

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE JOINT PLANNING COMMITTEE - 26 JUNE 2019

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

**Present**

Cllr Brian Adams	Cllr Val Henry
Cllr David Beaman	Cllr George Hesse
Cllr Peter Clark	Cllr Daniel Hunt
Cllr Carole Cockburn	Cllr Peter Isherwood
Cllr Richard Cole	Cllr Anna James
Cllr Steve Cosser	Cllr Jacquie Keen
Cllr Martin D'Arcy	Cllr John Neale
Cllr Sally Dickson	Cllr Peter Nicholson
Cllr Brian Edmonds	Cllr Liz Townsend
Cllr Paul Follows	Cllr George Wilson
Cllr John Gray	
Cllr Jan Floyd-Douglass (Substitute)	Cllr Paul Rivers (Substitute)

**Apologies**

Cllr David Else and Cllr Penny Rivers

**Also Present**

Councillor Jerome Davidson (Southern Area), Councillor Joan Heagin (Central Area), Councillor Trevor Sadler (Central Area) and Councillor Steve Williams (Central Area)

1. APPOINTMENT OF CHAIRMAN (Agenda item 1.)

Cllr Richard Cole was confirmed as Chairman of the Joint Planning Committee for the Council year 2019/20.

2. APPOINTMENT OF VICE-CHAIRMAN (Agenda item 2.)

Cllr David Beaman was confirmed as Vice Chairman of the Joint Planning Committee for the Council year 2019/20.

3. MINUTES (Agenda item 3.)

The Minutes of the Meeting held on 23 April 2019 were confirmed as a correct record and signed.

4. APOLOGIES FOR ABSENCE AND DECLARATIONS OF SUBSTITUTES (Agenda item 4.)

Apologies for absence were received from Cllrs David Else and Penny Rivers.

Cllrs Jan Floyd-Douglass and Paul Rivers attended as substitutes.

5. DECLARATIONS OF INTERESTS (Agenda item 5.)

Cllr Steve Cosser declared a non-pecuniary interest in Item A1, Charterhouse. As a Godalming Town Councillor and Waverley Borough Councillor for Charterhouse

ward he had been involved in a number of discussions about this application with both the applicant and their representatives as well as with local residents opposed to the application. He had also discussed the application with the planning case officer on two occasions.

Additionally, he was involved in a meeting of Godalming Town Council on 19 June 2019 at which this application was discussed. At that meeting he offered some preliminary thoughts on the application but made clear that he was undecided on the application and would listen carefully to views expressed at the Town Council and subsequently at the Joint Planning Committee by other Councillors before reaching a view. He abstained on the resolution passed by the Town Council.

Cllr Paul Follows declared a non-pecuniary interest in Item A1, Charterhouse. He explained that he was a member and Leader of Godalming Town Council, a body that has now objected in writing to the application. He was involved in the meeting of the Policy and Management Committee of Godalming Town Council which considered this application, in the chair. He abstained when called to vote and offered no opinion on the application during the discussion.

He had also met with the applicant, residents and the local County Councillor regarding the application.

Cllr Paul Follows also declared a non-pecuniary interest in Item A2, Woodside Park as he lived on Catteshall Lane, in fairly close proximity to the application site.

Cllr Paul Rivers declared a non-pecuniary interest in Item A1, Charterhouse, as he had attended the Godalming Town Council meeting regarding this application and had been in favour of the application at that time. He now came to this meeting with an open mind.

Cllr Val Henry declared a non-pecuniary interest in Item A3 as she was a member of Ewhurst Parish Council.

## 6. QUESTIONS BY MEMBERS OF THE PUBLIC (Agenda item 6.)

In accordance with Procedure Rule 10, the following question had been received from Mr House of Milford.

“Please could you provide the following confirmation:

That in accordance with the direction given to the Joint Planning Committee by the then Head of Planning, Elizabeth Sims, at the meeting of the Committee on 20 February 2019 when outline planning permission was given for up to 200 homes on the site at Milford Golf Course (WA/2018/1815) there is no predetermined limit on the number of homes to which the Joint Planning Committee can restrict detailed planning permission at the Reserved Matters hearing and that, as councillor Stephen Mulliner asked at the 20 February 2019 meeting, the Joint Planning Committee have full discretion to reduce the number at that hearing.”

The Chairman responded as follows.

“As part of the Reserved Matters application the applicant will specify the number of residential units that the site can contain in response to its outline consent taking into account physical, amenity and visual constraints. Officers will critically review the submission against the outline consent, its material matters and the Development Plan. This number could be up to 200 but equally it could be less. These matters will be considered when the Local Planning Authority has a valid reserved matters application and officers have considered its merits or otherwise having undertaken a technical appraisal and consulted with statutory, non-statutory and local consultees. Officers will then make recommendations to Members of the Joint Planning Committee for their consideration.”

7. QUESTIONS FROM MEMBERS (Agenda item 7.)

There were no questions from Members.

