff Watts - Applicant/Agent Debate

The Committee considered the application, and as referred to in the previous application requested the condition in relation to electrical charging points be amended to be more robust, and asked for an additional condition in relation to the dwellings which have been completed to meet the requirement of 110 litres of water per person per day.

Councillor Carole Cockburn requested that there was an additional informative in relation to the applicants working with the community before reserved matters to discuss matters of design and also car parking which is a major issue.

Cllr Jerry Hyman asked about the completion of an Appropriate Assessment. He was informed that the Appropriate Assessment, which had been approved by Natural England, concluded that with appropriate mitigation (in this instance a financial contribution towards the SANG at Farnham Park) the proposal would not affect the integrity of the SPA.

The Chairman moved to the revised recommendation, on which 15 voted in favour, 1 against; there were no abstentions. In relation to recommendation B, the vote was unanimous in favour.

Decisions

- Decision A RESOLVED that permission be APPROVED, subject to the applicant entering into appropriate legal agreement within 6 months of the date of the committee resolution to grant planning permission to secure the provision of: 30% on site affordable housing; contributions towards education infrastructure, Thames Basin Heaths avoidance strategy for provision of SANG, SuDS management/maintenance, play space provision and maintenance, open space management/maintenance, contributions towards off-site play pitch improvements, off-site highways and public footpath improvements and travel plan, and subject to conditions 1-18 and informatives 1-30, plus an additional informative in relation to preconsultation, and **as raised at the meeting** making the electrical charging point condition more robust, an additional condition in relation to the dwellings which have been completed to meet the requirement of 110 litres of water per person per day and an additional informative about working with the community prior to reserve matters.

Decision B That, in the event that an appropriate legal agreement is not completed within 6 months of the date of the resolution to grant planning permission, permission be REFUSED for reasons 1-4 in the agenda report.

61. ITEM B1 - WA/2018/0830 - UNIVERSITY FOR THE CREATIVE ARTS, FALKNER ROAD, FARNHAM GU9 7DS (Agenda item 9.)

Proposal

Erection of 5 buildings to provide student accommodation comprising 2 three storey and 3 four storey buildings together with internal access, car parking, lighting, landscaping and associated works following the demolition of existing buildings (as amended and amplified by plans received 08/06/2018, 20/06/2018 and 22/08/2018 and additional information submitted 04/09/2018)

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 publication of the report it was noted that there were two errors. The provision of car parking spaces as part of the proposal should read 258 (not 252) and the dedicated preview session for local stakeholders was held on 15th March 2018 not 5th March 2018

Debate

Councillor David Beaman, as ward councillor, spoke on this item and was in support of the proposal. He advised that there was a Travel Plan proposed but this had already been implemented allowing a 20% discount for a bus pass, and 62 new bicycle parking loops would be provided allowing the secure storage of up to 124 bikes for the resident students.

All Councillors were in support of the scheme and felt it was a good thing for Waverley. There was a slight concern about the drop in car parking spaces but noted the travel plan in place and being secured by a S106 agreement.

The Chairman moved to the revised recommendation on which the vote was unanimous in favour; similarly for recommendation B.

Decisions

Decision A That, subject to the applicant entering into an appropriate legal agreement to secure the provision of: contributions towards environmental improvements, contributions to SANG at Farnham Park, recycling containers, travel plan and off-site highways improvements and subject to conditions and informatives, as well as an additional informative requesting additional cycle loops, permission be GRANTED.

Decision B That, in the event that the requirements of Recommendation A are not met within 6 months of the date of the resolution to grant permission, permission be REFUSED

The meeting commenced at 6.30 pm and concluded at 8.44 pm

Chairman