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Tom Horwood
Joint Chief Executive of Guildford and
Waverley Borough Councils

Dear Councillor

PLANNING COMMITTEE - WEDNESDAY 21ST JUNE 2023

Please find attached the following:

Agenda No Item

9. **Late Sheets - Late Reps/Amendments, Corrections and Updates (Pages 1 - 46)**

Yours sincerely

Sophie Butcher, Democratic Services Officer

Encs

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Planning Committee

21 June 2023

Update/Amendment/Correction/List

Planning Committee Minutes – 24 May 2023

The Committee are asked to approve the minutes of the meeting held on Wednesday 24 May 2023 (attached).

22/P/00367 – (Page 21) – The Firs, Ash Green Road, Ash, Guildford, GU12 6JJ

Amendments to condition wording.

Condition 2 drawing numbers:

The development hereby permitted shall be carried out in accordance with the following approved plans: 7005 REV P3 Site Plan Levels, PA05 REV P2 Existing Cross Section AA BB CC, PA06 REV P2 Proposed Cross Section AA BB CC, PA07 REV P2 Proposed floor plan 2 bed house, PA_08 REV P2 proposed 2 bed cross section, PA09 REV P2 Proposed elevations 3 No. 2 bed house, PA10 REV P2 Proposed elevations 4 No. 2 bed house, PA11 REV P2 Proposed rear elevation 2 bed house, and PA15 REV P2 3 bed car port proposed elevations, and Drawing No. H-01 Rev P3 (within the Transport Statement) received on 25 February 2022, PA22 REV P2 Existing Roof Plan 3 bed house received 21 March 2022, PA21 REV P2 Existing floor plans 3 bed house received 22 March 2022, PA00 REV P3 Site Location Plan, PA01 REV P3 Existing site plan, ~~PA02 REV P3 Proposed site plan~~, and PA20 REV P2 Existing elevations 3 bed house received on 23 March 2022, PA 17 REV P3 Proposed elevations 3 bed house, PA18 REV P3 Proposed floor plans 3 bed house and PA19 REV P3 Proposed roof plan 3 bed house received on 15 November 2022, ~~PA_03 REV P3 Site/Block Plan~~, ~~PA_04 REV P3 Site/Block Plan 2~~ and PA_16 REV P3 communal bin store received on 22 December 2022.

~~PA_03 REV P5 Site/Block Plan 1; PA_04 REV P5 Site/Block Plan 2; Bridge and Typical Section through Watercourse, Martin Edwards architects, May 2023, revision P2, document reference: A088 PA_23, and Stream Enhancement Plan received on 19 May 2023~~

~~PA_02 rev P5 Proposed site Plan received on 13 June 2023~~

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.

Condition 3

The development hereby approved shall not be first occupied unless and until the proposed vehicular access to Ash Green Road has been constructed and provided with a level plateau and visibility zones in accordance with **the approved plans, Drawing No. H-01 Rev P3** ~~a scheme to be submitted to and approved in writing by the Local Planning Authority,~~ and thereafter the visibility zones shall be kept permanently clear of any obstruction over ~~0.6m~~ **1m** high.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and are in recognition of Section 9 “Promoting Sustainable Transport” in the National Planning Policy Framework 2021.

Condition 4

The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plan, **Drawing No. PA_023 Rev P5**, for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

Condition 6

The development hereby approved shall not be occupied unless and until each of the proposed dwellings and at least **2 1** of the visitor parking bays are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To encourage the use of electric cars in order to reduce carbon emissions.

Informatives

Informative 3 Highways add:

The developer is advised that Public Byway Number 521 is located opposite the application site and it is an offence to obstruct or divert the route of a right of way unless carried out in complete accordance with appropriate legislation.

22/P/01847 – (Page 113) – 24 Alexandra Road, Ash, Guildford, GU12 6PJ

Surface water drainage

P11 of the Local Plan: Development Management Policies 2023 is also relevant in this instance.

This policy requires all developments to intercept as much rainwater and runoff as possible, including runoff from outside the site and should achieve runoff rates and volumes as close as reasonably practicable to greenfield runoff rates, and must be no greater than conditions of the site prior to the development. It requires developments to maximise the use of permeable surfaces across the development site and should avoid the use of boreholes or other deep structures for the discharge of surface water to ground, except for clean roof water.

No drainage information was submitted by the applicant, and as such and in order to ensure that the development does not result in an increase in surface water run-off, the following condition is recommended to secure details of a proposed scheme and to ensure its implementation.

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 planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the NPPF and the accompanying PPG.

Reason: To ensure the development does not increase flood risk on or off site. This pre-commencement condition is required in order to ensure that drainage details have been considered at an appropriate time of the development.

Executive summary

The executive summary omits the full reasoning for referring the item to planning committee. The full reason is copied below:

Cllr White has referred this item to the planning committee as she considers that the proposed infill development may not fit well with surrounding development and environment. The Cllr also considers that the proposal may not respond positively to the existing character and identity of the local area, or be sympathetic to local character including the surrounding built environment and landscape setting.

Amended condition

Condition 4 should be replaced by the following condition to take account of the requirement to provide the environmental credentials of all external materials.

Prior to the commencement of any development above slab level works, a written schedule with details of the source/ manufacturer, colour and finish, OR samples on request, of all external facing and roof materials. This must include the details of embodied carbon/ energy (environmental credentials) of all external materials. These shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out using only those detailed.

Reason: To ensure that a satisfactory external appearance of the development is achieved and to ensure materials that are lower in carbon are chosen.

22/P/01898 – (Page 131) – Land to east of Abinger Fields, Sutton Place, Abinger Hammer, Dorking, RH5 6RP

Amended condition

Condition 2 should be replaced by the following condition to take into account an amended drawing received to correct the references on drawing J004325-DD-07 identifying the elevations of the proposed stable building.

The development hereby permitted shall be carried out in accordance with the following approved plans: J004325-DD-01, J004325-DD-2, J004325-DD-3, J004325-DD-4, J004325-DD-5, J004325-DD-6 received on 09/11/22 and J004325-DD-7 AV received on 20/06/23.

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.

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PLANNING COMMITTEE

- * Councillor Fiona White (Chairman)
- * Councillor Vanessa King (Vice-Chairman)

- | | |
|-------------------------------|------------------------------|
| * Councillor Bilal Akhtar | * Councillor George Potter |
| * Councillor David Bilbe | Councillor Maddy Redpath |
| * Councillor Lizzie Griffiths | Councillor Joanne Shaw |
| * Councillor Stephen Hives | * Councillor Howard Smith |
| Councillor James Jones | * Councillor Cait Taylor |
| * Councillor Richard Mills | * Councillor Sue Wyeth-Price |
| * Councillor Patrick Oven | |

*Present

Councillors Dawn Bennett (online), Carol Morson (online) and Katie Steel (online) were in attendance watching the meeting. Councillor Catherine Young, was also in attendance in her capacity as ward councillor.

PL1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Councillors James Jones, Maddy Redpath and Joanne Shaw sent their apologies. Councillors Merel Rehorst-Smith, Joss Bigmore and Jane Tyson attended as substitutes respectively.

PL2 ELECTION OF VICE-CHAIRMAN

The Committee elected Councillor Vanessa King as Vice-Chairman of the Planning Committee.

PL3 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

There were no disclosures of interest.

PL4 MINUTES

The minutes of the Planning Committee held on 26 April 2023 were approved by the Committee and signed by the Chairman as a true record.

PL5 ANNOUNCEMENTS

The Committee noted the Chairman's announcements.

**PL6 19/P/02096 - WATERLOO FARM, OCKHAM ROAD NORTH, WEST
HORSLEY, LEATHERHEAD, KT24 6PE**

The Committee considered the above-mentioned full application for proposed erection of one single storey detached dwelling and four two storey detached dwellings with garaging, associated landscaping and modification of existing access. (amended description)(as amended by plans received 4 March 2023).

Prior to the consideration of the application, the following persons addressed the Committee in accordance with Public Speaking Procedure Rules 3(b):

- Cllr Guy Murray (on behalf of West Horsley Parish Council) (to object) and;
- Mr Richard Goodall (Agent on behalf of the Applicant) (in support)

The Committee received a presentation from the planning officer, Victoria Bates. The Committee noted that the site was accessed from a private road leading from Ockham Road North. The site currently formed part of Waterloo Farm and was bound by Horsley Camping Caravan Site to the south-west and residential properties on Nightingale Crescent to the south. The site had been inset from the Green Belt in the Local Plan and formed part of the allocated site A39. The site was also allocated within the 400 metre to 5km buffer zone of the Thames Basin Heath Special Protection Area (TBHSPA).

The application sought to deliver approx. 120 homes and the site formed a small parcel of land to the south of the allocation. The site was close to the Green Belt as well as to residential development to the south and along the Ockham Road. An application had also been submitted to the Council which was pending consideration for 86 dwellings. Planning permission had also been granted elsewhere for a total of 35 dwellings plus four consented dwellings that were currently being constructed. Access to the site would be taken from the private road. The dwellings proposed are two storeys in height and had been designed in the Surrey vernacular using a palette of traditional materials and incorporated pitched roofs.

The plot which is closest to the boundary with properties on Nightingale Crescent had no upper floor windows proposed on the side elevation. Along the boundary with the campsite were conifer hedges which would form the rear boundary of the gardens to plots 1 and 2 as well as mature trees to the rear of plots 3 and 5.

