

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE JOINT PLANNING COMMITTEE - 6 MARCH 2019

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

Present

Cllr David Else (Chairman)	Cllr John Gray
Cllr Peter Isherwood (Vice Chairman)	Cllr David Hunter
Cllr Brian Adams	Cllr Jerry Hyman
Cllr Maurice Byham	Cllr Simon Inchbald
Cllr Carole Cockburn	Cllr Anna James
Cllr Kevin Deanus	Cllr Stephen Mulliner
Cllr Paul Follows	Cllr Nabeel Nasir
Cllr Mary Forszewska	Cllr Chris Storey
Cllr Michael Goodridge	Cllr John Ward

Cllr Andrew Bolton (Substitute)

Apologies

Cllr Mike Band, Cllr Val Henry, Cllr Denis Leigh, Cllr Liz Townsend and Cllr Nick Williams

120. MINUTES (Agenda item 1.)

The minutes of the meeting which took place on 20 February 2019 were agreed and signed.

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

There were apologies for absence from Councillors Denis Leigh Nick Williams, Val Henry, Mike Band and Liz Townsend. Councillor Andrew Bolton attended as a substitute.

122. DECLARATIONS OF INTERESTS (Agenda item 3.)

There were no declarations of interest.

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

There were none.

124. QUESTIONS FROM MEMBERS (Agenda item 5.)

There were none.

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

The performance against government targets was noted.

126. APPLICATION FOR PLANNING PERMISSION - WA/2017/0277 - LYTHER HILL HOTEL, PETWORTH ROAD, HASLEMERE GU27 3BQ (Agenda item 7.)

Proposed development

Erection of extensions to existing hotel and spa buildings together with the erection of new buildings in 4 phases together with associated parking and demolition of existing extension and outbuildings. :- Phase 1 Erection of roof to open courtyard area; Phase 2 New wedding/conference building; Phase 6 Extension to existing gym and spa building; Phase 7 Extensions to provide a restaurant and bedroom wing; and associated works (amended description)

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 since the agenda papers had been published there had been an additional response from the Surrey Wildlife trust making comments in relation to the amended proposals. These comments supported the conclusions of officers which were set out in the agenda report. There had been additional comments from the applicant and Members received the confidential viability reports submitted by the applicants.

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:

Ian Ellis – Objector
Cllr Pamela Bradley – Haslemere Town Council
Janet Long - Applicant/Agent

Debate

Councillor Mulliner opened debate by questioning the ambitions of the hotel. He felt that the applicant was going for a 5* establishment but, considering the size of the plot, they could not offer 5* facilities, such as a golf course. He questioned, as did other Councillors whether or not the Hotel needed to go for the full extent of re-generation but could still be viable with a smaller development of its current facilities.

There was concern expressed by Councillors that by going for the full extent of development, if the scheme was still unviable, this could lead them to a future decision on an application being brought forward for this to be converted to flats/housing.

The Vice-Chairman gave detail to the background to the application and how that it initially was going to come to an area committee but, due to its economic significance to the Borough, felt that it should come to a Joint Planning Committee. Councillor Carole Cockburn also raised the need for a venue in the Borough for visitors and this would have benefits for Haslemere both economically and for

employment. She welcomed the expansion of the hotel as long as this was not to the detriment to the ancient woodland.

Councillor Andrew Bolton agreed that the borough was short of good hotels but was concerned about the size of the proposal. Councillor Mary Forszewski also raised concern about the implications for the equestrian facility neighbouring the site and the noise that could result from the proposals. Councillor Simon Inchbald also raised concern about the size of the proposal and the damage that had already been made to the ancient woodland. All felt that the applicant should come back with a better and smaller scheme.

Councillor Anna James talked about the history of Old Thornes in Liphook that had gone through a similar regeneration which had proved a success. She felt that this could be a similar success story in the borough and was a much needed facility. This was concurred by Councillor Brian Adams who sought clarification of the damage to the ancient woodland and Councillor John Gray who was concerned about the viability.

Councillor Paul Follows asked about the staging and felt that the application should have come in stages as there were some that were acceptable and some that he (and others) felt, as part of the wider scheme, were not.

In coming to a conclusion, Members voted on the officer's recommendation that planning permission be refused: in favour of refusing permission – 6; against refusing permission – 9; there were no abstentions.

Subject to the addition of standard conditions, and specific conditions which Members indicated that they wished to see, with all conditions to be agreed with the Chair and Vice-Chair following the meeting, it was proposed and seconded that permission be granted.

Decision

RESOLVED that:

Decision A

Subject to referral to the Secretary of State, and subject to completion of a legal agreement within 6 months of the resolution to grant, to secure off site highway improvement works and highways infrastructure contributions, and subject to conditions to be agreed by the Chairman and Vice-Chairman, permission be GRANTED.