8. A1. APPLICATION FOR PLANNING PERMISSION - WA/2019/0067 - LAND SOUTH OF DAVIESITES, CHARTERHOUSE, QUEENS DRIVE, GODALMING (Agenda item 8.)

Proposal

Erection of 2 buildings comprising over 4,000 sq.m of floor space up to 4 storeys in height to provide student accommodation with associated landscaping and associated works together with a car park of 77 spaces.

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.

Since the report had been published, a representation had been received from Godalming Town Council objecting on the basis of encroachment into the Green Belt where exceptionally special circumstances had not been met. Two further representations had been received from members of the public which commented on the masterplan which had been published by the applicant on their website, outlining their long term aims for works within the site.

Additionally, officers provided some clarification in relation to the planning history on the site. While the school site had previously been considered for de-designation as Green Belt, the Council and Inspector in relation to Local Plan Part 1, had concluded that the land should remain as Green Belt. The previous assessment had been for consideration of a blanket lifting of the Green Belt designation over a large area of land. The current application, however, details an individual, specific proposal with clearly discernible impacts which would leave the majority of the Green Belt within the school site as undeveloped. The previous decision in relation to the Green Belt review, therefore did not prejudice the current application.

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:

David Sanders – Objector  
David Armitage – Supporter

Cllr Steve Williams had registered to speak on the application as the local Ward Member. He expressed concern that the application was for two very large buildings on Green Belt land, where he felt that there were no very special circumstances. Particularly, he felt that the Committee should not give significant weight to the educational reasons put forward by the applicant as the school did not significantly benefit the local community.

### Debate

The Committee considered the application and sought clarification on a number of points. Several Councillors asked for more information about how the very special circumstances to justify harm to the Green Belt were assessed. Cllr Cosser was surprised to note that officers had generally attributed little weight to each of the arguments put forward by the applicant, but overall had concluded that their cumulative effect was sufficient. Cllr Follows also sought to understand how the aggregate benefit of each of the reasons had been assessed.

Officers responded that ultimately it was a subjective exercise, and ‘some’ weight had been given to various factors, including the educational benefit of the proposal. While the proposal did constitute development in the Green Belt, this had not been assessed as substantial harm as it was essentially infilling between existing built form. As such, officers attributed ‘moderate’ harm to the Green Belt. Further clarification was also provided in relation to the educational benefit, which in the NPPF referred to ‘serving the needs of the community’ but didn’t specify a geographical area.

Some Members felt that as there were already a number of buildings on the site, this proposal did not cause significant harm as it did not encroach on the wider Green Belt. Generally, it was felt that the proposals were of a good level of design.

The Committee also considered the CIL implications of the development, however officers advised that there were certain exemptions for educational establishments so CIL may not apply. Additionally, the Committee was informed that CIL was pool of funds and therefore the spending of the money would not be directly linked to the application.

Following the debate, the Committee moved to the recommendation which was agreed with 14 in favour, 4 against and 2 abstentions. Cllrs Dickson and Gray had arrived late to the meeting and therefore did not take part in the vote on this application.

### Decisions

RESOLVED that permission be GRANTED, subject to consultation with the Secretary of State, and conditions 1 -21 and Informatives 1 – 6 as set out in the agenda report.

9. A2. APPLICATION FOR PLANNING PERMISSION - WA/2018/1675 - WOODSIDE PARK, CATTESHALL LANE, GODALMING (Agenda item 9.)

Proposal

Reserved matters application pursuant to outline consent granted under WA/2016/1418 for the erection of 100 dwellings (including 17 affordable units) together with the erection of a building to provide a community use (Use Class D1) at ground floor level with office (Use Class B1) above together with associated works. In conjunction with application WA/2018/1336 to vary the conditions of the outline consent and application WA/2018/1614 for a new access to the site (as amended by plans received 09/01/2019).

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.

Officers provided the Committee with further details of the legal agreement that would be required should the Committee resolve to grant permission. A Deed of Variation would be required to secure changes to the affordable housing mix that was previously secured and also a legal agreement to secure the provision of a LEAP pursuant to a parallel planning application. Additionally, the applicant's viability assessment had been professionally reviewed and found to be satisfactory.

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:

Edward Fenner – Objector  
Ruth Beard – Agent

Debate

The Committee considered the application and raised a number of queries relating to the design and layout of the site. The Chairman, Cllr Cole, sought clarification as to whether the lake to the rear of the site would remain available for members of the public to access. Officers confirmed that access to the lake would be maintained, and this was secured as part of the legal agreement.

Cllr Follows was disappointed to note that the layout had changed so significantly from the indicative plans that had been provided at outline stage. He also raised concerns about the viability assessment, however Patrick Arthurs, Deputy Development Manager, responded that there was specific methodology set out in the NPPF for appraising viability assessments.

There was some uncertainty as to whether the affordable housing provision had been reduced, however it was clarified that the 17% affordable housing provision had been agreed at outline, and no reduction as now proposed. The only alteration was to the affordable housing mix.