In summary, the proposal for residential development was acceptable in principle and would deliver 5 new dwellings within an allocated site. The proposed

dwelling would provide a good level of internal and external amenity for future residents and was fully compliant with the national space standards. The proposal would not have a detrimental impact on the character or appearance of the area and would not result in any adverse impacts upon the amenities of neighbouring residents. The County Highway Authority had raised no objections to the proposals subject to a condition to secure a package of highway improvements. The proposal was also considered to be acceptable in terms of the impact on trees, ecology, sustainability, flooding and drainage. The objection from the Council's recycling and waste officer had been withdrawn following the submission of a swept path analysis. Surrey Wildlife Trust had reviewed an updated ecology report and confirmed that there would be no unacceptable ecological impacts subject to additional conditions which had been included on the supplementary late sheets. The application was therefore recommended for approval subject to securing a SANG and SAMM contribution.

The Chairman permitted Councillor Catherine Young to speak in her capacity as ward councillor for three minutes. The Committee noted concerns raised regarding a lack of adequate measures to prevent surface water flooding and drainage. West Horsley was identified within Guildford's flooding hotspots which was not mentioned in the officer's report. Surface water from Nightingale Crescent drained down to the site via the gardens of bordering properties and sewage was regularly seen after heavy rainfall. Five houses with garages and an access road with large areas of paved driveways and the removal of the mature willow tree would exacerbate the flooding to this site and the adjacent gardens. The requirement of Local Plan policies A39 4.5.1 and the Neighbourhood Plan Policy WH13 had not been met as the proposal did not demonstrate sufficiently that the development would adequately deal with surface water flooding on the site and locally. The scale and height of the proposed buildings were not sympathetic to the existing built environment and out of keeping with the adjacent properties. Nightingale Crescent and the nearby cottage densities were higher. Garaging was not placed subservient to the plots and the gardens were extremely small. The design and height of the buildings would be in conflict with the local character and setting contrary to Local Plan Policy, D1 place-shaping, DMP Policy D4 and policies WH2 and WH3. West Horsley was located within a biodiversity opportunity area. The Neighbourhood Plan identified on page 40 of policy DH12 a number of wildlife corridors that crossed the village and this site which would be severely disrupted by this development.

The Planning officer in response to statements made by the public speakers and ward councillor confirmed that the south-west corner of the application site was prone to surface water flooding as the site was located within Flood Zone 1.

Therefore condition no 8 had been included which demonstrated that a sequential approach was deemed acceptable by Thames Water by which to dispose of surface water drainage. With regard to biodiversity, the ecological reports had been updated owing to the fact that the original reports submitted had expired. The updated report had concluded that there would not be any unacceptable impact upon biodiversity subject to condition number 16 which would secure enhancements to biodiversity and nature conservation. With regard to dark skies, condition number 5 would restrict external lighting on the premises and any changes to that would require approval to be sought from the local planning authority. It was also acknowledged that the properties and the plot size were not carbon copies of neighbouring properties on Nightingale Crescent and it was worth bearing in mind that this proposal was part of wider site allocation. Therefore it had to be looked at in the emerging context of the site, not just what's existing on the ground.

The Committee discussed the application and noted concerns raised that the scheme proposed did not comply with policies WH2 and WH4. The housing mix sought by WH4 was a mix of one, two and three bedroom open market homes. The proposed scheme was for two, three and four bed open market homes. The built form and transitional edge here was inappropriate given that the existing site provided a green barrier between the existing built up area as already extended by the building in front of Waterloo Farm and the existing houses in Nightingale Close. The proposal also failed to comply with D1 and was not an example of good design. It represented a form of over urbanisation which was overly dense with small gardens and concerns were also raised regarding surface water flooding.

The Committee also noted comments that the principle of development on this site was clearly established by the wider site allocation of A39. The site was inset from the Green Belt and there was a housing need. However, concerns were raised that the neighbourhood plan policies had not been adequately addressed in the officer's report particularly in relation to the housing mix. The proposal would also result in a higher density of development than the surrounding area and had uncharacteristically small gardens.

In response to the Committee's concerns raised so far, planning officers confirmed that it was an allocated site and in planning terms the proposal represented a low density form of development with good gaps between the dwellings which helped to contribute towards the transitional point into the countryside. Whilst concerns had been raised about drainage, Thames Water who were the statutory consultee had not objected. There was also a condition

which would adequately address the surface water drainage. It was also confirmed that amended plans had been submitted during the course of the application and the height of the originally proposed dwellings were reduced of plots 1-3.

The Committee raised concerns regarding the sustainability of the development given that there were no air source heat pumps or solar panels proposed. The narrowness of the access road which was a shared surface was a concern given it was not wide enough for two vehicles to pass each other and the location of the caravan site which used the same access. Clarification was sought on how many trees would be removed onsite.

Owing to continued concerns raised, planning officers re-affirmed that the site was a comprehensive allocation with multiple site owners. As a result the parcels of land coming forward were the shape they are because of the ownership constraints. At the top of the site there was quite a short back garden but there was considerable space between that and the adjoining property. With regard to housing mix the neighbourhood plan policy did not state that 1, 2 and 3 bedroom properties had to be built but that it was encouraged. It was acknowledged that the proposal was a very small part of the overall site and that to provide smaller homes may not be viable.

With regard to concerns raised about the access road, County Highways did not raise objections but they had considered the impact of the caravans being towed along the access road with the campsite access at the end of the private road. The passing point was deemed adequate for these purposes.

The arboricultural report submitted confirmed that the trees to be removed from the site were all considered to be low classification trees and were not worthy of retention. The Willow tree proposed to be removed was also in poor health. The vast majority of trees on site would however be retained.

Planning officers also confirmed that the conditions included were necessary, reasonable and included sufficient detail for the Committee to make a decision on whether or not the site would deliver a sustainable development in accordance with the allocation and the Neighbourhood Plan.

The Committee also noted comments that the scheme represented a well thought out development that had well spaced out dwellings that were sympathetic to the size of the plot. The development was also a five minute cycle

ride away from the closest train station. The biodiversity onsite would also be increased by the proposal.

The Committee wished to confirm who would maintain the trees and hedges and whether the proposal would include the installation of heat pumps and solar panels.

Planning officers confirmed that condition 4 required the submission of an energy statement to the planning authority to demonstrate how the development would satisfy a 20% reduction in carbon emissions. There were significant changes proposed to the Building Regulations that would require this to happen in future. If the Committee was therefore minded to approve the application, the requirement for heat pumps and solar panels could be made more explicit by the re-wording of condition 4 in consultation with the Chairman.

A motion was moved and seconded to refuse the application. The Committee voted on the following policies and reasons put forward to refuse the application by a show of hands:

Policy D1 Place Shaping – 4:10

Policy D4 Character and Design – 4:10

Policy WH2 Design Management in the Village Setting – 3:11

Policy WH4 Housing Mix - 1:12

The vote was lost to refuse the application based on the above policies.

A subsequent motion was moved and seconded to approve the application which was carried. This was subject to amend condition 4, which would be agreed in consultation with the Chairman, to include the requirement for alternative sources of energy to be used rather than gas.

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Merel Rehorst-Smith			X
2	Joss Bigmore		X	
3	Howard Smith	X		
4	Bilal Akhtar	X		
5	Vanessa King	X		
6	Cait Taylor	X		
7	Richard Mills	X		
8	Lizzie Griffiths	X		
9	Patrick Oven		X	
10	David Bilbe	X		
11	Jane Tyson	X		
12	George Potter		X	
13	Steve Hives	X		
14	Fiona White	X		
15	Sue Wyeth-Price		X	
	TOTALS	10	4	1

In conclusion, having taken consideration of the representations received in relation to this application, the Committee

RESOLVED to approve application 19/P/02096 subject to updated condition 4, as outlined above, as well as additional conditions 18, 19 and 20 and updated condition 16 as detailed on the supplementary late sheets.

18. Prior to the commencement of development a Landscape and Ecological Management Plan (LEMP) for this site shall be submitted to and approved in writing by the LPA. This should include the following:

- a) description and evaluation of features to be managed;
- b) ecological trends and constraints on site that might influence management;
- c) aims and objectives of management advised by the recommended mitigation/compensation actions for habitat and species as detailed in section 6 of the EIA;
- d) appropriate management options for achieving aims and objectives;
- e) prescriptions for management actions, together with a plan of management compartments;
- f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) details of the body or organisation responsible for implementation of the plan;

h) ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To increase the biodiversity of the site, to protect protected species and to mitigate any impact from the development.

19. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the LPA.

The CEMP (Biodiversity) shall include the following:

- a) Map showing the location of all ecological features
- b) Risk Assessment of the potentially damaging construction activities
- c) Practical measures to avoid and reduce impacts during construction
- d) Location and timing of works to avoid harm to biodiversity features
- e) Responsible persons and lines of communication
- f) Use of protective fencing, exclusion barriers and warning signs

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

Reason: To protect protected species and to mitigate any impact from the development during the construction process.

20. No development shall take place until an Arboricultural Method Statement (detailing all aspects of construction and staging of works) and a Tree Protection Plan in accordance with British Standard 5837:2005 (or any later revised standard) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed method statement and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree Protection Plan. Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior written consent of the local planning authority. The fencing shall be maintained in accordance with the

approved details, until all equipment, machinery and surplus materials have been moved from the site.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality.