Decision B

In the event that the requirements of Decision A are not met, permission be REFUSED for the following reason:

In the absence of an appropriate legal agreement to secure off site highway improvement works along Petworth Road and infrastructure contributions towards travel plan monitoring drainage and surfacing improvements to Public Footpath No. 508 and Public Bridleway No. 41, the proposal would be unacceptable in highway

safety and sustainability terms and would conflict with Policies ST1 and ICS1 of the Local Plan 2018 (Part1).

SUMMARY OF REASONS FOR GRANTING PERMISSION

The development hereby granted has been assessed against the following Development Plan policies: Waverley Borough Local Plan, Part 1, Strategic policies and sites (adopted February 2018): SP1, SP2, ST1, EE1, LRC1, RE2, RE3, TD1, HA1, NE1, NE2, CC1, CC2 and CC4; Waverley Borough Local Plan 2002 (retained policies February 2018): D1, D2, D4, D7, HE1, HE3, HE5, LT4, LT7, M5 and material considerations, including third party representations. Very special circumstances exist such to outweigh the harm to the Green Belt and any other harm. There are considered to be wholly exceptional circumstances such to outweigh the harm to the Ancient Woodland through the formation of a car park. The proposal would lead to less than substantial harm to the significance of the Heritage Asset and as such, would fail to preserve the special interest and setting of the Listed Building. The public benefits are that the development would secure the longer term viability of the Listed Building. The public benefits are sufficient to outweigh the identified harm. The benefits to the proposal comprise securing the longer term viability of the hotel, which would in turn deliver economic benefits to the area and would provide leisure and recreation facilities within Haslemere. It is concluded that the benefits of the proposal would outweigh the adverse impacts.

At the Committee, the resolution to grant planning permission was subject to conditions to be agreed in writing with the Chairman prior to a decision being issued, it was also agreed that the suggested conditions would be circulated to the full committee. The following conditions are suggested:

Plan numbers

1. The plan numbers to which this permission relates are 093 1A – Master Plan, Phase 1: Plan numbers 01.01 Location and Block Plan, inclusive, Existing basement floor plan 01.02, Existing ground floor plan 01.03, Existing floor plan 01.04, Existing roof plan 01.05, Existing Elevations 01.06 and 01.07, Proposed basement floor plan 01.08, Proposed ground floor plan 01.09, Proposed first floor plan 01.10, Proposed roof plan 01.11, Proposed elevations 01.12, Proposed elevations 01.13, Proposed visuals 01.14; Phase 2: Location Plan 02.1, Block Plan 02.2, Proposed elevations 02.3, Proposed roof plan and floor plan 02.4, Proposed visuals 02.5; Phase 3: 06.1 – Location and Block Plan, 06.2 – Existing plans and elevations, 06.3 – Proposed plans and elevations; Phase 6: Gym and spa: 06.1 – Location and Block Plan, 06.2 – Existing plans and elevations, 06.3 – Proposed plans and elevations; Phase 7 Bedroom Block and Restaurant Extension, 07.01A – Location Plan, 07.02A – Block Plan, 07.03A – Existing Basement Plan, 07.04A – Existing Ground Floor Plan, 07.05A – Existing First Floor Plan, 07.06A – Existing Roof Plan, 07.07A – Existing Elevations, 07.08A – Existing Elevations, 07.09A – Existing Elevations, 07.10A – Existing Elevations, 07.11A – Existing Elevations, 07.12A – Proposed Basement Plan, 07.13A – Proposed Ground Floor Plan, 07.14A – Proposed First Floor Plan, 07.15A – Proposed Roof Plan, 07.16A – Proposed Elevations, 07.17A – Proposed Elevations, 07.18A – Proposed Elevations, 07.19A – Proposed Elevations, 07.20 A – Proposed Elevations, 07.21A – Proposed Elevations, 07.22A – Proposed Visuals. The development shall be carried out in

accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policy TD1 of the Local Plan 2018 (Part 1) and retained Policies D1 and D4 of the Local Plan 2002.

Visual matters

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

In the interest of the character and amenity of the area in accordance with Policy TD1 of the Local Plan 2018 (Part 1) and retained Policies D1 and D4 of the Local Plan 2002.

3. Prior to the laying of any hard surfacing, full details of the materials to be used in the construction of the hard surface areas of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The hard surfacing shall thereafter be carried out in accordance with the approved details.

Reason

In the interest of the character and amenity of the area in accordance with Policy TD1 of the Local Plan Part 1 2018 and retained Policies D1 and D4 of the Waverley Borough Local Plan 2002.

