

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE WESTERN PLANNING - 29 MARCH 2023

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

**Present**

Cllr David Beaman (Chair)	Cllr Anna James
Cllr John Robini (Vice Chair)	Cllr Jacquie Keen
Cllr Carole Cockburn	Cllr Michaela Martin
Cllr Simon Dear	Cllr John Neale
Cllr Brian Edmonds	Cllr Julian Spence
Cllr George Hesse	Cllr Michaela Wicks
Cllr Daniel Hunt	

**Apologies**

Cllr Sally Dickson

**Also Present**

Cllr Jerry Hyman (Virtual)

110. APOLOGIES FOR ABSENCE AND SUBSTITUTES (Agenda item 1.)

Apologies for absence were received from Cllr Sally Dickson. There were no substitutes in attendance.

111. MINUTES OF THE LAST MEETING (Agenda item 2.)

The minutes of the meeting held on 11 January 2023, and published on the Council's website, was agreed as a correct record.

112. DECLARATIONS OF INTEREST (Agenda item 3.)

Cllr Brian Edmonds declared a Non-registerable interest as he had been part of a request to the Secretary of State for a screening direction following a disagreement with the Waverley BC Local Planning Authority's (LPA) screening opinion.

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

There were no questions submitted by Members of the Public.

114. QUESTIONS FROM MEMBERS (Agenda item 5.)

Cllr Jerry Hyman had submitted the following question:

'Numerous Councillors bemoan an apparent inability to influence the time taken by developers to carry out developments following Approval. One cause of delay is the increasingly serious practise of delaying completion of s106 Agreements, gaining developers up to two additional years (in addition to the

national 3-year constraint and Reserved Matters allowed). There is currently no provision within the Constitution whereby extensions to the time limit set by Councillors can be overturned by formal or informal agreement, so to do so would be *ultra vires*.

Does the Chairman accept that to allow Members' decisions to be overturned, without bringing the decision back to Committee prior to expiry, will encourage delay in the build-out of developments and should not be supported ?'

Claire Upton-Brown, Executive Head of Planning and Development, responded to his question explaining that it had previously understood that the Chair and Vice Chair had delegated authority to agree the s106 extensions. This has now been clarified and it has been confirmed that the constitution does not set out this delegation so all future requests for extensions would come to committee.

115. ANY RELEVANT UPDATES TO GOVERNMENT GUIDANCE OR LEGISLATION SINCE THE LAST MEETING (Agenda item 6.)

Members were informed that LPP2 had now been adopted by full council therefore all future applications will be dealt with in conjunction with requirements set out in LPP1 and 2. Part 2 does not affect either of the applications being considered at this meeting.

116. APPLICATIONS FOR PLANNING PERMISSION (Agenda item 7.)

117. APPLICATIONS SUBJECT TO PUBLIC SPEAKING (Agenda item 8.)

118. WA/2022/02046 - LAND AT 33 AVELEY LANE (Agenda item 9.)

Erection of one detached dwelling and garage following the demolition of the existing garage

Public Speaking

In accordance with the Council's public speaking scheme, the following made representations which were duly considered:

Mark Cook – in objection

Tom Garsted Bennet – in support

Following the debate, the Committee voted in favour of the officers' recommendation to grant permission 11 in favour, 1 against and 1 abstentions.

Decision

Subject to the applicant entering into an appropriate S106 Agreement securing a financial contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) within the 5km buffer of the Thames Basin Heath SPA; and to facilitate any works required in respect of the access across land classified as Common Land and that the necessary statutory processes as per the Commons

Act 2006 have been sought and secured prior to the commencement of the development, and subject to the conditions listed Planning Permission is **GRANTED**.

119. APPLICATIONS NOT SUBJECT TO PUBLIC SPEAKING (Agenda item 10.)
120. WA/2019/0770 - LAND NORTH OF COXBRIDGE FARM, WEST STREET, FARNHAM (Agenda item 11.)

The application was being referred back to the Western Planning Committee as the completion of the S106 agreement has gone past the 6 months that was originally agreed by the Council as the period in which it should be completed by, from the resolution to grant at Western Planning Committee in May 2021. Officers were seeking to extend the resolution to grant until 29th June 2023.

During the debate Cllrs Simon Dear and George Hesse left the meeting.

Following the debate, the Committee voted in favour of the officers' recommendation to grant permission 10 in favour, 1 against and no abstentions.

### **Decision**

As a result of the changes outlined in the report, the amended resolution would be:

#### Decision A

Subject to the applicant entering into an appropriate legal agreement by 29/06/2023 to secure the provision of 30% affordable housing (70% rented and 30% shared ownership) contributions towards SANG and SAMM, travel plan contribution, £25,000 for highways improvement works, provision of car club scheme, sustainable travel vouchers for each dwelling SuDS management/ maintenance, open space management/ maintenance; provision of LEAP/LAP; contribution towards waste and recycling containers; and subject to conditions and informatives, permission is **GRANTED**.

#### Decision B

In the event that the requirements of Decision A are not met, permission is **REFUSED**.

121. EXCLUSION OF PRESS AND PUBLIC (Agenda item 12.)

There were no items to discuss in exempt session so the Chair closed the meeting.

**The meeting commenced at 6.00 pm and concluded at 7.22 pm**

WESTERN Planning  
29.03.23