Condition 16 to be reworded as follows: No development shall take place until a scheme to enhance the biodiversity and nature conservation interest of the site, in line with the recommendations set out in the consultation response from Surrey Wildlife Trust dated 22 March 2023, has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved.

Reason: In order to preserve and enhance the natural environment including protected species.

PL7 22/P/00956 - 12A WORPLESDON ROAD, GUILDFORD, GU2 9RW

The Committee considered the above-mentioned full application for erection of an extension at first floor level to create a two bed self-contained residential unit including a side Juliet balcony and changes to lower ground floor rear fenestration following demolition of existing rear element.

The Committee received a presentation from the Planning Officer, Victoria Bates. The application had been referred to the Committee by former Ward Councillor Pauline Searle, on the basis of concerns regarding the impact on the amenities of residents at the neighbouring property of Francis Court.

The proposal related to a three storey end terraced property on Worplesdon Road. The site was located within the Guildford urban area and was within the 400 metres to 5km buffer zone of the Thames Heath Basin Special Protection Area (TBHSPA). The application building was currently in commercial use at ground floor level with an existing flat at first-floor. The proposal would involve the removal of the existing first floor flat roof extension and the erection of a first floor extension over the footprint of the existing building to create a 2-bed self-contained flat. The footprint of the existing building would not increase as a result of the works proposed. The proposal included internal access to the existing and proposed first floor flats. The existing extension would be replaced by a crown pitch roof finished in brick work and tiles to match the existing building. No windows were proposed in the rear elevation.

In summary, the proposal for the creation of one 2-bed dwelling within the Guildford urban area was considered to be acceptable in principle. Whilst the proposal would increase the bulk and massing of the existing building, officers considered that the resulting development would be more sympathetic in terms of its design and appearance than the existing first floor extension. It would also have an acceptable impact on the character and appearance of the existing building and the surrounding area. Having regard to the objections received from the neighbouring residents at France's Court the proposal was considered to be sufficiently distanced from these neighbours so as not to result in any unacceptable adverse overbearing impact, overshadowing or loss of privacy. The proposal would comply with the national space standards and not result in any detrimental impacts on highway safety and biodiversity enhancements would be secured by condition. The proposal was therefore recommended for approval, subject to a unilateral undertaking to secure a SANG and SAMM.

The Committee discussed the application and considered that the proposal was an improvement upon what was currently in situ. The extension was well designed and proportionately in scale with the surrounding area.

A motion was moved and seconded to approve the application subject to the additional condition 8 and updated condition 2 as detailed on the supplementary late sheets.

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	George Potter	X		
2	David Bilbe	X		
3	Merel Rehorst-Smith	X		
4	Sue Wyeth-Price	X		
5	Joss Bigmore	X		
6	Fiona White	X		
7	Lizzie Griffiths	X		
8	Bilal Akhtar	X		
9	Steve Hives	X		
10	Vanessa King	X		
11	Howard Smith	X		
12	Cait Taylor	X		
13	Patrick Oven	X		
14	Jane Tyson	X		
15	Richard Mills	X		
	TOTALS	15	0	0

In conclusion, having taken account of the representations received in relation to this application, the Committee

RESOLVED to approve application 22/P/00956 subject to the conditions, additional condition 8 and updated condition 2, and reasons as detailed in the report.

8. No development shall take place until a scheme for the fitting of suitable ventilation and filtration equipment has been submitted to and approved in writing by the local planning authority. Such a scheme and details shall include equipment to suppress and disperse all fumes. The approved equipment shall be installed before the use commences and thereafter shall be operated and maintained in full working order in accordance with manufacturer's instructions throughout the proposed use.

Reason: To protect adjoining premises/residential amenities.

Condition 2 is to be reworded as follows:

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

WR 207 - Site Plan and Block Plan received on 13/06/2022

WR 501 P1 – Existing Plan 1 received on 13/06/2022

WR 500 P1 – Existing Plan 2 received on 13/06/2022

WR 502 P1 – Existing Elevations 1 received on 13/06/2022

WR 503 P1 – Existing Elevations 2 received on 13/06/2022

WR 504 P1 – Existing Elevations 3 received on 13/06/2022

WR 206 – Proposed Roof received on 14/06/2022

WR 208 – Proposed Elevations (1) received on 14/06/2022

WR 209 – Proposed Elevations (2) received on 14/06/2022

WR 206 – Proposed Elevations (3) received on 14/06/2022

WR 205 P2 – Proposed Plans received on 11/08/2022.

WR 211 P2 - Floor area received on 11/08/2022

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of proper planning.

PL8 22/P/02104 - ST CLERE, BROOMFIELD CLOSE, GUILDFORD, GU3 3AW

The Committee considered the above-mentioned full application for conversion of roofspace to habitable accommodation including raising of the roof height and a rear dormer window. Changes to fenestration.

The Committee received a presentation from the Planning Officer, Ben Mitchell. The application had been referred to Committee as over ten letters of objection had been received. The proposal was for a very small single storey infill extension at the back of the property. The site occupied a corner plot with a mix of residential dwellings surrounding it of differing styles and was also located in the Guildford urban area. The proposed floorplans showed two additional bedrooms being formed within the roofspace as well as a small single storey infill extension at the rear which extended 1.5 metres beyond the elevation.

There were two relevant previous planning applications on this site, one was a householder application for a proposed hip to gable end roof alteration with rear dormer, together with raising the ridge height and changes to the fenestration on the rear elevation. This was refused on the grounds that the roof alterations would be overly large and out of character. This application included all the elements of the refused application, however the current application included a smaller dormer size. A second application had also been submitted for a

certificate of lawfulness, to establish whether a hipped gable roof extension of a rear dormer and single storey rear extension would be lawful. This application was approved and established that the alterations proposed were considered to be permitted development and as such did not require full planning permission.

The fallback position was a material consideration. This application would result in an increase in the ridge height of 0.5 metres and an enlarged dormer at the rear, including the hip to gable conversion. This application also included a side-facing first floor window within the dormer and could be conditioned to be obscure glazed and fixed shut to avoid any overlooking concerns to neighbouring dwellings.

In summary officers considered that the application would not represent significant harm over what could be achieved under permitted development and recommended for approval.

The Committee discussed the application and agreed that the proposal represented an acceptable form of development. The resulting increase in ridge height of 0.5m was considered minimal and not harmful when compared to the scheme which could be carried out under permitted development rights.

A motion was moved and seconded to approve the application which was carried.

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Jane Tyson	X		
2	Fiona White	X		
3	Lizzie Griffiths	X		
4	Merel Rehorst-Smith	X		
5	Steve Hives	X		
6	Sue Wyeth-Price	X		
7	Richard Mills	X		
8	Cait Taylor	X		
9	Patrick Oven			X
10	Joss Bigmore	X		
11	Bilal Akhtar	X		
12	Howard Smith	X		
13	David Bilbé	X		
14	George Potter	X		
15	Vanessa King	X		
	TOTALS	14	0	1

In conclusion, having taken account of the representations received in relation to this application, the Committee

RESOLVED to approve application 22/P/02104 subject to the conditions and reasons as detailed in the report.

PL9 23/T/00021 - LAND TO THE NORTH, NORTH MOORS, WORPLESDON, GUILDFORD, GU3

The Committee considered the above-mentioned Tree Preservation Order application for works to trees as listed in tree schedule (Tree Preservation Order P1/201/266).

The Committee received a presentation from the Planning Officer, Ben Mitchell. The application was by the Council for health and safety works to a TPO group of trees. Works were proposed to six ash trees and one oak tree. Three ash trees were to be felled and the others to have a crown reduction as well as the removal of dead wood from the oak trees. The works to the ash trees were required owing to Ash Dieback disease which caused the trees structure to become brittle and presented a health and safety issue in this instance. It was considered that

there was enough natural tree regeneration within the woodland and therefore a specific replanting scheme had not been considered necessary by the Tree Officer.

The Committee considered the application and agreed that the works were necessary to be undertaken for health and safety reasons.

A motion was moved and seconded to approve the application which was carried.

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Steve Hives	X		
2	Sue Wyeth-Price	X		
3	Joss Bigmore	X		
4	Jane Tyson	X		
5	Richard Mills	X		
6	Vanessa King	X		
7	Lizzie Griffiths	X		
8	David Bilbe	X		
9	George Potter	X		
10	Fiona White	X		
11	Howard Smith	X		
12	Merel Rehorst-Smith	X		
13	Cait Taylor	X		
14	Bilal Akhtar	X		
15	Patrick Oven	X		
	TOTALS	15	0	0

In conclusion, having taken account of the representations received in relation to this application, the Committee;

RESOLVED to approve application 23/T/00021 subject to the conditions and reasons as detailed in the report.

PL10 PLANNING APPEAL DECISIONS

The Committee discussed and noted the appeal decisions.

The meeting finished at 9pm.