Use and hours

4. The restaurant use hereby permitted shall not be open to customers outside the following times 06:00 and 23:00.

Reason

In order to safeguard the privacy and amenities of neighbouring occupiers in accordance with Policy TD1 of the Local Plan Part 1 2018 and retained Policies D1 and D4 of the Waverley Borough Local Plan 2002.

5. Condition

Following the wedding/conference venue hereby permitted, first being brought into use, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other Order revoking or re-enacting that Order with or without modification), no temporary building or structure as defined within Part 4 of Schedule 2, Class A inclusive of that order, shall be constructed on the site without the written permission of the Local Planning Authority.

Reason

In order to safeguard the privacy and amenities of neighbouring occupiers in accordance with Policy TD1 of the Local Plan Part 1 2018 and retained Policies D1 and D4 of the Waverley Borough Local Plan 2002.

6. The ancillary uses (the wedding/conference venue, the restaurant and the spa/gym/pool building) hereby permitted shall only be used for purposes ancillary to the operations of the site as a hotel (use class C1) known as the Lythe Hill Hotel and shall not be transferred, leased, sold off or otherwise used separately from the use as a hotel.

Reason

In order to protect the rural landscape character, such to accord with Policies RE2 and RE3 of the Local Plan 2018 (Part 1)

Landscape and ecology

7. A Landscape and Ecological Management Plan, incorporating a Woodland Management Plan are provided to provide details of 15m ancient woodland buffer zone and enhanced woodland management.

Reason

To safeguard the ecological interest of the site in accordance with Policy NE1 of the Local Plan Part 1 (2018).

8. Prior to the commencement of development, the applicant shall

- a) Obtain a European Protected Species (EPS) licence from Natural England following the receipt of planning permission and prior to any works which may affect bats commencing and to;
- b) Undertake all the actions which detailed in the Method Statement approved pursuant to part (a) of this condition which shall be based on the mitigation, compensation and enhancement actions presented within the section 6 'Mitigation Strategy' of the above referenced Bat Survey report.

Reason

To ensure that protected species under Schedules 1 and 5 of the Wildlife and Countryside Act 1981 and their roosts/setts are not endangered by the development in accordance with Policy NE1 of the Local Plan Part 1 (2018).

Tree Protection

9. a) Prior to the commencement of development and before any alteration of the existing condition of the site takes place, a pre-commencement meeting will be held with the appointed arboricultural consultant and LPA Tree Officer to agree on-site in-situ tree protection barriers and ground protection measures and method and sequencing of the development process in accordance with the ethos of the submitted Arboricultural Method Statement (AMS) by David Archer Associates.

Following the meeting, works shall be carried out in strict accordance with the agreed, submitted, AMS, tree protection plan and scheme of sequencing of arboricultural monitoring and supervision, by the appointed arboriculturist. Any amendments to be agreed with the Local Planning Authority in writing.

b) This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during development.

Reason

To adequately protect all trees worthy of retention from development harm and to provide for their amenity contribution thereafter such to accord with Policies TD1 and RE3 of the Local Plan 2018 (Part 1) and retained Policies D1 and D4 of the Local Plan 2002.

Noise / Environmental Health / light

10. Prior to the first use of the wedding/conference building hereby approved, a detailed Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

These measures shall include

- The recommendations set out in the Noise Impact Assessment report produced by 24Acoustics dated 17th October 2018 and
- Noise from within the premises between 01:00 and 07:00 hours will not be audible at the nearest residential property.
- Windows to be kept closed during entertainment as mentioned in 6.3 of Noise Impact Assessment.
- No firework displays (except visual displays)
- No amplified or other music shall be played in any of the buildings hereby permitted, so as to be audible outside the building
- Measures to avoid any material adverse harm to the adjacent uses at Barfold Farm over and above the existing position
- No temporary building or structure for the purposes of temporary events shall be constructed on the site without the written permission of the Local Planning Authority.

Reason

In order to safeguard the amenities of neighbouring occupiers and to ensure the compatibility of the proposal with existing neighbouring uses in accordance with Policy TD1 of the Local Plan Part 1 2018 and retained Policies D1 and D4 of the Waverley Borough Local Plan 2002.

11. The development shall be undertaken in complete accordance with the Lighting Strategy and the Lighting Impact Assessment both prepared by Designs for Lighting and dated October 2018.

Reason

To ensure a sensitive lighting strategy is implemented on site such to safeguard the ecological interest of the site, the amenities of neighbouring occupiers, and to protect the visual amenity of the Area of Outstanding Natural Beauty in accordance with Policies TD1 RE3 and NE1 of the Local Plan Part 1 (2018).

Archaeology

12. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a

Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority.

