



www.guildford.gov.uk

Contact Officer:

Sophie Butcher, Democratic Services Officer
sophie.butcher@guildford.gov.uk

3 August 2021

Dear Councillor

Your attendance is requested at a meeting of the **PLANNING COMMITTEE** to be held in the Council Chamber on **WEDNESDAY 11 AUGUST 2021 at 7.00 pm.**

Yours faithfully

James Whiteman
Managing Director

MEMBERS OF THE COMMITTEE

Chairman: Councillor Fiona White
Vice-Chairman: Councillor Colin Cross

Councillor Jon Askew	Councillor Angela Gunning
Councillor Christopher Barrass	Councillor Liz Hogger
Councillor David Bilbé	The Mayor, Councillor Marsha Moseley
Councillor Chris Blow	Councillor Ramsey Nagaty
Councillor Ruth Brothwell	Councillor Maddy Redpath
Councillor Angela Goodwin	Councillor Pauline Searle
	Councillor Paul Spooner

Authorised Substitute Members:

Councillor Tim Anderson	Councillor Bob McShee
Councillor Richard Billington	Councillor Susan Parker
The Deputy Mayor, Councillor Dennis Booth, The Deputy Mayor	Councillor Jo Randall
Councillor Graham Eyre	Councillor Tony Rooth
Councillor Guida Esteves	Councillor Will Salmon
Councillor Andrew Gomm	Councillor Deborah Seabrook
Councillor Steven Lee	Councillor Cait Taylor
Councillor Nigel Manning	Councillor James Walsh
Councillor Ted Mayne	Councillor Catherine Young

QUORUM 5

THE COUNCIL'S STRATEGIC FRAMEWORK

Vision – for the borough

For Guildford to be a town and rural borough that is the most desirable place to live, work and visit in South East England. A centre for education, healthcare, innovative cutting-edge businesses, high quality retail and wellbeing. A county town set in a vibrant rural environment, which balances the needs of urban and rural communities alike. Known for our outstanding urban planning and design, and with infrastructure that will properly cope with our needs.

Three fundamental themes and nine strategic priorities that support our vision:

- | | |
|---------------------|--|
| Place-making | Delivering the Guildford Borough Local Plan and providing the range of housing that people need, particularly affordable homes |
| | Making travel in Guildford and across the borough easier |
| | Regenerating and improving Guildford town centre and other urban areas |
| Community | Supporting older, more vulnerable and less advantaged people in our community |
| | Protecting our environment |
| | Enhancing sporting, cultural, community, and recreational facilities |
| Innovation | Encouraging sustainable and proportionate economic growth to help provide the prosperity and employment that people need |
| | Creating smart places infrastructure across Guildford |
| | Using innovation, technology and new ways of working to improve value for money and efficiency in Council services |

Values for our residents

- We will strive to be the best Council.
- We will deliver quality and value for money services.
- We will help the vulnerable members of our community.
- We will be open and accountable.
- We will deliver improvements and enable change across the borough.

AGENDA

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

In accordance with the local Code of Conduct, a councillor is required to disclose at the meeting any disclosable pecuniary interest (DPI) that they may have in respect of any matter for consideration on this agenda. Any councillor with a DPI must not participate in any discussion or vote regarding that matter and they must also withdraw from the meeting immediately before consideration of the matter.

If that DPI has not been registered, you must notify the Monitoring Officer of the details of the DPI within 28 days of the date of the meeting.

Councillors are further invited to disclose any non-pecuniary interest which may be relevant to any matter on this agenda, in the interests of transparency, and to confirm that it will not affect their objectivity in relation to that matter.

3 MINUTES (Pages 13 - 38)

To confirm the minutes of the meetings of the Committee held on 9 June and 14 July 2021 as attached at Item 3. A copy of the minutes will be placed on the dais prior to the meeting.

4 ANNOUNCEMENTS

To receive any announcements from the Chairman of the Committee.

5 PLANNING AND RELATED APPLICATIONS (Pages 39 - 40)

All current applications between 20/P/02011 and 21/P/01106 which are not included on the above-mentioned list, will be considered at a future meeting of the Committee or determined under delegated powers. Members are requested to consider and determine the Applications set out in the index of Applications.

5.1 **20/P/02011 - 34 Fitzjohn Close, Guildford, GU4 7HB** (Pages 41 - 48)

5.2 **21/P/00339 - Elm Cottage, The Street, West Clandon, Guildford, GU4 7TG** (Pages 49 - 66)

5.3 **21/P/00535 - Land between Smugglers End and Merlins, Smugglers Way, The Sands, Farnham, GU10 1LW** (Pages 67 - 82)

5.4 **21/P/00542 - Aldershot Road Allotment Site, Woodside Road, Guildford** (Pages 83 - 92)

5.5 **21/P/00812 - 36 Railton Road, Guildford, GU2 9LX** (Pages 93 - 100)

5.6 **21/P/01106 - The Old Cottage, Broad Street, Guildford, GU3 3BE** (Pages 101 - 108)

6 PLANNING APPEAL DECISIONS (Pages 109 - 114)

Committee members are asked to note the details of Appeal Decisions as attached at Item 6.

WEBCASTING NOTICE

This meeting will be recorded for live and/or subsequent broadcast on the Council's website in accordance with the Council's capacity in performing a task in the public interest and in line with the Openness of Local Government Bodies Regulations 2014. The whole of the meeting will be recorded, except where there are confidential or exempt items, and the footage will be on the website for six months.

If you have any queries regarding webcasting of meetings, please contact Committee Services.

NOTES:

(i) Procedure for determining planning and related applications:

1. A Planning Officer will present the Officer's report virtually by sharing the presentation on Microsoft Office Teams as part of the live meeting which all committee members will be able to see online. For members of the public, able to dial into the meeting, copies of the presentation will be loaded onto the website to view and will be published on the Tuesday of the same week prior to the meeting. Planning officers will make it clear during the course of their presentation which slides they are referring to at all times.
2. Members of the public who have registered to speak may then address the meeting in accordance with the agreed procedure for public speaking (a maximum of two objectors followed by a maximum of two supporters). Public speakers will be sent an invite by the Democratic Services Officer (DSO) via Microsoft Office Teams to attend online or via a telephone number and conference ID code as appropriate to the public speakers needs. Prior to the consideration of each application which qualifies for public speaking, the DSO will ensure all public speakers are online. If public speakers cannot access the appropriate equipment to participate, or owing to unexpected IT issues experienced they cannot participate in the meeting, they are advised to submit their three-minute speech to the Democratic Services Officer by no later than midday the day before the meeting. In such circumstances, the DSO will read out their speech. Alternatively, public speakers may wish to attend the meeting in person in the Council Chamber. Public speakers must observe social distancing rules.
3. The Chairman gives planning officer's the right to reply in response to comments that have been made during the public speaking session.
4. Any councillor(s) who are not member(s) of the Planning Committee, but who wish to speak on an application, either in or outside of their ward, will be then allowed for no longer than three minutes each. It will be at the Chairman's discretion to permit councillor(s) to speak for longer than three minutes and will have joined the meeting remotely via MSTeams. [Councillors should notify the Committee Officer, in writing, by no later than midday the day before the meeting of their intention to speak and send the DSO a copy of their speech so it can be read out on their behalf should they lose their wi-fi connection.] If the application is deferred, any councillor(s) who are not member(s) of the Planning Committee will not be permitted to speak when the application is next considered by the Committee.
5. The Chairman will then open up the application for debate. The Chairman will ask which councillors wish to speak on the application and determine the order of speaking accordingly. At the end of the debate, the Chairman will check that all members had had an opportunity to speak should they wish to do so.
 - (a) No speech shall be longer than three minutes for all Committee members. As soon as a councillor starts speaking, the DSO will activate the timer. The DSO will advise when there are 30 seconds remaining and when the three minutes has concluded;
 - (b) No councillor to speak more than once during the debate on the application;

- (c) Members shall avoid repetition of points made earlier in the debate.
- (d) The Chairman gives planning officer's the right to reply in response to comments that have been made during the debate, and prior to the vote being taken.
- (e) Once the debate has concluded, the Chairman will automatically move the officer's recommendation following the debate on that item. If it is seconded, the motion is put to the vote. The Chairman will confirm verbally which councillor has seconded a motion. A simple majority vote is required for the motion to be carried. If it is not seconded or the motion is not carried then the Chairman will ask for a second alternative motion to be put to the vote. The vote will be taken by roll call or by affirmation if there is no dissent.