Signed

Date

Chairman

The Firs, Ash Green Road, Ash

(22/P/00367)

20 June 2023

Statement relating to proposed Ash Road Bridge Contribution

1. Introduction

- 1.1 A planning application (reference 22/P/00367) (the “Planning Application”) has been submitted to Guildford Borough Council (in its capacity as local planning authority) in respect of land at The Firs, Ash Green. The application proposes seven new residential dwellings (the “Proposed Development”) and forms windfall development (i.e. it does not comprise a specific allocation within the Guildford Borough Local Plan).
- 1.2 The Corporate Programmes Team at Guildford Borough Council (the “CPT”) is promoting the Ash Road Bridge (ARB) scheme which forms a key infrastructure requirement of the Guildford Borough Local Plan.
- 1.3 In line with other planning applications for residential developments in the Ash and Tongham area, the CPT considers that the section 106 agreement entered into in connection with the Planning Application should secure the payment of a financial contribution towards the costs of delivering the ARB scheme. £11,926 per unit is sought which is equivalent to £10,000 per unit plus indexation (RPI) since March 2019. The approach is consistent with contributions sought and secured on other planning applications within the area.
- 1.4 This statement has been prepared on behalf of the CPT and submitted to the local planning authority (LPA) in order to set out the justification for why this contribution should be sought in respect of the Planning Application and why it is considered to satisfy the tests within Regulation 122 of the Community Infrastructure Levy Regulations 2010.

2. Ash Road Bridge Scheme

- 2.1 The ARB Scheme (see Local Plan Infrastructure Schedule: LRN19) is being brought forward by Guildford Borough Council's Corporate Programmes Team in line with Policy ID1: Infrastructure and delivery, Policy ID3: Sustainable transport for new developments and Policy A31: Land to the south and east of Ash and Tongham, of the adopted Local Plan (adopted 25th April 2019).
- 2.2 The ARB Scheme will include a Road Bridge and associated highway works (Stage One) and a Footbridge (Stage Two). The Road Bridge will be delivered first, because motorised vehicles need to be diverted away from the level crossing in order to provide the necessary working space in which to build the Footbridge. Once the Footbridge is open the level crossing will be fully closed to all users.
- 2.3 Planning permission for the Road Bridge part of the ARB Scheme (19/P/01460) was granted on 13 January 2021 and construction is due to commence in 2023. The Road Bridge will connect an amended A323 Guildford Road/Ash Hill Road Roundabout to a new junction with Foreman Road via a new bridge over the North Downs Railway Line south east of the existing Ash Station level crossing ('the level crossing'). The ARB Scheme will include highway works to Foreman Road, the A323 Guildford Road and A323 Ash Church Road, amendments to the A323 Ash Church Road / Foreman Road junction and any traffic calming that may be required within the vicinity of the Road Bridge and Footbridge to manage the routing of traffic in Ash, as well as any stopping up orders and/or Traffic Regulation Orders that may be required to implement the ARB Scheme. The ARB Scheme also encompasses changes to landscaping, flood mitigation, drainage and utilities.
- 2.4 The budget for the Road Bridge (£44.0 million) and Footbridge (£0.5 million) was approved at Full Council on the 16 March 2023 . £23.9 million has been secured from Homes England through the Housing Infrastructure Fund towards Stage One (the road bridge) of the ARB Scheme. Surrey County Council has also offered a capital contribution of £5.0 million towards the Road Bridge. This leaves a £15.10 million shortfall for the Road Bridge scheme.
- 2.5 Based on the budget and available funding from Homes England and the terms of the (confidential) funding agreement from Homes England, the Council is seeking up to £11.5 million of Section 106 contributions from developments within Policy A31 and outside Policy A31 where developments will benefit from the ARB Scheme to support delivery of the ARB Scheme.

3. Ash Road Bridge Requirement

3.1 The ARB Scheme is required to address two key matters:

- To enable a significant reduction in delay through the removal of the level crossing and the provision of a new A323 road and bridge south of the level crossing which will manage the existing rat-running problem east of Ash. This will address residual cumulative impacts arising from any development traffic associated with Policy A31, Policy A30 and Windfall sites, as with ARB in place traffic is more likely to use the A323 rather than narrow lanes and streets to avoid the level crossing; and
- To enable the level crossing to be closed which would remove the conflict between highway users and rail and as such a highway and rail safety risk. The closure is also necessary to meet NR's concerns regarding the Local Plan growth in Ash.

3.2 The key transport benefits of the ARB Scheme are as follows:

- The ARB Scheme facilitates the closure of a safety hazard posed by the level crossing, categorised by Network Rail as a medium-high risk.
- The ARB Scheme allows for the removal of a traffic congestion hotspot which currently delays vehicles.
- The ARB Scheme mitigates further forecast impacts associated with additional passenger train services on the line in future, longer trains and electrification of the line.
- The ARB Scheme provides an alternative safe vehicular route to the Ash level crossing, which will help limit and remove traffic that uses alternative unsuitable routes along residential roads and narrow lanes to avoid the level crossing from which development such as The Firs is seeking access.
- The ARB Scheme will mitigate the risk of further increases in rat-running resulting from further forecast delays and congestion at the Ash level crossing.
- The ARB Scheme mitigates impacts arising from the additional housing in the area under Policy A30 and A31 of the Local Plan or which is being brought forward as windfall, as well as housing schemes which were already being delivered in advance of the adoption of the Local Plan.
- The ARB Scheme will deliver two new pedestrian and cycle connections: one as a footbridge and one as a shared cycleway/ footway (road bridge). These will be unaffected by the use of the railway line and will improve connections between development to the south and Ash Station and will promote the use of sustainable transport.
- The ARB Scheme will reduce congestion and delay on the A323 which will help to improve journey reliability for private vehicle and public transport (buses) including to key locations such as Guildford, Aldershot and Farnborough. This will improve the ability of the local population to reach places of employment.

4. Ash Road Bridge Policy Context

Guildford Borough Local Plan (Adopted April 2019)

4.1 The Local Plan was adopted by Guildford Borough Council on 25 April 2019 and forms part of the development plan which planning applications must be determined in accordance with unless material considerations indicate otherwise (per section 38(6) of the Planning and Compulsory Purchase Act 2004).

4.2 Policy ID1: Infrastructure and Delivery states:

“(1) Infrastructure necessary to support new development will be provided and available when first needed to serve the development’s occupants and users and/or to mitigate its otherwise adverse material impacts. To achieve this, the delivery of development may need to be phased to reflect the delivery of infrastructure.

(2) The delivery of necessary infrastructure will be secured by planning condition and/or planning obligation.

(3) When determining planning applications, and attaching appropriate planning conditions and/or planning obligations, regard will be had to the delivery and timing of delivery of the key infrastructure, or otherwise alternative interventions which provide comparable mitigation.

(4) The imposition of Grampian conditions shall be considered as a means to secure the provision of infrastructure when it is needed. If the timely provision of infrastructure necessary to support new development cannot be secured in line with this policy, planning permission will be refused.

(5) The key infrastructure on which the delivery of the Plan depends is set out in the Infrastructure Schedule at Appendix 6, or any updates in the latest Guildford borough Infrastructure Delivery Plan. The Local Plan also includes land allocated for infrastructure.

(6) Where an applicant advises that their development is unviable with the policy and infrastructure requirements, the Council will consider whether these costs were taken into account in the price paid for the site (or any agreement to purchase the site). If these costs were taken into account, as is required by the Council, but there are higher costs associated with the site that were unknown at this time, then the Council will take this factor into account when considering the viability and acceptability of the proposal.”

4.3 Under Item 5 of ID1, the Local Plan includes an Infrastructure Schedule at Appendix 6 of schemes that are required to make the Local Plan sound and on which delivery of the plan depends. LRN19 of the schedule is the “New road bridge and footbridge scheme to enable level crossing closure on A323 Guildford Road adjacent to Ash railway station” Infrastructure Project. Under the column entitled “Likely Cost (where known and funding source)” it says “£15m Developer funded and Network Rail”. It is clear that the scheme will in part be developer funded.

- 4.4 Policy A31, which relates to 'Land to the South and Ash Tongham Area' also specifically includes for this area under Requirement 9:

"Land and provision of a new road bridge which will form part of the A323 Guildford Road, with an associated footbridge, to enable the closure of the level crossing on the A323 Guildford Road, adjacent to Ash railway station".

- 4.5 LR19 of Policy ID1 does not state that Policy A31 sites should fund ARB in its entirety. A review of other LRN schemes reveals where it was intended that they are required mitigation for a policy site for example: NR3, SRN4, LRN3, LRN4, LRN7, P&R1, BT2, BT3, BT5, BT6 & AM3. Therefore, other development that has a direct impact on a local area where an infrastructure solution has been identified are required to contribute towards its delivery.

- 4.6 Requirements 6, 7 and 8 of ID3 support the requirements of Policy ID1 and state:

"(6) New development will be required to provide and/or fund the provision of suitable access and transport infrastructure and services that are necessary to make it acceptable, including the mitigation of its otherwise adverse material impacts, within the context of the cumulative impacts of approved developments and site allocations. This mitigation: (a) will maintain the safe operation and the performance of the Local Road Networks and the Strategic Road Network to the satisfaction of the relevant highway authorities, and (b) will address otherwise adverse material impacts on communities and the environment including impacts on amenity and health, noise pollution and air pollution."

"(7) Planning applications for new development will have regard to the Infrastructure Schedule at Appendix 6 which sets out the key infrastructure requirements on which the delivery of the Plan depends, or any updates in the latest Guildford borough Infrastructure Delivery Plan.

(8) Provision of suitable access and transport infrastructure and services will be achieved through direct improvements and/or schemes funded through Section 106 contributions and/or the Community Infrastructure Levy (CIL) which will address impacts in the wider area including across the borough boundary."

The Strategic Development Framework: Supplementary Planning Document (Adopted July 2021)

- 4.7 Following adoption of the Guildford Borough Local Plan, the Council prepared a Supplementary Planning Document (SPD) as a guide for future masterplanning, planning and development of the strategic sites including Ash and Tongham Sites (Policies A29-A31). The Strategic Development Framework: Supplementary Planning Document was adopted 21 July 2020.