Reason

The development proposed covers a large surface area and it is considered likely that it will affect currently unknown archaeological information. It is important that the site is surveyed and work is carried out as necessary in order to preserve as a record any such information before it is destroyed by the development in accordance with Policy HA1 of the Local Plan (Part 1) 2018 and retained Policy HE15 of the Waverley Borough Local Plan 2002. This is a pre commencement condition because the matter goes to the heart of the permission.

Drainage

13. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. Those details shall include:

- a) A design that satisfies the SuDS Hierarchy and that is compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS.
- b) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+CC%) allowance for climate change storm events, during all stages of the development (Pre, Post and during), associated discharge rates and storages volumes shall be provided using a Greenfield discharge rate of 5l/s.
- c) Detailed drawings to include: a finalised drainage layout detailing the location of SuDS elements, pipe diameters, levels, details of how SuDS elements will be protected from root damage and long and cross sections of each SuDS element including details of any flow restrictions and how they will be protected from blockage.
- d) Details of how the runoff (including any pollutants) from the development site will be managed during construction.
- e) Details of Management and Maintenance regimes and responsibilities for the drainage system.
- f) A plan showing exceedance flows and how property on and off site will be protected.

Reason:

To ensure an acceptable Sustainable Drainage System and to comply with retained Policy D1 of the Waverley Borough Local Plan 2002, Policy CC4 of the Local Plan (Part 1) 2018 and the advice contained within the NPPF, NPPG and Non-Statutory Technical Standards for SuDS. This is a pre-commencement condition because it goes to the heart of the consent.

14. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Drainage System has been constructed as per the agreed scheme.

Reason:

To ensure an acceptable Sustainable Drainage System and to comply with retained Policy D1 of the Waverley Borough Local Plan 2002, Policy CC4 of the Local Plan

(Part 1) 2018 and the advice contained within the NPPF, NPPG and Non-Statutory Technical Standards for SuDS.

Highway safety

15. Each phase of the development shall not be first brought into use until the accompanying parking provision is provided in accordance with the approved plans. The parking and turning areas shall thereafter be maintained for their designated purpose.

Reason

In order that the development makes sufficient provision for car parking and in order that the development should not prejudice highway safety nor cause inconvenience to other highway users such to accord with Policy ST1 of the Waverley Borough Local Plan Part 1, February 2018.

16. No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) on-site turning for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users such to accord with Policy ST1 of the Waverley Borough Local Plan Part 1, February 2018. This is a pre-commencement condition because it relates to the construction process.

17. No operations involving the bulk movement of materials to or from the development site shall commence unless and until facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority to so far as is reasonably practicable prevent the creation of dangerous conditions for road users on the public highway. The approved scheme shall thereafter be retained and used whenever the said operations are undertaken.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users such to accord with Policy ST1 of the Waverley Borough Local Plan Part 1, February 2018.

18. Prior to the restaurant and bedroom wing (phase 4) being first brought into use secure cycle storage shall be provided in accordance with the approved plans and thereafter maintained for its designated purpose.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users such to accord with Policy ST1 of the Waverley Borough Local Plan Part 1, February 2018.

Air Quality

19. Prior to the commencement of development, full details of a scheme for the provision of electric vehicle charging points within the development in accordance with Surrey County Council's Vehicular and Cycle Parking Guidance (January 2018), shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the occupation of the development.

Reason

To ensure that the development contributes to transport infrastructure improvements and support users of low and ultra low emission vehicles, in accordance with Policy ST1 of the Waverley Borough Local Plan Part 1, February 2018.

Separate conditions relating to the Listed Building will be applied to the joint listed building consent WA/2017/0278 if granted.

Informatives

1. "IMPORTANT" This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised.

2. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £116.00 or a reduced rate of £34.00 for household applications. The fee is charged per written request not per condition to be discharged. A Conditions Discharge form is available and can be downloaded from our web site.

3. Please note that the fee is refundable if the Local Planning Authority concerned has failed to discharge the condition by 12 weeks after receipt of the required information.

4. The applicant is reminded that the granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information, please contact the Environmental Health Service on 01483 523393.

5. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent.

6. Design standards for the layout and construction of access roads and junctions, including the provision of visibility zones, shall be in accordance with the requirements of the County Highway Authority.

7. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.

8. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.

9. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a Streetworks permit and a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a Streetworks permit and an application will need to be submitted to the County Council's Streetworks Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.

10. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

11. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

12. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

13. The applicant is advised that the S278 highway works will require payment of a commuted sum for future maintenance of highway infrastructure. Please see the following link for further details on the county council's commuted sums policy:

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<http://www.surreycc.gov.uk/environment-housing-and-planning/planning/transport-development-planning/surrey-county-council-commuted-sums-protocol>.

The meeting commenced at 6.30 pm and concluded at 8.00 pm

Chairman