In any case where the motion is contrary to officer recommendation that is:

- Approval to refusal, or;
- Refusal to approval;
- Or where the motion proposes additional reasons for refusal, or additional conditions to be included in any planning permission. The following procedure shall be followed:
 - Where the alternative motion is to propose a refusal, the proposer of the motion shall be expected to state the harm (where applicable) and the relevant policy(ies) to justify the motion. In advance of the vote, provided that any such proposal has been properly moved and seconded, the Chairman shall discuss with relevant officers and the mover and seconder of the motion, the reason(s), conditions (where applicable) and policy(ies) put forward to ensure that they are sufficiently precise, state the harm (where applicable) and support the correct policies to justify the motion. All participants and members of the public will be able to hear the discussion between the Chairman and the relevant officers and the mover and seconder of the motion. Following the discussion the Chairman will put to the Committee the motion and the reason(s) for the decision before moving to the vote. The vote will be taken by roll call or by affirmation, if there is no dissent.
- (f) A motion can also be proposed and seconded at any time to defer or adjourn consideration of an application (for example for further information/advice backed by supporting reasons).
- (g) Technical difficulties during the meeting. If the Chairman or the DSO identifies a failure of the remote participation facility and a connection to a Committee Member is lost during the meeting, the Chairman will stop the meeting to enable the connection to be restored. If the connection cannot be restored within a reasonable time, the meeting will proceed, provided that it remains quorate. If the Member who was disconnected is subsequently re-connected and they have missed any part of the debate on the matter under discussion, they will not be able to vote on that matter as they would not have heard all the facts.

6. Unless otherwise decided by a majority of councillors present and voting by roll call at the meeting, all Planning Committee meetings shall finish by no later than 10:30pm.

Any outstanding items not completed by the end of the meeting shall be adjourned to the reconvened or next ordinary meeting of the Committee.

7. In order for a planning application to be referred to the full Council for determination in its capacity as the Local Planning Authority, a councillor must first with a seconder, write/email the Democratic Services Manager detailing the rationale for the request (the proposer and seconder does not have to be a planning committee member).

The Democratic Services Manager shall inform all councillors by email of the request to determine an application by full Council, including the rationale provided for that request. The matter would then be placed as an agenda item for consideration at the next Planning Committee meeting. The proposer and seconder would each be given three minutes to state their case. The decision to refer a planning application to the full Council will be decided by a majority vote of the Planning Committee.

GUIDANCE NOTE For Planning Committee Members

Probity in Planning – Role of Councillors

Councillors on the Planning Committee sit as a non-judicial body, but act in a semi-judicial capacity, representative of the whole community in making decisions on planning applications. They must, therefore:

1. act fairly, openly and apolitically;
2. approach each planning application with an open mind, avoid pre-conceived opinions;
3. carefully weigh up all relevant issues;
4. determine each application on its individual planning merits;
5. avoid undue contact with interested parties; and
6. ensure that the reasons for their decisions are clearly stated.

The above role applies to councillors who are nominated substitutes on the Planning Committee. Where a councillor, who is neither a member of, nor a substitute on the Planning Committee, attends a meeting of the Committee, he or she is also under a duty to act fairly and openly and avoid any actions which might give rise to an impression of bias or undue influence.

Equally, the conduct of members of any working party or committee considering planning policy must be similar to that outlined above relating to the Planning Committee.

Reason for Refusal

How a reason for refusal is constructed.

A reason for refusal should carefully describe the harm of the development as well as detailing any conflicts with policies or proposals in the development plan which are relevant to the decision.

When formulating reasons for refusal Members will need to:

- (1) Describe those elements of the proposal that are harmful, e.g. bulk, massing, lack of something, loss of something.
- (2) State what the harm is e.g. character, openness of the green belt, retail function and;
- (3) The reason will need to make reference to policy to justify the refusal.

Example

The proposed change of use would result in the loss of A1 retail frontage at Guildford Town Centre, which would be detrimental to the retail function of the town and contrary to policy SS9 in the Guildford Local Plan.

Reason for Approval

How a reason for approval is constructed.

A reason for approval should carefully detail a summary of the reasons for the grant of planning permission and a summary of the policies and proposals in the development plan, which are relevant to the decision.

Example:

The proposal has been found to comply with Green Belt policy as it relates to a replacement dwelling and would not result in any unacceptable harm to the openness or visual amenities of the Green Belt. As such the proposal is found to comply with saved policies RE2 and H6 of the Council's saved Local Plan and national Green Belt policy in the NPPF.

Reason for Deferral

Applications should only be deferred if the Committee feels that it requires further information or to enable further discussions with the applicant or in exceptional circumstances to enable a collective site visit to be undertaken.

Clear reasons for a deferral must be provided with a summary of the policies in the development plan which are relevant to the deferral.

APPLICATIONS FOR PLANNING PERMISSION & RELATED APPLICATIONS FOR CONSIDERATION BY THE PLANNING COMMITTEE

NOTES:

Officers Report

Officers have prepared a report for each planning or related application on the Planning Committee Index which details:-

- Site location plan;
- Site Description;
- Proposal;
- Planning History;
- Consultations; and
- Planning Policies and Considerations.

Each report also includes a recommendation to either approve or refuse the application. Recommended reason(s) for refusal or condition(s) of approval and reason(s) including informatives are set out in full in each report.

Written Representations

Copies of representations received in respect of the applications listed are available for inspection by Councillors at the plans viewing session held prior to the meeting and will also be available at the meeting. Late representations will be summarised in a report which will be circulated at the meeting.

Planning applications and any representations received in relation to applications are available for inspection at the Planning Services reception by prior arrangement with the Head of Planning Services.

Background Papers

In preparing the reports relating to applications referred to on the Planning Committee Index, the Officers refer to the following background documents:-

- The Town and Country Planning Act 1990, Planning and Compulsory Purchase Act 2004, the Localism Act and other current Acts, Statutory Instruments and Circulars as published by the Department for Communities and Local Government (CLG).
- Guildford Borough Local Plan: Strategy and Sites 2015-2034.
- The South East Plan, Regional Spatial Strategy for the South East (May 2009).
- The National Planning Policy Framework (NPPF) (March 2012)
- The Town and Country Planning (General Permitted Development) Order 1995, as amended (2010).
- Consultation responses and other correspondence as contained in the application file, together with such other files and documents which may constitute the history of the application site or other sites in the locality.

Human Rights Act 1998

The Human Rights Act 1998 (the 1998 Act) came into effect in October 2000 when the provisions of the European Convention on Human Rights (the ECHR) were incorporated into UK Law.

The determination of the applications which are the subject of reports are considered to involve the following human rights issues:

- 1 Article 6(1): right to a fair and public hearing

In the determination of a person's civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgment shall be pronounced publicly but the press and public may be excluded from all or part of the hearing in certain circumstances (e.g. in the interest of morals, strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.)

- 2 Article 8: right to respect for private and family life (including where the article 8 rights are those of children s.11 of the Children Act 2004)

Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

s.11 of the Childrens Act 2004 requires the Council to make arrangements for ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children. Furthermore, any services provided by another person pursuant to arrangements made by the Council in the discharge of their functions must likewise be provided having regard to the need to safeguard and promote the welfare of children.

- 3 Article 14: prohibition from discrimination

The enjoyment of the rights and freedoms set out in the ECHR shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

- 4 Article 1 Protocol 1: protection of property;

Every person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of their possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. However, the state retains the right to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

- 5 Article 2 Protocol 1: right to education.

No person shall be denied the right to education.

Councillors should take account of the provisions of the 1998 Act as they relate to the applications on this agenda when balancing the competing interests of the applicants, any third party opposing the application and the community as a whole in reaching their decision. Any interference with an individual's human rights under the 1998 Act/ECHR must be just and proportionate to the objective in question and must not be arbitrary,

unfair or oppressive. Having had regard to those matters in the light of the convention rights referred to above your officers consider that the recommendations are in accordance with the law, proportionate and both necessary to protect the rights and freedoms of others and in the public interest.

Costs

In planning appeals the parties involved normally meet their own costs. Most appeals do not result in a costs application. A costs award where justified is an order which states that one party shall pay to another party the costs, in full or part, which has been incurred during the process by which the Secretary of State or Inspector's decision is reached. Any award made will not necessarily follow the outcome of the appeal. An unsuccessful appellant is not expected to reimburse the planning authority for the costs incurred in defending the appeal. Equally the costs of a successful appellant are not borne by the planning authority as a matter of course.