- 4.8 In regard to ARB it identifies at Paragraph 7.14 the following:

"The bridge is intended to support the delivery of new homes and alleviate congestion by removing a level crossing at Ash Station. Financial contributions towards the bridge will be required from developers to help meet the full cost of delivering the bridge."

4.9 The SPD also sets out in regard to funding of infrastructure such as ARB the following:

“9.5.8 In appropriate cases the Council may decide to forward-fund and bring forward delivery of those items of infrastructure which are to be wholly or partly funded through section 106 contributions, before all of those section 106 contributions have been paid and/or secured via section 106 obligations.

9.5.9 However, the Council must be able to recoup such forward-funding when planning applications for development which will be enabled by and/or benefit from such infrastructure do come forward. Therefore the Council will seek retrospective section 106 contributions, at the appropriate contribution rate, in relation to such planning applications, even if they are not made until after the relevant item of infrastructure has been fully completed and/or fully (or partially) funded. As the final costs of the relevant item of infrastructure may not be known at the time a section 106 agreement requiring a contribution towards that infrastructure is entered into, every section 106 agreement will, where appropriate, contain a mechanism for review once the relevant item of infrastructure (or, if more than one, all such items) has been fully paid for and constructed so as to secure payment of additional contributions to cover the costs of the infrastructure.”

4.10 Whilst The Firs is not shown in the study area, it is directly adjacent to the boundary, and therefore the principles set in the SPD SDF are relevant.

Summary

4.11 ARB forms LRN19 of the Infrastructure Delivery Schedule for the Local Plan and is identified as key infrastructure in supporting as well as unlocking the delivery of housing upon which the Local Plan depends (Policy ID1). To the extent that it is not funded by the public then it must be funded by the private sector.

4.12 As shown by Figure 1, the site is located:

- In close proximity to the ARB scheme;
- Immediately adjacent to the Policy A31 area,
- Immediately adjacent to other development where contributions to ARB have been necessary to make the development acceptable; and,
- Where site users will have to either use the Ash level crossing or Ash Green Road bridge (which connects with Harpers Road and/or Wyke Lane, which are constrained roads), to pass over the North Downs Line.

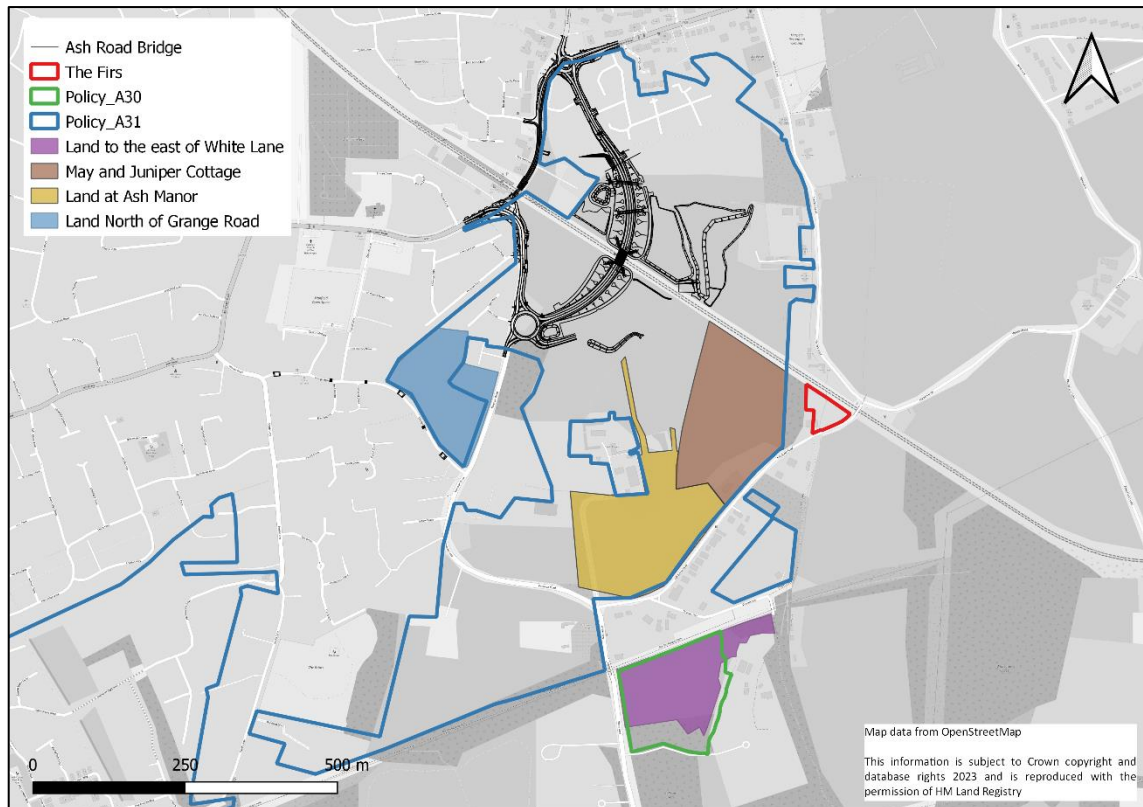


Figure 1: Location of Proposed Development

- 4.13 Policy A31 sets out a specific requirement for the ARB scheme. However, this does not preclude seeking contributions from other development that has a direct impact on the local area and where an infrastructure solution had been identified to mitigate a cumulative residual impact. This conclusion was supported by the Planning Inspector at the appeal for 'Land East of White Lane' (reference APP/Y3615/W/19/3240781), which relates to Policy A30 (see further 6.30 onwards of this note below).
- 4.14 Without a proportionate and timely contribution to the ARB Scheme, the Site is considered to conflict with the requirements of ID1 and ID3 of the Guildford Local Plan, and ultimately the NPPF.

5. ARB Scheme S106 Contributions

5.1 In accordance with the Guildford Borough Local Plan 2019, the Council has determined that any new planning applications for development within the area allocated by Policy A31, or outside Policy A31 but benefitting from the ARB Scheme (which includes, for the avoidance of doubt, development allocated by Policy A30 and may also include other sites determined on a case by case basis in line with the statutory tests for planning obligations) should contribute towards the ARB Scheme.

ARB Budget and Funding

5.2 The Council approved the budget and funding strategy for the ARB on 16 March 2023. This allows the construction phase of the Road Bridge to proceed which has an associated budget of 44.0m. The total updated budget is £44.5 million.

5.3 In terms of funding, £28.9 million has been confirmed in regards to public funding as follows:

- £23.9 million from the Homes England HIF; and
- £5.0 million from Surrey County Council

5.4 This leaves a shortfall of £15.1 million for the Road Bridge and £15.6 million overall, which is to be made up of a combination of Council reserves and funds and borrowing.

ARB Scheme Contributions Secured or Received

5.5 As identified by the Guildford Local Plan, delivery of the ARB Scheme is expected to be part funded by developer contributions.

5.6 The total amount which the Council is seeking to recover by way of S106 contributions from developers towards the ARB Scheme is £11.5 million. A summary of funding secured or agreed in principle by landowners / developers towards the ARB Scheme is provided below.

Table 1. Summary of S106 Contributions to the ARB Scheme (to date)

Site	Developer	App Ref	Policy	Homes	Contribution	Status
Land North of Grange Road	Thakeham Homes	17/P/02158	A31	60	£643,353	Paid
Land South of Ash Lodge Drive	Bewley Homes	17/P/02592	A31	81*	£824,631	Paid*
Land to East of White Lane	Bellway Homes	18/P/01950	A30	59	£630,410.96	Paid
Land South of Guildford Road	Bellway Homes	16/P/01679	A31	154	£149,102	Paid**
Land at Poyle Road	Bewley Homes	20/P/01102	A31	38	£406,938	Paid
May and Juniper Cottages	Aspen Homes	18/P/02308	A31	100	£1,000,000	Signed S106***
Land North of Streamside Cottages	-	21/P/02155	A31	10	£113,470	Signed s106***
Total				502	£3,767,905	

* The site has an existing planning consent (reserved matters approved) for 400 homes (ref: 16/P/00980). A further detailed application for 481 homes was granted on 29th March 2019 (ref: 17/P/02592). An ARB Scheme contribution was secured on the additional 81 homes.

** Bellway Homes have completed some works associated with Ash Road Bridge in lieu of a contribution. These are not accounted for in the budget. The contribution reflects final works that can not be completed until the Ash Road Bridge scheme is completed by the Council.

*** The signed s106 is index linked to the trigger for payment and therefore the figure paid will be higher than shown.

- 5.7 Based on the total secured, £7,732,095 of further funding is sought from relevant development in the Ash and Tongham area towards the ARB scheme.
- 5.8 1,344 homes out of 1,750 homes have been consented at the time of writing in the Policy A31, assuming a further 400 homes come forward either through allocated or windfall development and each unit makes a contribution of circa £12,000 then this amounts to £4.8 million, which is less than the £7.73million which the Council is targetting from developer contributions. .
- 5.9 The Council is committed to seeking S106 contributions towards the ARB Scheme in all appropriate cases (i.e. where the development is otherwise acceptable in planning terms) and where Regulation 122 CIL is satisfied, given the IDP requirement for delivery of the ARB Scheme.
- 5.10 If the Council does not meet its target of £11.5million in respect of S106 contributions towards the ARB Scheme, the Council is fully committed to delivery of the ARB Scheme. The Council in March 2023 approved the budget in respect of both the Road Bridge and the Footbridge, having been appraised of all risks, including the target for S106 contributions not being met. The Council agreed that any gap between the Road Bridge budget and the HIF funding will be met. The Council took into account, in particular, the desirable and likely one-time opportunity to benefit from significant central government HIF funding of £23.9million towards this essential infrastructure project.

