

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE JOINT PLANNING COMMITTEE - 14 JULY 2015

SUBMITTED TO THE COUNCIL MEETING – 21 JULY 2015

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

Present

Cllr Brian Adams	Cllr Andy MacLeod
Cllr Paddy Blagden	Cllr Stewart Stennett
Cllr Maurice Byham (Vice-Chairman)	Cllr Bob Upton
Cllr David Else	Cllr John Williamson
Cllr John Gray	Cllr Brian Ellis
Cllr Stephen Hill	Cllr Jim Edwards
Cllr Nicholas Holder	Cllr Jenny Else
Cllr David Hunter	Cllr Val Henry
Cllr Peter Isherwood (Chairman)	Cllr Julia Potts

Apologies

Cllr Carole Cockburn, Cllr Mary Forszewska, Cllr Pat Frost, Cllr Michael Goodridge, Cllr Christiaan Hesse, Cllr Anna James, Cllr Stephen Mulliner, Cllr Chris Storey and Cllr Liz Wheatley

Also Present

Councillor Nabeel Nasir

23. MINUTES (Agenda item 1.)

The Minutes of the Meeting held on 1 July 2015 were approved.

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

Apologies for absence were received from Councillors Carole Cockburn, Mary Forszewska, Pat Frost, Michael Goodridge, Christiaan Hesse, Anna James, Stephen Mulliner, Chris Storey and Liz Wheatley.

Councillors Jim Edwards, Jenny Else, Val Henry and Julia Potts attended as substitutes.

25. DECLARATIONS OF INTERESTS (Agenda item 3.)

There were no disclosures in relation to matters on the agenda.

PART I - RECOMMENDATIONS TO THE COUNCIL

There were no matters falling within this category.

PART II - MATTERS OF REPORT

The background papers relating to the following items are as set out in the reports included in the original agenda papers.

26. APPLICATION FOR PLANNING PERMISSION - WA/2014/0391, LAND AT LOWER WEYBOURNE LANE, BADSHOT LEA (Agenda item 5.)

Proposed development

Erection of 140 dwellings together with new vehicular access, car parking and landscaping (as amended and amplified by additional information and emails received 08/05/2014, 10/06/2014, 18/06/2014, 20/06/2014, 26/06/2014, 07/07/2014, 28/08/2014, 11/11/2014, 12/11/2014, 16/01/2015, 25/02/2015, 09/03/2015 and 21/04/2015) at Land At Lower Weybourne Lane, Badshot Lea.

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, including matters of technical judgement in relation to flooding and highways, and those matters of a more subjective nature.

Officers drew attention to the Update report, including clarification of the weight to be given to Policy C2 as a housing supply policy; additional representations received from objectors; and points of clarification from the applicant in relation to the proposed pedestrian phase to the traffic light junction in Badshot Lea, the pedestrian/cycle link to Badshot Park, the electricity sub-station, and the updated drainage strategy.

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 - Objector

Cllr Jeremy Ricketts – Farnham Town Council

David Neame (Agent) and Andy Traves (applicant's drainage engineer)

Cllr Nabeel Nasir also addressed the Committee, in his capacity as Ward Councillor.

Discussion

Committee members concerns were focussed on a number of issues:

- Notwithstanding the lack of objections from consultees, Members had concerns regarding the capacity of the local roads to cope with the additional traffic movements that the development would generate; the risk of flooding on the site, and the risk of flooding to the neighbouring residential areas as a result of development of the application site; and the lack of local infrastructure, including schools and GP surgery, to provide basic amenities without necessitating a car journey.

- Members were concerned that this application did not respect the views of the local community, in that this was the least preferred site for development in Badshot Lea identified as part of the Farnham Neighbourhood Plan process.
- The application, if approved would absorb a substantial amount of the remaining SANG capacity at Farnham Park, which could prevent other applications coming forward on more acceptable sites, particularly brownfield sites. In addition, Members had some doubts that the effectiveness of SANG as mitigation for the impact of development on the SPA had been adequately demonstrated.
- Members referred to the impact of the proposed development on the Farnham and Aldershot Strategic Gap, and on the encroachment and urbanisation of the countryside. They felt that the scale of the proposal was over-development of the site, which could amount to a 25% increase in the population of the village; the layout of the proposed estate raised concerns about the safety of there being only one access road; and the presence of 3-storey buildings was felt to be incongruous and over-bearing in the rural setting.

The Development Control Manager cautioned the Committee against refusing the application on technical areas where the applicant had satisfied the requirements of the statutory consultees, including on highways, flooding and SANG grounds; and on the perceived inadequacy of the proposed infrastructure contributions. Whilst Members might question the effectiveness of SANG as mitigation in respect of the SPA, the Council's Avoidance Strategy had been approved by Natural England as being an acceptable way of fulfilling obligations under European Habitat Regulations. Similarly, the infrastructure contributions had been negotiated between the applicant and the infrastructure provider, in accordance with the Government's guidance which came into effect on 1 April 2015.

The Development Control Manager also cautioned against assessing this application in the context of the work being done to develop the Waverley Local Plan and Farnham Neighbourhood Plan, and other sites that had been identified locally as preferred locations for development. It was important that the Committee considered and determined the application before them on its own merits, and against the relevant policies of the extant Waverley Borough Local Plan and the NPPF.