However, where:

- A party has made a timely application for costs
- The party against whom the award is sought has behaved unreasonably; and
- The unreasonable behaviour has directly caused the party applying for the costs to incur unnecessary or wasted expense in the appeal process a full or partial award is likely.

The word "unreasonable" is used in its ordinary meaning as established in the courts in *Manchester City Council v SSE & Mercury Communications Limited 1988 JPL 774*. Behaviour which is regarded as unreasonable may be procedural or substantive in nature. Procedural relates to the process. Substantive relates to the issues arising on the appeal. The authority is at risk of an award of costs against it if it prevents or delays development, which should clearly be permitted having regard to the development plan. The authority must produce evidence to show clearly why the development cannot be permitted. The authority's decision notice must be carefully framed and should set out the full reasons for refusal. Reasons should be complete, precise, specific and relevant to the application. The Planning authority must produce evidence at appeal stage to substantiate each reason for refusal with reference to the development plan and all other material considerations. If the authority cannot do so it is at risk of a costs award being made against it for unreasonable behaviour. The key test is whether evidence is produced on appeal which provides a respectable basis for the authority's stance in the light of *R v SSE ex parte North Norfolk DC 1994 2 PLR 78*. If one reason is not properly supported but substantial evidence has been produced in support of the others a partial award may be made against the authority. Further advice can be found in the *Department of Communities and Local Government Circular 03/2009* and now *Planning Practice Guidance: Appeals paragraphs 027-064 inclusive*.

This page is intentionally left blank

PLANNING COMMITTEE

- * Councillor Fiona White (Chairman)
- * Councillor Colin Cross (Vice-Chairman)

- | | |
|----------------------------------|--|
| * Councillor Jon Askew | * Councillor Liz Hogger |
| * Councillor Christopher Barrass | * The Mayor, Councillor Marsha Moseley |
| Councillor David Bilbé | Councillor Ramsey Nagaty |
| * Councillor Chris Blow | * Councillor Maddy Redpath |
| Councillor Ruth Brothwell | * Councillor Pauline Searle |
| * Councillor Angela Goodwin | * Councillor Paul Spooner |
| * Councillor Angela Gunning | |

*Present

Councillors Tim Anderson, Guida Esteves, Cait Taylor, Catherine Young and Tom Hunt were also in attendance.

PL1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors David Bilbé, Ruth Brothwell and Ramsey Nagaty. Councillor Brothwell was not in attendance owing to legal advice she had received. Councillor Susan Parker was in attendance as a substitute for Councillor Nagaty.

PL2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

There were no disclosures of interest declared.

PL3 ANNOUNCEMENTS

The Committee noted the procedures for determining planning applications.

PL4 19/P/02223 - LAND AT GARLICK'S ARCH, SEND MARSH/BURNT COMMON, PORTSMOUTH ROAD, SEND

Prior to the consideration of the application 19/P/02223, Garlick's Arch, owing to the public interest in this application, the Committee agreed to waive the Public Speaking Procedure Rules to permit three people to speak in objection and three people to speak in support.

The Committee noted that the following specialists were also in attendance at the meeting:

- Mr Paul Fineberg, Principal Urban Design Officer and Architect
- Mr Ian Croll, Environmental Health
- Mr Robert Johnson, Housing and Strategy Manager
- Mr Tim Holman, Tree Officer
- Mr Stuart Riddle, Operational Services
- Mr Peter George, Environmental Impact Assessment consultant
- Ms Kirsty Wilkinson, Principal Transport Development Planning Officer
- Ms Claudia Frost, Landscape and Visual Impact consultant
- Ms Gabrielle Graham, Ecology consultant
- Mr Mike Burch, Senior Network Resilience Officer (Drainage)

- Mr Mike Singleton, Interim School Commissioning Officer
- Mr Conor Fegan, Francis Taylor Building Counsel instructed by GBC

The following persons addressed the Committee in accordance with Public Speaking Procedure Rules 3(b):

- Councillor Suzie Powell-Cullingford (Ripley Parish Council) (to object);
- Councillor Pat Oven (Send Parish Council) (to object);
- Mr Gary Whittle (to object);
- Mr Daniel Cavanagh (LSL Partners) (in support);
- Mr Andy Barron (Countryside Properties) (in support); and
- Mr Sam Stone (Abri) (in support)

The Committee considered the above-mentioned hybrid application (part full/part outline) comprising 220 residential dwellings (Use Class C3), Travelling Showpeople plots (Sui Generis) and 81sqm community facility (Use Class F.2(b)), with associated open space and landscaping, means of access, parking, drainage, utilities and infrastructure works, temporary and permanent acoustic fencing, and other associated works; and Outline planning permission, with all matters reserved except for access, for up to 300 residential dwellings (Use Class C3) with associated open space and landscaping (including a landscape bund and acoustic fencing), means of access, enabling infrastructure and other associated works.

The Committee received a presentation from Kelly Jethwa, Specialist Development Management (Majors), noting that the land allocated for this residential development fell under Policy A41 of the Local Plan. This also included land for two new roundabouts which would serve as access points to the proposal but would not deliver the northbound slip road to the A3. Land had been included for the provision of a bund, and once constructed, it was anticipated that there would be enough land left to also deliver the slip roads. The allocation of the site made an important contribution to the Council's five-year housing land supply and ability to demonstrate that a housing delivery test remained valid and was greater than 75% of housing required. The Council currently had a five-year housing land supply (with an appropriate buffer) of 7.34 years. This included the delivery of 450 homes at Garlick's Arch by March 2025.

The site was located close to bus stops and an existing convenience shop at the petrol station. There was a local primary school located in Send, a medical centre, and a railway station in West Clandon. The site was currently comprised of mainly arable land and grassland along with a parcel of ancient woodlands, including trees preserved by Tree Preservation Order's (TPOs). The Clandon Stream ran through the middle of the site and a shooting club was currently onsite accessed via Kiln Lane.

The proposal provided the opportunity to remediate the ancient woodland which was in a state of degradation as well as the stream which was polluted by the shell pellets left by the gun club users and to bury or relocate the pylons and overhead powerlines. At the same time, care would be taken to preserve the existing trees, not increase flood risk, attenuate the noise from the A3 whilst working with the topography and habitat of the site.

As the scheme was coming forward via a number of land parcels careful integration of the development as a whole was therefore required. Three pylons were currently onsite, two would be removed and the third pylon relocated with the power lines buried. A schedule of works was required via condition 39 to ensure that UK Power Networks, who were responsible for this operation, detailed how and when the landscape improvements would be undertaken. Three vehicle access points would be created including one from Kiln Lane for the Travelling Showpeople Plots as well as a new pedestrian bridge over the proposed swale and a new vehicular bridge over the East Clandon Stream. The first of the new roundabouts proposed

was on the Portsmouth Road which would facilitate the free flow of traffic as well as for key public transport routes used by buses travelling along the spine road. The roundabout was the preferred option as opposed to a signalised junction box which was supported by the Design Review Panel, but this would result in additional queuing traffic and would future proof the site according to Surrey County Highway Authority. Owing to the risk of flooding caused by the East Clandon stream no homes would be built in these flood zones and the new river crossing to be provided as part of phase three of the development would require consent from the Environment Agency as per condition 64.

Given the proximity of the site to the A3, a temporary 5-metre high acoustic barrier fence was required which would eventually be replaced by a landscaped bund. The acoustic fence would change in height and form along the A3 boundary which were dependent upon the existing land levels. The land was higher for example, at the Clandon Road end, dropped in the middle and rose again towards Kiln Lane. To help alleviate the change in land levels, additional planting and trees were recommended which would mature within 15 years and thereby reduce the overall visual impact. The Landscape and Visual Impact Assessment had all been independently reviewed by the Council's consultant. The taller buildings proposed as part of the scheme would be set back from the A3. In total there would be 6.8 hectares of green space which equated to a quarter of the size of the site overall. In addition, the proposed Woodland Management Plan would improve and enhance these spaces and become publicly accessible for the first time. A large number of new native trees and hedges were proposed to be planted which would enhance habitat connectivity onsite. The site offered substantial views of the surrounding landscape and this was identified as an asset by the Design Review Panel for the new homes and community that it would create.