Several Members raised concerns about the parking provision, which was 4% below guidelines, as well as the additional traffic created by the development. Officers responded that when comparing the proposal with the previous commercial use of the site, there was actually likely to be a reduction in traffic movements.

Cllr Cosser had concerns about the design and layout of the proposal, particularly the three-storey buildings at the road frontage. Cllr Townsend shared these concerns and felt that there could be an issue of overlooking from the balconies to the houses on the opposite side of the road. In response to this, officers suggested that the Committee may wish to impose a condition to require obscure glazing to the balconies.

Cllr Townsend highlighted that the outline permission had required an environmental management plan and was concerned that this may have been missed. Officers clarified that this condition from the outline had not yet been discharged, but that an application to do so had been submitted and would include the required documentation.

In response to further queries from Members, officers confirmed that the proposed LEAP did not infringe on the ancient woodland buffer zone, and that any potential flood risk from the lake had been assessed at outline stage.

The Committee remained concerned about the design and parking layout of the scheme, and therefore it was proposed by Cllr Cosser and seconded by Cllr Follows that determination of the application be deferred to allow the applicant to provide revised designs and layout.

The Chairman then put the motion for deferral to the vote and it was carried with 19 in favour and 3 against. Cllr Peter Clark left the meeting between 9pm and 9.10pm and did not take part in the vote on this application.

#### Decision

RESOLVED that the application be DEFERRED to enable the applicant to submit revised designs and layout.

#### 10. CONTINUATION OF MEETING

At 9.46pm, during consideration of the following item, and in accordance with Procedure Rule 9, it was:

RESOLVED that the meeting should continue until consideration of all business on the agenda had been concluded.

#### 11. A3. APPLICATION FOR PLANNING PERMISSION - WA/2019/0106 - BACKWARD POINT, CHERRY TREE LANE, EWHURST GU6 7GG (Agenda item 10.)

##### Proposal

Erection of 9 dwellings (3 affordable) with garaging, access, landscaping and associated works following demolition of existing dwelling (as amended by plans received 27/03/2019, 12/06/2019 and 14/06/2019).

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.

By way of update to the report, officers advised that they had taken the view that the provision of a LAP would not be required as part of this application as the site was immediately adjacent to a recreation ground with a play area.

### 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 Davis – Ewhurst Parish Council

### Debate

The Committee considered the application and raised a number of concerns relating to the number of units on the site and the impact this had on separation distances, visual amenity and parking provision.

Cllr Henry felt that the proposed dwellings were too close to the eastern border of the site and was concerned by the potential for overlooking. Cllr Cockburn shared these concerns about the density of the layout, she felt that the requirement for obscure glazing in bedrooms was indicative of a cramped layout. Several other Councillors also felt that obscure glazing in the bedroom was not appropriate, although officers advised that these rooms did also have other, non-obscure gazed, windows.

Cllr Townsend also felt that the development was too dense, she queried whether the separation distances had been met in relation to the closest neighbouring property. Officers clarified that the separation distance requirement didn't apply with side-on elevations and that the separations distances were met for all other properties.

Cllr Cosser highlighted the fact that if taken in isolation, the proposal failed to meet the parking guidelines and relied on surplus spaces in the wider development site in order to meet the requirement.

The Committee agreed two additional conditions to be added to the officer's recommendation. These were to remove Permitted Development Rights to in relation to conversion of the garage to habitable accommodation and also in relation to the installation of roof lights.

Following the debate, the Committee moved to the revised recommendation and this was lost with 5 in favour, 17 against and 1 abstention.

It was proposed by Cllr Cockburn and seconded by Cllr Townsend that permission be refused and this was carried with 21 in favour and 2 against. The reasons for refusal are noted below.

Decision

RESOLVED that permission be REFUSED for the following reasons.

1. The proposed development by virtue of the number of units proposed would result in a cramped and crowded layout that would be out of character with the surroundings causing consequent harm to the visual amenity of the area, contrary to Policies TD1 of the Local Plan Part 1 2018 and Policies D1 and D4 of the Local Plan 2002.
2. In the absence of a completed legal agreement to secure affordable housing on the site, the proposed development would fail to provide on site affordable housing and, as such, the development would fail to provide a sustainable, inclusive and mixed community. The proposal would be contrary to Policy AHN1 of the Waverley Borough Local Plan (Part 1) 2018, and paragraph 61 of the NPPF 2019.
3. In the absence of a completed legal agreement to secure the maintenance of SUDs the proposed development would fail to ensure that the risk of flooding across the site is minimised and that the proposal would not result in an increase risk of flooding elsewhere, contrary to Policy CC4 of the Waverley Borough Local Plan (Part 1) 2018 and paragraphs 163 and 165 of the NPPF 2019.

**The meeting commenced at 6.30 pm and concluded at 10.06 pm**

**Chairman**