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Pedro Wrobel

Joint Chief Executive of Guildford and
Waverley Borough Councils

Dear Councillor

PLANNING COMMITTEE – WEDNESDAY 22 MAY 2024

Please find attached the following:

Agenda No Item

8. **Late Sheets - Updates/Amendments/Corrections and Late Representations - Planning Committee 22 May 2024 (Pages 1 - 10)**

Yours sincerely

Sophie Butcher, Democratic Services Officer

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Planning Committee

22 May 2024

Update/Amendment/Correction List

22/P/01306- (Page 33) – Land at the former Highlands Nurseries, Portsmouth Road, Ripley, GU23 6EY

Update to committee report:

Officers have engaged with SCC Education following queries raised by the applicant on the funding projects for primary and secondary years education provision in relation to this development. This has resulted in SCC Education withdrawing their request for contributions towards primary and secondary years education.

An Early years contribution is still deemed necessary to mitigate the development. With limited, to no early years capacity in September 2024. The Early Years contribution remains £26,020.

Given the above amend Page 80 of the committee report to delete the following text:

Primary Years: £75,641

Secondary years: £60,416

Heads of Terms (page 37)

Change from: Education contributions

Change to: Early years contribution

Proposed changes to wording of conditions:

Condition 2:

Change from: ... Proposed Plan 967-WWA-Z0-XX-DR-A-0113, ... Propose elevation Plot 21, 22 967-WWA-Z0-XX-DR-A-0218,

Change to... Proposed Plan [Plot 9, 10](#) 967-WWA-ZO-XX-DR-A-0113, ...Proposed [elevation Plot 21, 22](#) 967-WWA-ZO-XX-DR-A-0218,

Condition 4:

Change from:

Prior to commencement an appropriately detailed Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority.

The CEMP should include, but not be limited to:

- a) Map showing the location of all of the 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 protected fences, exclusion barriers and warning signs.

The development shall be carried out in strict accordance with the agreed details.

Reason: to protect the surrounding ecology.

Change to:

Prior to commencement [of the development](#) an appropriately detailed Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority.

The CEMP should include, but not be limited to:

- a) Map showing the location of all of the 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 protected fences, exclusion barriers and warning signs.

The development shall be carried out in strict accordance with the agreed details.

Reason: to protect the surrounding ecology.

Condition 28

Change from:

Prior to the commencement of construction of any dwelling, details of the play area shall be submitted to and approved in writing by the local planning authority. The details shall include the layout, equipment, landscaping, fencing and future management of the areas to be provided. The play area shall be laid out in accordance with the approved details and shall be available for use prior to the occupation of the first dwelling.

Reason: To ensure the development provides adequate on site play space for the occupants.

Change to:

Prior to the commencement of construction of any dwelling, details of the play area shall be submitted to and approved in writing by the local planning authority. The details shall include the layout, equipment, landscaping, fencing and future management of the areas to be provided. The details shall demonstrate that the play area and equipment is accessible and inclusive for all. The play area shall be laid out in accordance with the approved details and shall be available for use prior to the occupation of the first dwelling.

Reason: To ensure the development provides adequate on site play space for the occupants.

Add following Informatives:

4. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced

ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.”

5. Notwithstanding the approved drawings, the following matters regarding the materiality of the scheme is drawn to the attention of the applicant:

grey clay roof tiles – the prevailing roofing material within the immediate area is red clay. Whilst there are some instances of slate covering in the vicinity, these occurrences are atypical contextually.

Through the discharge of condition seventeen, more suitable external roof materials will need to be proposed.

24/P/00308 – (Page 83) – Orchard Walls, Beech Avenue, Effingham

1. Correction

Page 83: The dwelling situated immediately to the north of the application site on the site location plan should be labelled ‘Orchard Walls’, not ‘Orchard Wells’.

2. Additional condition

Page 87:

4. *All planting of the Beech hedging shown on the approved plans shall be carried out in the first planting season following the installation of the development hereby approved. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or diseased in the opinion of the local planning authority, shall be replaced in the next available planting sooner with others of similar size, species and number, unless otherwise agreed in writing by the local planning authority.*

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality, in accordance with Policy D4 of the Guildford Borough Local Plan: Development Management Policies 2023 and Policy ENP-G2 of the Effingham Neighbourhood Plan 2016-2030.

3. Submission of additional information

On 21 May 2024 the applicant submitted an additional drawing (drawing number AAL-24-113-P02) which shows the proposed development in the context of the Beech Close street scene.

4. Appeal decision of note

In response to the Parish Council's objection regarding social cohesion it is worth noting the Inspector's comments in the appeal decision for appeal ref: APP/Y3615/W/21/3278666 (Land at the entrance to Effingham Place, Effingham, Leatherhead). This appeal decision was referenced in the officer's delegated report for the refusal of planning application 23/P/01779 (The Queen Stage, Effingham), the details of which are referred to on pages 96-97 of this committee report.