The development was proposed to be delivered in three phases with a total of 520 homes. Phase one was for 220 residential dwellings and six Travelling Showpeople plots. The outline application consisted of phases two and three for 300 homes, with the third phase in the Lovelace Ward. A change of use of land and highway mitigations were required for the six Travelling Showpeople plots as secured by condition and a S106 Agreement. Two onsite car club parking spaces and electric vehicle charging points were included as part of the scheme as well as a package of highway improvement works with walking and cycling encouraged for shorter journeys, all of which would result in a 20% reduction in carbon emissions.

The S106 Legal Agreement and S278 highway works amounted to £12.6 million which represented a significant financial contribution to local infrastructure, including to the parishes of Ripley, Send and West Clandon. This included the replacement of Ripley Village Hall, a new pavilion at Send Recreation Ground, additional clinical floorspace at primary care facilities provided by GP practices, additional accommodation for early years primary and secondary schools and a subsidised bus service.

The Committee noted that phase 1 would link the two roundabouts with a green pedestrian link with the Oldland's site that adjoined the site, which was recommended by the Design Review Panel to provide better integration. The spine road had been designed as a residential road with a swale on one side, trees, and a central green space with a Local Equipped Area of Play (LEAP) and a community building. The apartment buildings proposed would frame this green space and there would be a wide range of house types and tenures that met the identified housing need for market and affordable homes. There would be an over provision of parking including visitor parking in laybys which could be used by delivery vehicles. The external materials would use a simple palette with variations on plain clay roof tiles and brickwork which was recommended by the Design Review Panel and would weather well over time. Cladding and render had been discouraged as these incorporated the use of plastics and chemicals which were less sustainable and required regular maintenance compared to brick and tile. The first design submitted in 2019 was considered to be a much weaker proposal and a lot of work had since been undertaken this is evolution is set out in the Design and Access Statement to ensure that the layout, materials, design, and grain of the development incorporated familiar

design clues. In addition, the Mews was broken down with different landscaped areas and apartment buildings introduced to the Portsmouth Road so that larger buildings were located closer to the roundabout and smaller properties more visible after you entered the development. A community use building would be provided in an apartment block facing the central green. The green also linked the Oldlands site with open views. The streetscene had been improved through the application process so that more interest was included in the design of the dwellings which had bigger windows and a steep pitch roof which was a feature of Surrey design.

The Chairman permitted the ward Councillor Guida Esteves and Councillor Catherine Young to speak for three minutes each respectively.

The Committee noted concerns raised that since the public consultation, amendments had been made to over one hundred application documents and drawings which the consultees should have been afforded the opportunity to respond to. The developers submitted a cumulative impact assessment of other developments for the period 2025-30 which must also have a bearing upon the current application. This excluded the provision of industrial space at Burnt Common and the re-development of the football stadium in Woking with one thousand homes where developers had indicated their intention to use Ripley High Street and the A247 in Send to access the site. The impact of this was potentially material and should therefore be re-assessed, prior to approval, so that appropriate mitigation measures could be implemented. Concerns were also raised with regard to sustainable transport and the lack of detailed plans for the provision of electric vehicle charging points to each home. The provision of 550 homes also ignored the potential impact upon the National Grid and adequate provision should be made in the area for the rollout of high-speed internet services to accommodate the demands of a growing population.

Concerns were also raised that the development proposed was of a significantly higher density than its immediate surrounding area and resembled a housing estate. The essential elements of place-making included creating economically and socially successful places, however no meet up facilities had been provided with little opportunity for social interaction and the token inclusion of a community space area. Owing to the scale of the development, the Design Review Panel had indicated that the provision of community space facilities was key. The lack of local infrastructure surrounding the site was also concerning. There were not enough school places for the existing population, lack of medical facilities and inadequate traffic mitigation measures.

In response to comments made by the public speakers, and councillors, Kelly Jethwa, Specialist Development Management (Majors) referred the committee to the map of the site which highlighted flood zones 2 and 3 and confirmed that the Travelling Showpeople would not be sited in those locations. In relation to concerns regarding drainage from Kiln Lane, Mr Mike Burch, Senior Network Resilience Officer (Drainage) stated that they had worked with the applicant to provide a design that provided sustainable drainage which was integrated in a sensitive way replicating the natural way in which the rain would drain. The site was designed so that it would not flood within a 1 in a 100-year rainfall event and used below ground attenuation so to take water from any impermeable surface. The rate of flow was also restricted to mimic the natural greenfield run off. It was confirmed that the Travelling Showpeople site would benefit from these surface water flood prevention measures which would actually drain water away more efficiently than it currently did.

With regard to concerns raised regarding the lack of infrastructure, Kelly Jethwa, Specialist Development Management (Majors) confirmed that the Council had worked closely with relevant stakeholders and requested for infrastructural improvements to education such as the additional provision of school places, contributions towards healthcare, specifically at GP Practices via the provision of additional floorspace including an extra consulting room.

Mr Mike Singleton, Interim School Commissioning Officer was invited to comment further on how the education contribution would be used. The Committee was informed that the birth rate both nationally and in Surrey had fallen. In 2019, it was four hundred children less than it was in 2012, which meant that the intake in four years would equate to a significant drop in the number of reception places needed compared to a few years ago. This reduction in turn would generate a number of surplus places. The current number of pupils who attended Send Primary School and who actually lived in Send only accounted for 45% of the total school population. Therefore, the remaining 55% did not live in Send. Local people were therefore more likely to obtain a school place in Send and there was less of a need to provide new school places. With the proposed Wisley development and potential new school provided as part of that scheme, enough school places were forecast to accommodate demand within a three-mile radius of the site which would also be met via other significant developments in time as well. Provision of additional spaces would cause issues at other schools and that was why a financial contribution had instead been sought towards the education provision.

In response to concerns raised regarding the proposed developments impact upon the road network and the cumulative impact of other developments onsite, Ms Kirsty Wilkinson, Principal Transport Development Planning Officer confirmed that the Surrey Highway Authority was satisfied with the cumulative impact assessment undertaken with regard to Burnt Common and the works proposed at Woking Football stadium. A traffic impact assessment had also been undertaken and demonstrated that there would not be a significant impact on the area and that was why the Surrey Highway Authority had not requested any additional traffic calming measures to be implemented. The two existing bus stops would have their shelters improved and local residents would also be encouraged to use the train station. The S278 Highway contributions however were to provide improvements to surfacing for pedestrians only and not to allow cyclists access to it as well owing to safety concerns raised by residents regarding a shared surface.

With regard to concerns regarding a lack of retail space onsite, Kelly Jethwa, Specialist Development Management (Majors) referred to the all member briefing held on 17 May 2021, where the developer confirmed that they had approached a number of convenience stores but no food retailers were interested as there was not sufficient identified capacity to warrant it.

With regard to concerns about the size of the community hall, it was explained that there was no end user, although this would be safeguarded via the S106 Agreement. The community space was not to take the place of the village hall but was for smaller events only and therefore an additional contribution to village halls in Send and West Clandon could not be justified on that basis, with Ripley Village Hall also receiving a contribution.

In relation to concerns about the pylons, as outlined in the Environmental Statement addendum, these would be removed as part of phase one, but in the second year of the development. In phases two and three of the development, the underground cables would be installed. Appropriate conditions had been added so to provide additional certainty on when and how this would happen. Condition 17 also outlined the requirement for fibre broadband to be laid so to allay concerns regarding poor internet connectivity in the area being burdened by additional development.

In relation to concerns raised that there had been a lack of consultation regarding updated documents and plans, Kelly Jethwa, Specialist Development Management (Majors) confirmed that three public notifications were carried out on 24 January 2010, 2 October 2010, and 3 March 2021. The last consultation was held over 30 days and had been online since 3 March 2021, to which no comments were received, and feedback had not been received that members of the public could not access it.

The Committee discussed the operating hours proposed for construction from 8am-8pm which over a 5-year period appeared excessive. Dan Ledger, the Development Management

Applications Lead advised the Committee that government guidance issued was to relax controls around construction hours rather than making them tighter. The Environmental Health controls were already in place to manage the situation and the construction hours proposed were therefore deemed appropriate.

The Committee discussed the suitability of Kiln Lane in accommodating heavy goods and travelling Showpeople's vehicles and whether the proposed site for Showpeople should be relocated closer to the A3 for access purposes. The Committee also considered that residents would still favour the car over more sustainable forms of transport and that the roundabout proposed at Portsmouth Road would have a detrimental effect upon the Garlick's Arch community in terms of breaking up placemaking connections.