ARB Scheme Contribution Requested

5.11 Contributions were originally secured on schemes within the Policy A31 area at a level of £10,000 per unit in March 2019. £11,926 per unit is sought in regard to this Planning Application, which is equivalent to £10,000 per unit plus indexation (RPI) since March 2019, which is when the £10,000 per unit was first required. It is consistent with other development within this adjacency. Details of the calculation are provided below:

Site	App Ref	Indices*			Contribution per Unit		Total Contribution	
		Base	Update	Factor	Base	Update	Units	£
The Firs	22/P/00367	285.1 (Mar 19)	340 (Jun 22)	1.1926	£10,000	£11,926	7	£83,460

*RPI values are taken from [RPI All Items Index: Jan 1987=100 - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/rpi)

6. Requirement for a contribution

6.1 The contribution sought by the Council as Local Planning Authority towards the Ash Road Bridge with regards to this development has been considered pursuant to regulation 122 of the Community Infrastructure Levy Regulations 2010 (and paragraph 57 of the NPPF) which state that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development.

Necessary to make the development acceptable in planning terms

6.2 The ARB Scheme is a Guildford Local Plan requirement and a Guildford Borough Council Corporate Programmes Project. It is for the Local Planning Authority rather than the Highways Authority (Surrey County Council) to identify whether they believe that the effects of a site warrant a contribution to this scheme within the context of the Local Plan and the planning application information presented.

6.3 Since the adoption of the Guildford Borough Local Plan and the commitment to deliver the ARB scheme was formalised, neither Network Rail nor Surrey County Council have raised an objection to development on the basis of impact on the Ash level crossing with the policy requirement for ARB taken account of by the parties when reviewing the impact of the scheme.

6.4 SCC Highways has stated the following in response to the application (dated 13 June 2023):

“The assessment of this planning application is based on the Ash Road Bridge (ARB) scheme being implemented which should reduce the overall number of vehicles using Harpers Road and Ash Green Road to avoid the existing level crossing, this site will benefit from the new road bridge and suitable contributions will be sought by GBC.”

6.5 The requirement for the ARB Scheme is two-fold in transport terms, the first is to remove delay and the potential level of rat running and the second is to enable closure of the level crossing which would remove a congestion constraint but more importantly a safety risk for all user types. Both the potential for increased use of constrained local roads and the risk associated with enhanced use of the level crossing by all users of the development (not just motor vehicles) is relevant to this scheme.

6.6 Figure 2 shows potential routes to and from the Proposed Development through the local area.

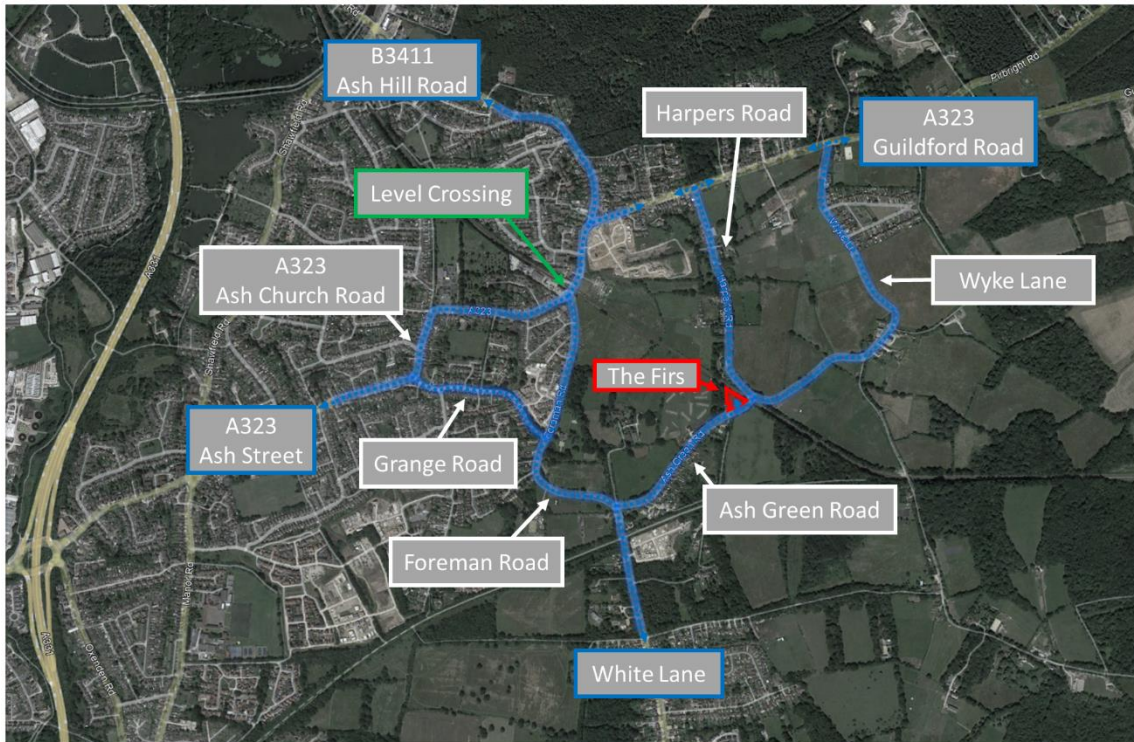


Figure 2: Routes to and from the Proposed Development

Use of Local Roads

6.7 The following are all constrained local roads that have the potential to be used by the Proposed Development and which are used to avoid the Ash level crossing and the delays that are experienced by traffic here:

- Ash Green Road - Ash Green Road forms the access for The Firs and is a single carriageway, two-way road with a typical width of 5.0m and is subject to a speed restriction of 30mph. Ash Green Road runs between the priority junction with Foreman Road and White Lane to the southwest and the priority junction with Harper's Road and Wyke Lane to the northeast where it crosses the railway line as a bridge. Footways are only present along a short extent of this road. The SPD movement framework for Ash also seeks to promote 'quiet lane' status to Ash Green Road, to which Harper's Road and Wyke Lane connect. Generally quiet lanes should be pleasant to walk, cycle, or ride a horse along and would usually involve low traffic speeds, low traffic flows (<1000 vehicles per day) and narrow road widths, and do not normally work well where rat-running is present. The delivery of Ash Road Bridge is important in removing 'rat-running' traffic and supporting the conditions for a quiet lane.
- Harpers Road - Harper's Road is a two-way, single carriageway road with a typical width of 4.5m, narrowing to 3.5m in places, and a speed limit of 30mph. No footways are present, and therefore all users including pedestrians share the carriageway. Recent feedback on Land at Streamside (22/P/00977) and Orchard Farm (22/P/01083) between the applicants and SCC confirms that as a shared surface the road has a capacity of 100 vehicles (two-way) per hour. Traffic surveys associated with these application confirm that the road is

operating above 100 vehicles per hour in the AM peak hour. Any additional traffic using this route therefore without mitigation will be unacceptable.

- Wyke Lane - Wyke Lane connects to the A323 at a priority junction and runs south where it joins with Harper's Road. Wyke Lane is a two-way, single carriageway road with a typical width ranging from 4.5-5.0m and a speed limit of 30mph. The Wyke Lane arm of the A323 Guildford Road / Wyke Lane junction was shown to already be operating at capacity in the AM peak in the ARB Transport Assessment. Any additional traffic using this route will therefore further impact the operation of this constrained junction without improvement.
- Grange Road - Grange Road is a single carriageway, two-way road with a typical width of 6.0m and is subject to a speed restriction of 30mph. Grange Road connects Foreman Road to the east with South Lane to the west, which in turn connects with the A323. Footways are present on at least one side of the road along its extent. Grange Road connects Foreman Road to the east with South Lane to the west, which in turn connects with the A323. The use of this route will avoid the effects associated with queuing and delay at the Ash level crossing particularly for those vehicles travelling eastbound who may have to queue for an extended period to turn right from the A323 to Foreman Road if the level crossing is closed or take undue risks by travelling on the wrong side of the road. The choice of this route will result in increased levels of traffic using a residential road where traffic calming has historically been implemented to slow vehicle speeds and to detract from use of this road by through traffic.

6.8 Land East of White Lane (18/P/01950), May and Juniper Cottages (18/P/02308) and Land at Poyle Road (21/P/01456) are all schemes that are local to the Proposed Development, and which are now committed (See **Figure 1**). These sites will add further traffic to these constrained roads as result. Each scheme has committed to, or paid a contribution towards the ARB Scheme to mitigate the impact of their development.

6.9 Land at Streamside (22/P/00977) and Orchard Farm (22/P/01083) are also allocated sites that are currently subject to planning determination and appeal respectively which are located on Harper's Road and which would also add traffic to these routes if approved. Contributions towards ARB are being sought by the Council for both of these schemes.