Appeal APP/Y3615/W/21/3278666 was allowed in May 2022 for the erection of black painted metal automated vehicle access gates and a separate side pedestrian access gate on Effingham Place.

Whilst the heritage impacts of this appeal decision are not directly comparable to the application proposal at Orchard Walls, the Inspector made the following comments regarding social cohesion which are considered to have some similarities:

"...Effingham Place has a very private feel already due to the narrowness of the access, the domestic hedges enclosing it, the absence of any footpath and the signage which states it is a private road and 'No parking, No turning'. In this regard, it does not invite people to enter the area. It therefore makes a very limited contribution in terms of the opportunities for social interactions or promoting social cohesion.

I recognise that the creation of 'gated communities' does not represent good design. Given the existing circumstances of the appeal site, the addition of gates, set some distance down the drive, would not materially increase the perception that this is a private development...

I conclude that the proposed development would not harm the character and appearance of the area, with particular regard to its effect on social cohesion. It would therefore accord with Policy D1 of the LPSS which seeks a high quality

and inclusive design, that create safe and accessible spaces. It would also accord with the Framework and the NDG as referred to above.”

Planning Committee

22 May 2024

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/01306- (Page 33) – Land at the former Highlands Nurseries, Portsmouth Road, Ripley, GU23 6EY

Two late letters of representation have been received these were emailed directly to members and are on the Council's website for public view.

The issues raised are summarised as follows:

- Loss of privacy contrary to policy D5 of the LPDMP
- CGI image of development adjacent to Broom House boundary
- Policy H3 criteria a and b not complied with
- Pegasus Green Belt Review Report 2013 is a material consideration
- Affordable Housing Need proposed is 32% of Borough wide need
- No need for the development
- Housing need being addressed elsewhere in the Borough
- Former Wisley Airfield and Garlicks Arch will provide affordable housing
- Site discounted for development in the LAA
- Contrary to Green Belt policy
- Inappropriate development in Green Belt
- Encroachment into countryside
- Out of character and scale with surrounding development
- Not directly adjacent to settlement boundary
- Contrary to Lovelace Neighbourhood Plan policy LNPH1
- No draft s106 available
- No viability assessment to demonstrate funding of s106 contributions
- Not conclusive whether there is harm to A and B trees
- Ecology information should be submitted prior to determination

- Biodiversity Net Gain – development not in compliance with policy P7 of the LPDMP

24/P/00308 – (Page 83) – Orchard Walls, Beech Avenue, Effingham

1. Additional response from Effingham Parish Council

An additional letter of objection dated 22 May 2024 has been received from Effingham Parish Council which has been circulated separately to Members.

The representation expands on the concerns raised by the Parish Council in their original representation to the planning application which are summarised as follows:

- The introduction of gated developments would set a most unwelcome precedent and harm the neighbourly character of the village. Parish Councillors are concerned that this would set a precedent and start a flood of gated developments across the whole borough.
[Officer comment: Each application is determined on its own merits. The officer's report sets out the individual circumstances of this case and the reasons why, in this instance, officers consider that there would be no unacceptable harm that would warrant a recommendation for refusal.]
- The Parish Council disagrees with the officer's conclusion that the proposed gates are "unlikely to materially alter the pedestrian movements of the residents of Lambert Close, or their social interactions with neighbours who reside elsewhere on Beech Close and beyond". The gates would be a very significant physical obstacle to easy social interaction between the new residents and the existing residents of Beech Close, as is clear from the letters of objection from existing residents. If the pedestrian gate is locked in the future and only accessible by key code, this effect would be even more severe.
[Officer comment: The applicant has confirmed that the pedestrian gate will remain unlocked].
- Although the development is not within the Conservation Area, the gates would be clearly visible when approaching the Conservation Area from the south along Beech Avenue, in stark contrast to the rural hedge boundaries to the other properties in this area. There would therefore be harm to the setting of Effingham Conservation Area.
[Officer comment: Due to their siting set back from the carriageway, behind the alignment of the Beech hedge fronting onto Beech Close, the

proposed gates would not be visible from public vantage points along Beech Avenue or within the Conservation Area].

- The stark urban design of the proposed metal gates are harmful to the rural character of the area and to the street scene of Beech Close. It is notable that none of the properties along Beech Avenue have security gates and the Parish Council contends that to install such gates across the entry to the new development would be very noticeable and harmful to the character of the street scene in Beech Close and the rural character of the surrounding area.
- The Parish Council believes that there are sound reasons to refuse this application on the grounds of social divisiveness (NPPF para 96 and National Design Guide 2021), harm to the setting of the character of the area and the street harm to the setting of the Conservation Area (LPSS Policy D3, LPDMP Policy D20, paragraphs 201-208 of the NPPF, Effingham Neighbourhood Plan Policies ENP-G2 and ENP-G3) and harm to the character of the area and the street scene (LPSS Policy D1 and ENP policies ENP-G2 and ENP-SA3).

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