The Committee discussed whether the scheme fully met sustainability requirements. Send Primary School was constrained and there was no room for further expansion. The reliance upon additional school places being created via the Wisley scheme was not based on fact as that development had not yet been approved. The proposal was perceived as being one which would favour car use by its residents and was therefore in breach of the Council's commitments it had made to climate change. The Committee was also referred to the results of a BBC air quality survey where the area had received a rating of 4 out of 6 which was purportedly as high as you could get outside of London.

The Committee was also concerned regarding the noise generated by the A3 for the residents, particularly the Travelling Showpeople. The Committee queried what modelling had been undertaken to require the 3-metre high acoustic fence. Why had gas boilers been recommended when it was the government's intention to phase them out. In addition, why did the communal plant space require the loss of an apartment. Clarification was also sought on whether the chimneys proposed were for decorative purposes only or to remove harmful hydrocarbons and why no solar panels had been recommended for installation.

In response to concerns raised regarding the suitability of Kiln Lane for HGV vehicles, Ms Kirsty Wilkinson, Principal Transport Development Planning Officer stated the following. The Surrey Highways Authority had not objected given that the use of HGV vehicles in Kiln Lane were prohibited by virtue of their weight limit. No vehicles were permitted to park at the turning head. Areas of the road would also be widened to allow vehicles meeting to pass each other safely. In terms of car reliance, alternative modes of transport such as cycling, and walking would be made more attractive as well as the improvements to be made to the local infrastructure such as the bus service.

Kelly Jethwa, Specialist Development Management (Majors) confirmed that Garlick's Arch had been assessed as an appropriate site for the location of Traveller Showpeople plots and was in line with government guidance that Traveller Showpeople should be located adjacent to residential development rather than be located in isolation.

Whilst Article 8 Human Rights issues had been dealt with in the report, Mr Conor Fegan, Francis Taylor Building Counsel instructed by GBC, stated that the question was whether or not granting permission for this development, and in particular for the Traveller Showpeople, would create living conditions that amounted to a breach of Article 8 of the Human Rights Bill. Planning officers had considered this carefully and condition 34 ensured that there would be appropriate noise controls in place to guarantee that their living conditions would be suitable and that this assessment was legally robust and defensible.

In response to questions raised regarding an apparent lack of school places in Send, Mr Mike Singleton, Interim School Commissioning Officer reiterated that the vast majority of pupils in Send Primary School were not actually from Send and therefore the local demand could be accommodated by the fact that local children would always be assigned a school place first. It was envisaged that in the long term, enough spaces would be provided by other developments

coming forward such as Wisley, and contributions had also been sought to ensure enough spaces in the future.

Mr Ian Croll, Environmental Health responded to comments made regarding air quality levels. These related to a BBC article published in 2019 which provided an online tool whereby people could check hotspots in their area for air pollution. After typing in your postcode, a rating was assigned from 1 to 6. Six was heavily polluted and one meant there was a low chance of average nitrogen dioxide levels exceeding the annual legal limit. On first glance, the figures did appear quite alarming, however, the data had actually been taken from 2016 and was amalgamated as an average over the whole year and provided an overview of a 100 x 100 metre area, however it did not explain how the varying metric ratings were assimilated and was linked to an advert for Earthsense which encouraged people to use the air quality census for their own business needs. Conversely, GBC had asked the applicant to carry out two separate air quality reports, following the guidance as issued by the Institute of Air Quality as well as undertaking supplementary air quality monitoring which all found that the nitrous oxide concentrations were all well below the national air quality objective.

The Committee queried why the air quality information was not provided in the report for consideration. Mr Ian Croll, Environmental Health confirmed that a comprehensive study was carried out and followed up with monitoring data, the first carried out in 2019 and the second in 2021. All of the data followed the guidance issued by the Institute of Air Quality and the committee was advised to read the conclusions outlined in the report.

Kelly Jethwa, Specialist Development Management (Majors) confirmed that the noise modelling report had confirmed that the site next to the A3 was noisy but that the proposed bund and acoustic fences were designed for high density noise, had overlapping panels and cut noise from source to receptor. The Travelling Showpeople were close to the receptors and would therefore work better for them in that respect in terms of reducing the noise. The scheme had also committed to provide 20% renewable technology however the homes would need to be assessed as to what form of heating would be provided either via air source heat pumps or solar panels. It was confirmed that the chimneys were for decoration purposes only and the open space provision had been assessed by Parks and Countryside as appropriate and had therefore raised no objection to the proposal.

The Committee queried how the scheme was meeting the requirements of paragraph 94 of the NPPF and CIL Tests. Mr Conor Fegan, Francis Taylor Building Counsel instructed by GBC, confirmed that throughout the course of the application the requirement for schools to meet the needs of existing communities had been complied with. This was on the basis of the S106 Agreement obligations that have to be carefully considered in line with regulation 122 tests and the appropriate funding secured. There was therefore no conflict with paragraph 94 of the NPPF on that basis.

The Committee noted that the Development Management policies of the Local Plan had not yet been adopted and therefore were not enforceable currently. In relation to the pylons, the Committee queried whether additional funding had been secured to ensure their removal.

The Committee noted that the 6 plots allocated for the Travelling Showpeople would not accommodate large vehicles when the need identified was for eight plots, which implied two further plots were required for storage of large equipment. It was therefore a concern as to whether the correct number of plots would be provided. With regard to the provision of funding towards cycle racks at Clendon Station would monies also be put towards off-road cycle routes to the station as well? The Committee considered that the S106 contributions secured was significant and whilst concerns had been noted regarding the potential increase in traffic caused by the proposed development, Surrey Highways and the Education Authority had raised no objections to the scheme.

The Committee queried whether the residential roads within the proposed development could be restricted to a 20mph speed limit making it a safer environment for walkers and cyclists and reducing pollution levels. Would the sustainable transport routes, such as the cycle lanes be linked up to other facilities including the train station?

With regard to the concerns raised in relation to the removal of the pylons and the Committee requiring assurance over the details of how this would be achieved, Kelly Jethwa, Specialist Development Management (Majors) confirmed that the works to remove the pylons was not required as part of phase 1 of the development. Rather the works had to be carried out in agreement with the power networks and was not something which the developer could do on their own. Condition 36 therefore set out a programme of works so that prior to occupation and the carrying out phases 2 and 3 of the development, we would have assurances about how and when the work would take place and be carried out.

The Committee wanted assurance regarding planning consent that any or all of the Travelling Showpeople plots would not count against the identified need in the borough. Legal clarification was sought that the Council would not have to find additional provision if the application was not compliant. Mr Conor Fegan, Francis Taylor Building Counsel instructed by GBC, confirmed that owing to the potential legal risk in answering that question, the Committee would need to be advised in private session, which was agreed was not required. The Chairman reminded members that if they had significant questions, to submit them to the planning officer, prior to the meeting, so that a full answer could be given. In addition, Dan Ledger, Development Management Applications Lead confirmed that, as stated on page 88 of the committee report, paragraph 13.102, the 6 Travelling Showpeople plots would form part of the 8 private plots required over the plan period and met the identified need. Kelly Jethwa, Specialist Development Management (Majors) also confirmed that the identified need required in the Local Plan was based upon a traveller accommodation assessment carried in 2017 which looked at the existing need and involved interviewing a number of families in the Guildford area. It was also important to note that there were families currently in Guildford who did not have large equipment and still needed to be accommodated.

With regard to the provision of an off-road cycle route to the train station, Ms Kirsty Wilkinson, Principal Transport Development Planning Officer confirmed that this option had been explored but was not possible due to land constraints. Converting the footpath into a cyclist's lane was also not possible. Cyclists therefore had to use Clandon Road which was an A-road to access the station. Owing to this, the bus service was therefore being improved in order to accommodate people who were less confident on their bicycle. A shared pedestrian and cycle route would be provided along the spine road within the development which extended to Send and the provision of two toucan crossings outside the primary school. In relation to the suggestion to reduce the speed limit within the site, the spine road was currently planned to be a 30mph road but could certainly be looked at to reduce the speed further at the S38 stage with the Safety Team and Highways Team.