With no further comments from Members, the Chairman moved the revised recommendation, as set out in the Update report, to grant planning permission subject to the completion of a Section 106 agreement to secure the provision of 40% affordable housing; infrastructure contributions for early years and secondary education, environmental and transport improvements, off-site highways works; and the setting up of a Management Company to manage on-site play space, open space and SUDS; and subject to conditions as set out in the agenda report.

The recommendation to grant planning permission failed, with 7 Members voting in support, 10 voting against, and 1 Member abstaining.

After further discussion, Cllr Potts then proposed an alternative recommendation, seconded by Cllr Jenny Else, to refuse planning permission on the grounds that the application was contrary to Waverley's Local Plan 2002 policies C2 (countryside

protection) and C4 (protection of the Aldershot/Farnham Strategic Gap; failure by the applicant to sign legal agreements to secure infrastructure contributions and affordable housing; and over-development of the site due to layout, including the single access point off Lower Weybourne Lane, density, and height of development resulting in harm to the character of the area.

The alternative recommendation to refuse planning permission for the five reasons articulated was passed, with 10 Members voting in support, 6 voting against, and 2 Members abstaining.

Decision

RESOLVED to REFUSE planning permission for the following reasons:

1. The proposal, by virtue of its unsustainable location and the number of dwellings, scale, urbanising impact and harm to the landscape character, would cause material and detrimental harm to the character and setting of the existing settlement of the existing settlement and the intrinsic character, beauty and openness of the countryside contrary to Policies C2, D1 and D4 of the Waverley Borough Local Plan 2002 and paragraph 17 of the National Planning Policy Framework 2012. The adverse impacts would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the National Planning Policy Framework 2012 when taken as a whole.
2. The application site lies within the Farnham/Aldershot Strategic Gap where Policy C4 of the Waverley Borough Local Plan 2002 seeks its protection from inappropriate development. The proposal, by reason of its scale and degree of encroachment into the open countryside would result in a significant coalescence of Farnham and Aldershot and Weybourne and Badshot Lean and would fail to promote the enhancement of the landscape. The proposal would be contrary to Policy C4 of the Waverley Borough Local Plan 2002 and paragraph 17 of the National Planning Policy Framework 2012. The adverse impacts would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the National Planning Policy Framework 2012 when taken as a whole.
3. The applicant has failed to enter into an appropriate legal agreement to secure infrastructure contributions towards early years and secondary education, highway improvements and environmental improvements and the proposal therefore conflicts with Policies D13 and D14 of the Waverley Borough Local Plan 2002. The adverse impacts would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the National Planning Policy Framework 2012 when taken as a whole.
4. Notwithstanding the objection in principle to the proposal under Reason for Refusal 1, and taking into account the absence of a signed legal agreement, the proposal would fail to provide affordable housing, within the meaning of the National Planning Policy Framework 2012, appropriate to meet Waverley Borough Council's housing need. The proposal is therefore contrary to paragraph 50 of the National Planning Policy Framework 2012 as the development does not provide a mix of housing need based on current and future demographic trends, market trends and the needs of different groups within the community. The adverse impacts would significantly and

demonstrably outweigh the benefits of the proposal when assessed against the policies of the National Planning Policy Framework 2012 when taken as a whole.

5. The proposal by reason of the layout, density and height of the development, and the single point of access onto Lower Weybourne Lane, would cause material harm to the character and appearance of the area in conflict with Policies D1 and D4 of the Waverley Borough Local Plan 2002, the Farnham Design Statement 2010 and the National Planning Policy Framework 2012. The adverse impacts would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the National Planning Policy Framework 2012 when taken as a whole.

Informative

1. The plan numbers relevant to this decision are: A-03-230 PL1, 231 PL1, 221 PL1, 232 PL1, 240 PL1, 241 PL1, 203 PL1, 300 PL1, 301 PL1, 302 PL1, 310 PL1, 200 PL1, 202 PL1, 201 PL1, 210 PL2, 220 PL1, 430 PL1, 521 PL1, 470 PL1, 531 PL1, 530 PL1, 520 PL1, 511 PL1, 510 PL1, 501 PL1, 460 PL1, 500 PL1, 450 PL1, 451 PL1, 440 PL1, 421 PL1, 420 PL1, 410 PL1, 401 PL1, 400 PL1, 371 PL1, 370 PL1, 360 PL1, 355 PL1, 354 PL1, 353 PL1, 352 PL1, 351 PL1, 350 PL1, 343 PL1, 342 PL1, 341 PL2, 340 PL1, 331 PL1, 330 PL1, 320 PL1, 321 PL1, 311 PL1, 296 PL1, 295 PL1, 291 PL1, 260 PL1, 251 PL1, 250 PL1, 290 PL1, 281 PL1, 280 PL1, 271 PL1, 270 PL1, 600 PL1, A-01-003 PL1, A-01-004 PL1, A-05-101 PL1, A-05-102 PL1, 04BD001A and A-01-001 PL2.

The meeting commenced at 7.00 pm and concluded at 8.40 pm

Chairman