6.10 The applicants Transport Assessment identifies that vehicular trips associated with seven additional dwellings will be generated by the Proposed Development, amounting to four movements in the AM peak, four movements in the PM peak and 36 movements daily. The Transport Statement does not define which routes will be used by these trips; however, based on Transport Assessments prepared for 'May and Juniper Cottages' (18/P/02308) and 'Ash Manor' (18/P/02456) and associated distributions accepted by SCC, it can reasonably be assumed that the majority of this vehicular traffic will use Ash Green Road and the Harper's Road / Wyke Lane routes to travel to/from the east and/or Grange Road to avoid traffic and delay associated with the Ash level crossing.

- 6.11 Whilst the scale of the scheme is modest, the A323 Guildford Road / Wyke Lane junction is at capacity in the AM peak, Harper's Road is operating over the defined limit for vehicle movement as a shared surface street with no footways and Grange Road has had traffic calming historically implemented to deter its use as a rat-run.
- 6.12 Therefore, any additional traffic associated with the Proposed Development will exacerbate the existing issues, and coupled with other committed development will result in cumulative residual impacts contrary to ID3 of the GBC Local Plan and ultimately the NPPF unless mitigation is provided, which includes ARB.
- 6.13 The delivery of the ARB Scheme will provide this mitigation by offering an improved means to cross the railway line which will improve journey reliability and remove the need to seek alternative routes to avoid the Ash level crossing. It will also help to bring existing traffic back on to principal routes.

Ash Level Crossing

- 6.14 The Applicant has only considered the impacts of vehicle traffic as part of their Transport Assessment. The Proposed Development has the potential to increase the number of vehicles and non-motorised users passing over the Ash level crossing on a daily basis, and therefore congestion and risk at the Ash level crossing.
- 6.15 The site will benefit from proximity to Ash Station with rail connections to Reading, Guildford and Gatwick available. Therefore it is to be expected that the number of non-motorised users passing over the Ash level crossing, as well as motor vehicles, will increase with delivery of the Site.
- 6.16 Discussions with Network Rail regarding the operation of the Ash level crossing have consistently highlighted that pedestrians and cyclists have a greater influence on risk at level crossings than motor vehicles. The delivery of the Road Bridge (Stage One) will remove motor vehicles from the Ash level crossing and reduce risk at this location, but more importantly it will provide the space and conditions for the construction of the footbridge and full closure of the Ash level crossing (Stage 2).
- 6.17 Misuse of the crossing is classified as high by Network Rail, with 28 incidents reported over five years (1st January 2014 and 21st January 2019), the majority of which were associated with pedestrians and cyclists. A further 6 near misses were reported up to the end of 2020 according to the Safety Management Information System for the Ash level crossing. Network Rail comment as follows on the misuse of the crossing in the Network Rail (2021) 'Level Crossing Risk Assessment: Ash CCTV Crossing' as follows:

"Long barrier downtimes are an issue at the crossing and are a frequent cause of public complaints to Network Rail's Community Relations team. Section 3 illustrates that barriers are down for significant periods of the day, particularly during peak hours. The proposal to increase the service of Gatwick – Reading trains will result in the barriers being down and the road closed

for longer periods than at present. This will result in more traffic congestion and clogging of local roads.

Deliberate misuse at the crossing is high with a mixture of both vehicular and pedestrian abuse. Cars are often observed by the signallers to ignore the red road traffic lights in order to beat the lowering barriers. In addition, reports from Station Staff indicate that misuse occurs far more frequently than reported. The long barrier downtimes and lack of a pedestrian footbridge exacerbates this. A common complaint is from train passengers who find themselves on the opposite side of the station to where their train is. This is reflected in the misuse events in Section 2.12, where passengers have climbed over the barriers in order to catch their train on the opposite side.”

- 6.18 Great Western Railway (GWR) has recently started the upgrade of their service on the North Downs Line and has increased the number of trains on the line to three per hour on Saturdays in each direction and some off peak weekday hours, which will lead to greater downtime at the Ash level crossing. Great Western has targeted extending this, in the first instance to further off peak weekday services as well as extending additional services through to Gatwick Airport, before moving on to introducing additional peak services so that an additional service per hour Monday to Friday is provided throughout the day. Additional peak hour services can only be rolled out once platform work is finished at Gatwick.
- 6.19 The increase in movements from committed development and the Site, coupled with enhancements in rail frequencies and barrier downtime, will increase risk at the Ash level crossing.
- 6.20 Any increase in pedestrian and cycle movements across the Ash level crossing (without the commitment of the ARB Scheme) is likely to lead to an objection from Network Rail without the proposal of a suitable alternative. This is evidenced by Network Rail’s response to the Guildford Borough Local Plan, as well as the response of Network Rail to applications in the area prior to ARB becoming a requirement of the Guildford Borough Local Plan. Network Rail’s response to the ARB Planning Application (19/P/01460) dated 9th December 2020 states:
- “Network Rail therefore supports the delivery of the road bridge scheme and the associated planning application, which, upon completion, will allow for Guildford Road (A323) to be closed to vehicles and construction of a footbridge to commence. Should for any reason, the road bridge, footbridge and level crossing project not be taken forward, NR’s position remains that the proposed housing developments in Ash, alongside the long-anticipated and welcomed increase in train services on the North Downs Line by Great Western Railway, will introduce an increased safety risk to those using the level crossing that we should collectively seek to mitigate.”*
- 6.21 Without mitigation, in the form of an alternative crossing, the cumulative residual implications of development, including the Proposed Development, are expected to be adverse.

Directly related to the development

- 6.22 The contribution sought will be used to deliver the ARB Scheme, with the delivery of the Road Bridge forming Stage One of the scheme. The delivery of the Road Bridge will provide the conditions for the closure of the Ash level crossing to motor vehicles and remove risk associated with this user class and reduce risk to non-motorised users at the level crossing including those associated with the Proposed Development.
- 6.23 The ARB Scheme will remove delay and improve journey time reliability and introduce improved traffic calming, thereby reducing the use of, and pressure on locally sensitive and constrained routes, which includes Harper's Road, Wyke Lane and Grange Road, which the Proposed Development will use. The SPD movement framework for Ash also seeks to promote 'quiet lane' status to Ash Green Road, to which Harper's Road and Wyke Lane connect. The delivery of ARB will benefit the development by removing traffic on Ash Green Road and these locally sensitive routes and can therefore be considered directly related.
- 6.24 Stage Two of the ARB Scheme will comprise delivery of the Footbridge which will facilitate full closure of the Ash level crossing. This will fully eliminate the safety risk associated with the crossing for non-motorised users, which as identified by Network Rail will become prohibitively unsafe without its closure in the context of enhanced frequencies and planned growth.
- 6.25 In the context of the above it is considered that the contribution sought is directly related to the Proposed Development and the cumulative transport effects arising from its delivery.

Fairly and reasonably related in scale and kind to the development

- 6.26 The Council's Corporate Programmes team for the ARB Scheme previously instructed Savills to review what level of S106 contribution would be viable for the ARB Scheme (assuming full policy compliance, including affordable housing) and their work concluded that total S106 contributions of up to £26,000 per unit were viable. The required level of contribution towards the ARB Scheme has been calculated at a level below that which should make any development unviable and the amount unaffordable, taking into account other planning obligations, including affordable housing, which those developments will also be expected to meet.
- 6.27 Table 1 set out the contributions secured from development to date which ranges from 10 dwellings to 154 dwellings and includes development at a similar scale to the Proposed Development and/or location. The S106 contribution towards the ARB Scheme in this case is (allowing for indexation) the same as has been agreed on all schemes consented since the Local Plan was adopted (and just before it was adopted), including Land East of White Lane (18/P/01950), May and Juniper Cottages (18/P/02308), and Land North of Grange Road (17/P/02158) which are the nearest relevant sites (within 600m).
- 6.28 The exception is 'Land South of Guildford Road' (16/P/01679) where works completed in lieu of a contribution was agreed, although a contribution has been secured for works that can not be completed until ARB has been constructed.

6.29 The level of contribution required of developers towards ARB and whether it is justified under Regulation 122 was most recently considered in the 'Land at Ash Manor' appeal for 69 homes and prior to this the 'Land East of White Lane' appeal for 59 homes. The Inspector found in both cases that the financial contribution was fairly and reasonably related in scale and kind to the development. In the case of 'Land at Ash Manor', the contribution comprised £10,000 per unit plus indexation back to March 2019 (as is being sought for the Proposed Development), which equalled £10,944 per unit in that case. The contribution sought in this case is higher as indexation has increased further since the Ash Manor contribution was determined, although the Ash Manor contribution would also have been subject to indexation between the date of the S106 agreement and the date of payment.

6.30 Furthermore, in the planning appeal for 'Land East of White Lane' (APP/Y3615/W/19/3240781) which relates to the development of 59 residential units. The inspector commented as follows:

"25. The Highway Authority in its evidence has set out the contribution from other developments to the ARB scheme, and related the scale of the contribution to the anticipated resulting peak flow traffic movements. The evidence indicates that the scale of contribution from the appeal site would be broadly in accordance with other schemes in the area and, in my view, would help to mitigate the impact of the proposal with a fair and reasonable amount of the overall costs of the ARB scheme proportionate to the impact of the appeal proposal given its location near to the affected roads and proximity to the level crossing.

26. Taking all these matters into account, including the appellant's final comments, I conclude that to address the highway impacts of the proposal, and to comply with the requirements of Policies ID1 and ID3 of the Local Plan, the obligation to make a financial contribution towards the ARB scheme is necessary to make the development acceptable in planning terms. The obligation is directly related to the development as it would help to address the impact from the additional traffic movements and, for the reasons explained, I am satisfied that the financial contribution would be fairly and reasonably related in scale and kind to the development. The obligation therefore meets the requirements of Regulation 122(2) of the Community Infrastructure Levy Regulations 2010."