With regard to concerns raised that the proposed development was not in keeping or character with the wider area, Kelly Jethwa, Specialist Development Management (Majors) confirmed that, as per page 70 of the committee report, paragraph 13.4.1, the requirements of both policy D1 and the newly adopted Send and Lovelace Neighbourhood Plans had been carefully looked at. The proposed development in that respect did not need to slavishly reflect the design, style, and variety of houses in the wider area but rather was taking design queues from it. Mr Paul Fineberg, Principal Urban Design Officer and Architect agreed and confirmed that Garlick's Arch would be a garden suburb design which was very much conceived of as a place in its own right rather than trying to mirror inter and post-war development.

The Committee discussed the narrowness of Kiln Lane and how larger vehicles would successfully navigate the road without the need to create an additional passing place. Whilst monies were being invested in upgrading bus shelters, the Committee was interested to know if

the frequency of buses available to the local community would be increased. Kelly Jethwa, Specialist Development Management (Majors) confirmed that a transport assessment had been undertaken and confirmed there was no need for the creation of additional passing places, other than those required. The developer had also manoeuvred two large vehicles up and down the lane for testing purposes and an existing refuse freight already used the road with no issues. Ms Kirsty Wilkinson, Principal Transport Development Planning Officer confirmed that the widening of Kiln Lane would take place where the existing dwellings were located, therefore the likelihood of large vehicles needing to pass each other was reduced owing to no residential properties being located beyond this point. The Travelling Showpeople could also use the turning head at the end of Kiln Lane that was being protected as part of the development. The bus service would now run every 30 minutes as opposed to every hour and the bus shelters would have real time passenger information installed.

The Committee, after considering all of the issues carefully, concluded that the application had been subject to rigorous assessment via the Design Review Panel and lengthy pre-application discussions resulting in a development with defined character areas that would deliver 40% affordable housing as well as looking to meet the identified needs of the Travelling Showpeople through the provision of 6 plots. The Committee was satisfied that suitable mitigation measures had been put in place to reduce the sound from the A3 via the installation of the bund and acoustic fence. A significant amount of monies had also been secured via the S106 agreement to facilitate a wide variety of infrastructural improvements locally that would be of benefit to the wider community. The proposal would also seek to incorporate renewable energy into its design as well as look to improve the woodland via a Woodland Management Plan.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Jon Askew	X		
2	Marsha Moseley	X		
3	Angela Goodwin	X		
4	Pauline Searle	X		
5	Maddy Redpath	X		
6	Colin Cross		X	
7	Susan Parker		X	
8	Paul Spooner	X		
9	Angela Gunning		X	
10	Liz Hogger	X		
11	Christopher Barrass		X	
12	Chris Blow	X		
13	Fiona White	X		
	TOTALS	9	4	0

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

RESOLVED to approve application 19/P/02223 subject to securing a s.106 agreement, the conditions, and reasons in the report as well as the following updated conditions:

- (i) Subject to a Section 106 Agreement securing:
 - provision of 40% affordable housing in accordance with Council's approved tenure split;

- provision of 6 Travelling Showpeople plots;
- provision of 5% custom build plots;
- provision of a community use and arrangements for its management and maintenance for the lifetime of the development;
- provision of SANG mitigation in accordance with the Thames Basin Heaths SPA Avoidance Strategy 2017;
- a contribution towards SAMM;
- a contribution of £6,150 for travel plan auditing fee;
- a contribution of up to £860,000 towards passenger transport improvements within the vicinity of the site;
- a contribution of £24,000 for the provision of cycle parking at Clandon Station;
- a contribution of £41,000 for the provision of two bus stops and associated footway works at Clandon Station;
- a contribution of £60,000 towards improving public footpath 568;
- to implement the car club space (s) in general accordance with Drawing Number: 19201/C07G;
- to offer to each household of each residential unit free membership of the Car Club for three years;
- a contribution to early years, primary and secondary education;
- a contribution for additional floor space at a GP practice;
- a contribution to policing infrastructure;
- provision and maintenance of public open spaces for the lifetime of the development;
- provision and delivery of a land ownership and management plan for the lifetime of the development;
- a financial contribution of £300,000 to a new sports pavilion at Send Recreation Ground;
- a financial contribution of £600,000 to Ripley Village Hall; and
- a financial contribution of £150,000 to Send Parish Council and £500,000 for West Clandon Parish Councils for environmental improvements.

If the terms of the S106 or wording of the planning conditions are significantly amended as part of ongoing S106 or planning condition(s) negotiations any changes shall be agreed in consultation with the Chairman of the Planning Committee and lead Ward Members for Lovelace and Send.

(ii) That upon completion of the above, the application be determined by the Head of Place.

Full application phase 1:

2.	Drawing no.s	The development hereby permitted shall be carried out in strict accordance with the following list of approved plans:		
		Date Issued	No.	Rev
		24/02/21	LN-LD-102	G
		24/02/21	102773-MLM-ZZ-00-DR-YA-016	C02
		24/02/21	102773-MLM-ZZ-00-DR-YA-001	C03
		24/02/21	102773-MLM-ZZ-00-DR-YA-	C03

		<table border="1"> <tr><td>15/03/21</td><td>002 GARL-ARP-XX-CIV-0100</td><td>C</td><td>Earthworks Proposed Levels Phase 1</td></tr> <tr><td>15/03/21</td><td>GARL-ARP-XX-CIV-0101</td><td>C</td><td>Earthworks Proposed Levels Phase 1</td></tr> <tr><td>15/03/21</td><td>GARL-ARP-XX-CIV-0102</td><td>C</td><td>Earthworks Proposed Levels Phase 1</td></tr> <tr><td>15/03/21</td><td>GARL-ARP-XX-CIV-0103</td><td>C</td><td>Earthworks Proposed Levels Phase 1</td></tr> <tr><td>15/03/21</td><td>GARL-ARP-XX-CIV-0110</td><td>C</td><td>Earthworks Proposed Levels Phase 1</td></tr> <tr><td>15/03/21</td><td>GARL-ARP-XX-CIV-0111</td><td>C</td><td>Earthworks Proposed Levels Phase 1</td></tr> <tr><td>15/03/21</td><td>GARL-ARP-XX-CIV-0115</td><td>A</td><td>Earthworks Cross Sections Phase 1</td></tr> <tr><td>15/03/21</td><td>GARL-ARP-XX-CIV-0130</td><td>C</td><td>Earthworks Cut & Fill Phase 1</td></tr> <tr><td>23/02/21</td><td>GARL-ARP-XX-CIV-0202</td><td>D</td><td>Drainage Flood Zones</td></tr> <tr><td>23/02/21</td><td>GARL-ARP-XX-CIV-0212</td><td>E</td><td>Drainage Proposed Drainage Strategy Sitewide Sheet 1</td></tr> <tr><td>23/02/21</td><td>GARL-ARP-XX-CIV-0213</td><td>E</td><td>Drainage Proposed Drainage Strategy Sitewide Sheet 2</td></tr> <tr><td>23/02/21</td><td>GARL-ARP-XX-CIV-0214</td><td>E</td><td>Drainage Proposed Drainage Strategy Phase 1 Sheet 1</td></tr> <tr><td>23/02/21</td><td>GARL-ARP-XX-CIV-0215</td><td>E</td><td>Drainage Proposed Drainage Strategy Phase 1 Sheet 2</td></tr> <tr><td>23/02/21</td><td>GARL-ARP-XX-CIV-0216</td><td>A</td><td>Drainage Schedules</td></tr> <tr><td>23/02/21</td><td>GARL-ARP-XX-CIV-0225</td><td>B</td><td>Drainage Details</td></tr> <tr><td>23/02/21</td><td>GARL-ARP-XX-CIV-0400</td><td>B</td><td>Proposed Utilities Spatial Allowance Phase 1</td></tr> </table> <p><u>Reason:</u> To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans is achieved in practice.</p>	15/03/21	002 GARL-ARP-XX-CIV-0100	C	Earthworks Proposed Levels Phase 1	15/03/21	GARL-ARP-XX-CIV-0101	C	Earthworks Proposed Levels Phase 1	15/03/21	GARL-ARP-XX-CIV-0102	C	Earthworks Proposed Levels Phase 1	15/03/21	GARL-ARP-XX-CIV-0103	C	Earthworks Proposed Levels Phase 1	15/03/21	GARL-ARP-XX-CIV-0110	C	Earthworks Proposed Levels Phase 1	15/03/21	GARL-ARP-XX-CIV-0111	C	Earthworks Proposed Levels Phase 1	15/03/21	GARL-ARP-XX-CIV-0115	A	Earthworks Cross Sections Phase 1	15/03/21	GARL-ARP-XX-CIV-0130	C	Earthworks Cut & Fill Phase 1	23/02/21	GARL-ARP-XX-CIV-0202	D	Drainage Flood Zones	23/02/21	GARL-ARP-XX-CIV-0212	E	Drainage Proposed Drainage Strategy Sitewide Sheet 1	23/02/21	GARL-ARP-XX-CIV-0213	E	Drainage Proposed Drainage Strategy Sitewide Sheet 2	23/02/21	GARL-ARP-XX-CIV-0214	E	Drainage Proposed Drainage Strategy Phase 1 Sheet 1	23/02/21	GARL-ARP-XX-CIV-0215	E	Drainage Proposed Drainage Strategy Phase 1 Sheet 2	23/02/21	GARL-ARP-XX-CIV-0216	A	Drainage Schedules	23/02/21	GARL-ARP-XX-CIV-0225	B	Drainage Details	23/02/21	GARL-ARP-XX-CIV-0400	B	Proposed Utilities Spatial Allowance Phase 1
15/03/21	002 GARL-ARP-XX-CIV-0100	C	Earthworks Proposed Levels Phase 1																																																															
15/03/21	GARL-ARP-XX-CIV-0101	C	Earthworks Proposed Levels Phase 1																																																															
15/03/21	GARL-ARP-XX-CIV-0102	C	Earthworks Proposed Levels Phase 1																																																															
15/03/21	GARL-ARP-XX-CIV-0103	C	Earthworks Proposed Levels Phase 1																																																															
15/03/21	GARL-ARP-XX-CIV-0110	C	Earthworks Proposed Levels Phase 1																																																															
15/03/21	GARL-ARP-XX-CIV-0111	C	Earthworks Proposed Levels Phase 1																																																															
15/03/21	GARL-ARP-XX-CIV-0115	A	Earthworks Cross Sections Phase 1																																																															
15/03/21	GARL-ARP-XX-CIV-0130	C	Earthworks Cut & Fill Phase 1																																																															
23/02/21	GARL-ARP-XX-CIV-0202	D	Drainage Flood Zones																																																															
23/02/21	GARL-ARP-XX-CIV-0212	E	Drainage Proposed Drainage Strategy Sitewide Sheet 1																																																															
23/02/21	GARL-ARP-XX-CIV-0213	E	Drainage Proposed Drainage Strategy Sitewide Sheet 2																																																															
23/02/21	GARL-ARP-XX-CIV-0214	E	Drainage Proposed Drainage Strategy Phase 1 Sheet 1																																																															
23/02/21	GARL-ARP-XX-CIV-0215	E	Drainage Proposed Drainage Strategy Phase 1 Sheet 2																																																															
23/02/21	GARL-ARP-XX-CIV-0216	A	Drainage Schedules																																																															
23/02/21	GARL-ARP-XX-CIV-0225	B	Drainage Details																																																															
23/02/21	GARL-ARP-XX-CIV-0400	B	Proposed Utilities Spatial Allowance Phase 1																																																															
35.	Installation of temp acoustic fence	<p>Prior to the first occupation of any dwelling within 175m of the A3 the temporary acoustic fence shall be provided in accordance with Appendix 7.8 of the Environmental Statement, <i>drawing no. 102773-MLM-ZZ-00-DR-YA-016 Rev C02 - Phase 1 – 175m Buffer from the A3</i> and thereafter maintained until the permanent bund and acoustic fence are provided.</p> <p><u>Reason:</u> In order to safeguard occupiers from external noise sources.</p>																																																																

Outline application phases 2 and 3:

55.	Reserved matters	<p>Details of the appearance, layout, scale and <i>landscape</i>, hereinafter called "the reserved matters" for each phase shall be submitted to and approved in writing by the Local Planning Authority before any development begins on that phase and the development shall be carried out as approved.</p>
-----	------------------	--

		<p><u>Reason:</u> To enable the Local Planning Authority to control development in detail and to comply with Section 92 of the Town and Country Planning Act (1990) as amended.</p>
--	--	---

PL5 20/P/01736 - OLDLANDS, BURNT COMMON LANE, RIPLEY, WOKING, GU23 6HD

The following persons addressed the Committee in accordance with Public Speaking Procedure Rules 3(b):

- Councillor Pat Oven (Send Parish Council) (to object);
- Mr David Neame (Agent) (in support);

The Committee considered the above-mentioned full application for the erection of 30 no. residential dwellings with the associated vehicular and pedestrian access via Burnt Common Lane, car parking, secure cycle storage and landscaping on land off Burnt Common Lane, Ripley.

The Committee received a presentation from Katie Williams, (Specialist) Development Management Applications. The Committee noted that the site formed part of the Garlick's Arch site allocation designated under Policy A41 of the Local Plan. Twelve affordable homes would be delivered as part of the scheme. A previous application for the site, 19/P/02191, was recently allowed at appeal for the same number of dwellings. The current scheme had adopted a revised layout and design approach compared to the previous application following extensive pre-application discussions with officers. The site consisted of a gently arching strip of land that sat on the western edge of the site allocation immediately adjacent to Burnt Common Lane. The A3 ran to the south-east of the site and the area was characterised by a mix of dwellings that varied both in density and character.

The southern and eastern boundaries were delineated by mature trees and hedgerows. The rest of the site consisted predominantly of paddock land currently used for grazing horses. There would be three individual driveways serving plots 20 to 30 and the main access to the site was proposed to be located opposite Burnt Common Close where there was currently a field access gate. The existing vehicular access to Oldland's towards the southern end of the site would be closed off, however the access route serving plots 2 to 4 would follow the same line as the current driveway within the site and the access road would travel north through the middle of the site. One further separate driveway was proposed to serve the new dwelling on plot 1 at the far southern end. The trees marked to be retained were located along the western and eastern boundaries.

In relation to the housing layout, a small two-storey building apartment building and six new houses marked the northern end of the site and to the south the proposal incorporated housing fronting Burnt Common Lane culminating in a small landscaped mead. The original farmhouse was to be retained. To the north a hammerhead would be formed to serve nine houses which led to a pedestrian link through to Garlick's Arch.

The development proposed a mix of different sized dwellings. One main area of open space was proposed to the southern end of the site along with a balancing pond at the northern edge. A linear green corridor would also be provided incorporating a pedestrian link along the western frontage of the site with Burnt Common Lane. Parking was to be provided by way of individual driveways, integrated garaging, car barns and a parking area to the rear of the apartment building.

In relation to application 19/P/02191 that was refused by the Committee in April 2020 for the same site, the committee was reminded that this was a material consideration given it had recently been allowed at appeal and could be built out. The current proposal would result in a much more coherent extension to Garlick's Arch and a more clearly defined frontage to Burnt Common Lane and reflected the Surrey style. A density in housing of 21.7 dwellings per hectare had been achieved compared with the dwellings along Burnt Common Lane which had a varied density from 21 to about 15 at the southern end.

With regard to the proposed street scene elevations, all of the buildings would be two-storey in height with a maximum ridge height of the dwellings and apartment buildings varying from approx. 8.1 to 9.5 metres. The housing design incorporated a consistent use of simple forms and elevations, using contemporary design features including generous areas of glazing particularly at ground floor level. A subtle material palette would be used using natural brick that would weather gracefully.

In conclusion, the application site formed part of the wider allocation of Garlick's Arch and therefore the principle of residential development on this site was acceptable and in accordance with Policy A41 of the Local Plan. The design proposed as part of this application was considered to be a vast improvement upon the scheme recently allowed at appeal. This proposal would result in a high-quality design which would create its own identity and character and also be sympathetic to the local character and history including the surrounding built environment and landscape setting. It would provide positive links with the adjacent Garlick's Arch site and represented a well-designed scheme in a sustainable location which would provide a net increase of 30 dwellings contributing to the Council's identified housing need. The proposal would not have a detrimental impact on highway safety, neighbouring amenity nor have an adverse impact in terms of flood risk. The development would achieve a 20% carbon emission reduction, introduce a site waste management plan, electric vehicle charging points and cycle storage as well as ecological enhancements secured through the S106 SANG and SAMM contributions.

In response to comments made by the public speakers, Dan Ledger, Development Management Applications Lead, confirmed that mitigation measures for the Thames Basin Heath Special Protection Area were sought as part of the S106 Agreement. In addition, the report recommendation had omitted the open space requirements, however the report itself did refer to it. The Committee were therefore assured that open space contributions were being sought as part of the S106.