6.31 The inspector made this finding even though the site, Land East of White Lane, is not in Policy A31. The Inspector also made reference to the previous appeal decision (APP/Y3615/W/19/3225673) at Land at Streamside, Harpers Road for 24 houses which questioned the level of contribution commenting as follows:

"19. My attention has also been drawn to an appeal decision¹ for a residential scheme within the Policy A31 allocated area, where the Inspector questioned the £10,000 per unit level of contribution required to the ARB scheme and that it would require further investigation as to how reasonable and proportionate it might be."

6.32 In the case of APP/Y3615/W/19/3225673 (the Streamside appeal) the Inspector considered that the level of evidence provided insufficient information to make an assessment on the level of contribution. This was addressed by the Council in APP/Y3615/W/19/3240781 (the Land East of White Lane appeal) with the Inspector commenting as follows:

“24. The Council has responded to the concerns raised by the Inspector in the appeal in Harpers Road and to matters raised by the appellant, and set out information to justify the scale of contribution. I am conscious that a part of the funding for the ARB scheme will come from Homes England and Network Rail, and a proportion of the funding would come from private developers undertaking schemes in the area.”

6.33 The S106 contribution towards the ARB Scheme in this case is (allowing for indexation) is the same as has been agreed on all other schemes consented since the Local Plan was adopted (and just before it was adopted). Taking all this into account it is considered that the contribution sought is fair and proportionate to other development in the area and will not render the development unviable.

7. Summary

- 7.1 This note summarises the requirement for a S106 contribution towards the Ash Road Bridge Scheme to be secured in connection with the Planning Application. The CPT considers that a total contribution of £83,460 towards the ARB Scheme, which is identified as key infrastructure on which the delivery of the Local Plan depends, should be sought by the Council as Local Planning Authority in respect of the Planning Application.
- 7.2 The requirement for substantive infrastructure in the form of ARB to mitigate the highway issues associated with development, which includes congestion and rat-running has been proven through the Guildford Local Plan, and the need for contributions towards ARB to address the cumulative impacts of development in the area has been supported through Inspector feedback at recent appeals, such as Land East of White Lane (reference APP/Y3615/W/19/3240781) and Land at Ash Manor (reference APP/Y3615/W/21/3273305).
- 7.3 The contribution is considered to meet the tests of regulation 122 of the CIL regulations and Paragraph 57 of the NPPF for the following reasons:
- Necessary to make the development acceptable in planning terms – The Proposed Development will increase traffic on constrained and sensitive local roads and will result in additional users travelling through the Ash level crossing increasing delay and risk at this location. In combination with committed and allocated development, it is therefore considered that a contribution is necessary towards the ARB Scheme to mitigate the cumulative residual impacts of the Proposed Development.
 - Directly related to the development - The contribution sought will be used to deliver the ARB Scheme which will provide an alternative means of access over the North Downs Line and which will facilitate the closure of the Ash level crossing. This will remove motor vehicles from the Ash level crossing reducing risk for non-motorised users and it will also reduce the level of existing through traffic using sensitive local roads, to avoid delay at the Ash level crossing.
 - Fair and reasonably related in scale and kind to the development - The basis for the level of contribution has been outlined. Based on the market and total S106 contribution costs in the area it is considered affordable. The £11,926 (£10,000 plus indexation) per unit, is in line with that which has been agreed by other sites in Policy A30 and Policy A31, and the scale has been tested and found sound at appeal.
- 7.4 All sites within A31 that have come forward since the Local Plan was adopted in April 2019 have made a contribution towards ARB, together with one site outside of Policy A31 comprising Land to the East of White Lane. The site of the Proposed Development benefits from the proposed ARB scheme.
- 7.5 In conclusion, there is a clear planning justification for a contribution towards the ARB Scheme and it is considered that the contribution is required to make the development acceptable in

planning terms within the context of the cumulative impacts of approved developments and site allocations in the Ash and Tongham area and that the scale of contribution is justified.

Planning Committee

21 June 2023

Late Representations

Since the last date for the submission of views on applications/matters before the Committee this evening, representations in respect of the under mentioned applications/ matters have been received. The letters, copies of which will be available for inspection by councillors at the meeting, are summarised below.

Item 5 – Planning Applications

22/P/00367 – (Page 21) – The Firs, Ash Green Road, Ash, Guildford, GU12 6JJ

Surrey Wildlife Trust

Email 19 June 2023 comment:

In review of the Validity Assessment provided by Middlemarch Environmental Ltd (June 2023) we are satisfied that the Stream Enhancement Plan (Middlemarch Environmental Ltd, May 2023) is informed by suitable survey data for water vole, otter and roosting bats. This provides an update to the consultation comment provided on this topic on the 14th June 2023.

Surrey Wildlife Trust confirmed they raise no objection subject to: conditions 13; 17; 18; 19; 20; 21; 22 and 23

Email 14 June 2023

Consultation response, assessed the following reports:

- Updated Preliminary Ecological Appraisal (Middlemarch Environmental, February 2022)
- Bridge and typical section through watercourse proposed (Drawing No PA_23, P1)
- Site Block Plan 2 (Partial) (Drawing No. PA_04, P5)
- Site Block Plan 1 (Partial) (Drawing No. PA-03, P5)
- Stream Enhancement Plan (Middlemarch Environmental, May 2023)
- Water Vole Survey (Middlemarch Environmental, February 2022)
- Preliminary Bat Roost Assessment (Middlemarch Environmental, February 2022)

SWT have caveated their response in the absence of the BNG metric to demonstrate a quantitative increase in biodiversity units. (page 2)

The validity of the water vole presence /absence survey has lapsed.

No assessment of the removal of trees along the watercourse for the potential to support bats has taken place.

No information on where the low suitability/potential trees to support roosting bats are located.

Validity of the Preliminary Bat Roost Assessment has lapsed – the removal of trees along the watercourse is not informed by up to date and valid survey information

SWT advise that prior to determination, the LPA is provided with an update assessment or validity of data assessment for bats, and a strategy for how the Stream Enhancement Plan will be implemented with regard to bats.

Surrey County Council Highways

Email 20/06/23

Updated Note to Planner:

Vegetation should be regularly maintained at the site access to ensure maximum visibility splays are achievable at all times. Vehicle tracking has been provided which demonstrates that vehicles can enter and leave the site in forward gear. Within the site there is a proposed bridge, rather than a culvert, which is acceptable. The site is located directly opposite Public Byway 521, with Public Bridleway 594 also close by. These links will provide further links to the wider Public Rights of Way network. The assessment of this planning application is based on the Ash Road Bridge (ARB) scheme being implemented which should reduce the overall number of vehicles using Harpers Road and Ash Green Road to avoid the existing level crossing, this site will benefit from the new road bridge and suitable contributions will be sought by GBC. It is not considered that the proposed development will result in a significant increase in vehicular trips on the surrounding highway network. The Highway Authority considers that the proposal will not have a material impact on highway safety.

Natural England

Email 13/06/23

Thames Basin Heaths Special Protection Area (SPA): No objection subject to appropriate mitigation being secured

I can confirm to you that as long the applicant is complying with the requirements of Guildford Borough Council's Avoidance and Mitigation Strategy for the Thames Basin Heaths SPA (through a legal agreement securing

contributions to Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM)), Natural England has no objection to this application.

Natural England has not assessed this application for impacts on protected species. Natural England has published [Standing Advice](#) which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Ancient Woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances. Natural England's standing advice on ancient woodland outlines a minimum 15m buffer should be implemented adjacent to ancient woodland to provide protection to the root zone from direct impacts.

Ash Road Bridge

ARB contribution justification see attached document.

Third party representation

Two letters of representation from third parties raising the following concerns:

- Topographical issues of levels will adversely affect existing dwellings (officer note the site is relatively flat, no adverse impact to neighbouring residential properties is identified)
- Highway safety where access is located in proximity to the railway bridge (officer note: Surrey County Council have assessed the application and no objection is raised on highway safety grounds)
- Increased traffic volume affecting road safety (officer note: Surrey County Council have assessed the application and no objection is raised on highway safety grounds)
- Foul drainage inadequate (officer note: Thames Water raise no objection)

- Development will exacerbate existing surface water flooding (officer note: the LLFA have considered surface water flood risk to and from the site and are satisfied subject to conditions)
- Suburban development will reverse rural qualities of the area (officer note: the site is located within the Ash urban area)
- Car parking requirement results in suburban character
- No provision for pedestrian separation, no pavement outside site
- Erosion of countryside (officer note: the site is located in the Ash urban area)

Ash Parish Council

Please note original objections

22/P/01898 – (Page 131) – Land to east of Abinger Fields, Sutton Place, Abinger Hammer, Dorking, RH5 6RP

Consultations received

Shere Parish Council comments were taken into consideration in the assessment of the proposed development. However, they were incorrectly included within the list of objections made by neighbouring residents due to an administration error. For clarity the Parish Council objected to the proposal for the following reasons:

- Harmful to the AONB – support the views of the AONB officer
- Loss of agricultural land for an individual pursuit
- Unnecessary development on a pristine piece of land

One additional objection has been received raising the following objections:

- The fields was in successful agricultural use until the end of 2020
- Adverse impact on the green belt