The Committee discussed the application and agreed that the current scheme represented a considerable improvement upon the previously refused proposal now allowed at appeal. The contributions secured were also significant and would assist the infrastructural improvements by way of new bus shelters, education contributions, additional floorspace for a GP practice as well as off site ecological enhancements. It was confirmed that the chimneys proposed on the dwellings would be used for extraction. Paul Fineberg, Principal Urban Design Officer was also invited to comment on the improvements made to the current application. The Committee noted that the present scheme was significantly better conceived than the appeal scheme which had no place-making qualities and was a negative design originally. The scheme was presented in three significant ways, apartments, small houses to face Burnt Common and a garden suburb.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Colin Cross			X
2	Angela Goodwin	X		
3	Chris Blow	X		
4	Christopher Barrass	X		
5	Liz Hogger	X		
6	Fiona White	X		
7	Marsha Moseley	X		
8	Jon Askew	X		
9	Paul Spooner	X		
10	Angela Gunning	X		
11	Susan Parker		X	
12	Pauline Searle	X		
13	Maddy Redpath	X		
	TOTALS	11	1	1

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

RESOLVED to approve application 20/P/01736 subject:

- (i) That a S106 Agreement be entered into to secure the provision of:
- SANG and SAMM Contributions and Open Space contributions in accordance with the formula of the updated tariff;
 - £28,000 for implementation of 2 bus shelters and their foundations within the vicinity of the site;
 - Education contributions as specified by Surrey County Council
 - Healthcare - contribution towards additional clinical floorspace for a GP practice within the local area
 - Offsite Ecological Enhancements in accordance with the submitted Ecological Management Plan

If the terms of the S106 or wording of the planning conditions are significantly amended as part of ongoing S106 or planning condition(s) negotiations any changes shall be agreed in consultation with the Chairman of the Planning Committee and lead Ward Member.

(ii) That upon completion of the above, the application be determined by the Head of Place. The preliminary view is that the application should be granted subject to conditions.

The meeting finished at 10.00 pm

Signed

Chairman

Date

PLANNING COMMITTEE

- * Councillor Fiona White (Chairman)
- * Councillor Colin Cross (Vice-Chairman)

- | | |
|----------------------------------|--|
| * Councillor Jon Askew | * Councillor Liz Hogger |
| * Councillor Christopher Barrass | * The Mayor, Councillor Marsha Moseley |
| * Councillor David Bilbé | * Councillor Ramsey Nagaty |
| * Councillor Chris Blow | * Councillor Maddy Redpath |
| * Councillor Ruth Brothwell | * Councillor Pauline Searle |
| * Councillor Angela Goodwin | * Councillor Paul Spooner |
| * Councillor Angela Gunning | |

*Present

Councillors Tim Anderson, Guida Esteves, Susan Parker and John Redpath, were also in attendance.

PL1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

No apologies for absence were received.

PL2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

Councillor David Bilbé stated that he had a non-pecuniary interest in application 20/P/01148 – Land south of, Beech Lane, Normandy, GU3 2JH as he was acquainted with the residents of Beech Lane but that this would not affect his objectivity in the consideration of this application.

PL3 MINUTES

The minutes of the Planning Committee held on 16 June 2021 were approved and signed by the Chairman as a true record.

PL4 ANNOUNCEMENTS

The Committee noted the procedures for determining planning applications.

PL5 20/P/01148 - LAND SOUTH OF, BEECH LANE, NORMANDY, GU3 2JH

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

- Mr Christopher Kelland (to object) and;
- Mrs Nicky Armstrong (to object)

The Committee considered the above-mentioned full application for proposed construction of 16 dwellings accessed via Hawthorn Close.

The Committee was informed by the Specialist Development Manager (Majors) John Busher that the proposal was for 16 affordable homes located in the Green Belt. The dwellings would

be arranged as an extension to the existing layout of Hawthorn Close. The development included six pairs of semi-detached dwellings, two storey maisonettes and four of the properties would have their own private garden. Parking would be provided adjacent to the dwellings. The proposed development would also be comprised of a mix of one, two and three-bedroom dwellings which would meet the identified local need in the Normandy parish. Because all of the 16 dwellings would be affordable the proposal was considered to be a rural exception site in Green Belt terms. Extant planning permission was already in place for 15 dwellings on the site approved in 2019. Although this proposal now included one additional dwelling, it would not result in any greater harm to the area. The properties were fairly modest in size and relatively traditional in their appearance.

It was the Specialist Development Manager's view that given the proposal was for 100% affordable housing the scheme was therefore considered to be acceptable under the rural exception policy. The provision of 16 affordable dwellings would go some way to meeting a locally identified need. The S106 would secure the tenure and nomination rights of housing in agreement with the Housing Strategy Manager. The site already had outline planning permission for 15 dwellings which was still extant, and the additional dwelling would add no further harm. No objections had been received by the statutory consultees and no harm had been identified to be caused to the character of the area or amenity of neighbouring properties.

In response to points raised by the public speakers, the Specialist Development Manager, confirmed that in relation to the planning history and the previous application, reference had also been made to a previously refused application in 2013 which was for mixed use, market and affordable. A different test was therefore applied in that case. This application was for 100% affordable housing and therefore fell within the rural exception test and was therefore judged to be appropriate development in the Green Belt. In addition, the net loss in biodiversity was outweighed by the provision of affordable housing. A Grampian condition had also been attached to the permission which would prevent commencement of the development until SANG capacity had become available.

The Committee considered the application and concerns raised that the site was not allocated in the Local Plan and there were already a number of affordable homes located within the vicinity of the site. A very narrow single-track lane led to a limited number of houses which already suffered from frequent flooding along Beech Lane and damaged people's properties and gardens. Normandy itself suffered from a very shallow water table which was exacerbated by ground surface water run-off from the Hogs Back. It was also important to maintain biodiversity and the provision of affordable homes should not be the overriding factor in determining to build in Green Belt locations. Beech Lane was also very busy with traffic and a dangerous junction at which there had been a number of accidents.

The Committee requested clarification regarding the planning history of the site and its rural exception status as 100% affordable housing was now proposed. The Development Management Applications Lead, Dan Ledger confirmed that a previous appeal decision related to a decision for a mix of market and affordable homes which was considered to be inappropriate development. The extant permission was for 100% x15 affordable homes. Sites in the Green Belt therefore allowed rural exception sites where they were identified to meet local affordable housing needs.

The Committee also raised concerns regarding whether the houses would be relatively small owing to the need to be affordable. Who had identified the affordable need and whether that affordability would be retained in perpetuity for the local people who lived in Normandy.

The Specialist Development Manager confirmed that the affordable identified housing need in Normandy had been established by the housing department. In terms of what was meant by affordable, affordable rents and reduced prices would be managed by a housing company.

The Committee also considered that the increase by one dwelling to the already approved extant scheme was fairly tight on the site. The Committee remained concerned about the risk of flooding and noted conditions 9 and 10 which would assist with the management of surface water drainage. The Committee wanted to know how those conditions compared with the previously approved scheme?

In relation to concerns regarding road safety with the additional forty residents using Beech Lane, it was noted that Surrey Highways had no concerns regarding the scheme subject to the inclusion of a road safety scheme condition requiring the installation of new signage. Further clarification was also sought on what date the Housing Assessment Need report was carried out on.

The Development Management Applications Lead confirmed that Surrey County Council were the lead flood authority for drainage matters. There were two technical options they proposed to examine once they had a better understanding of the ground conditions. Condition 9 required those detailed to be submitted to the Council and Condition 10 required a verification report detailing the work to be agreed to be undertaken both before and after the development. It was not known on what date the Housing Assessment Need report was carried out on however it was also important to note that the housing officer would have reviewed the existing 2020 housing register.

The Committee considered that the rural exception site in the Green Belt was acceptable given the provision of 100% affordable homes which was much needed. The concerns raised regarding flooding had been adequately addressed through conditions 9 and 10 as well as appropriate road safety mitigation measures put in place by Surrey Highways. The additional dwelling proposed would not adversely harm the character of the surrounding area or the neighbour's enjoyment of their amenities.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Ruth Brothwell	X		
2	Fiona White	X		
3	David Bilbé		X	
4	Angela Gunning	X		
5	Ramsey Nagaty	X		
6	Colin Cross			X
7	Liz Hogger	X		
8	Jon Askew	X		
9	Angela Goodwin	X		
10	Maddy Redpath	X		
11	Pauline Searle	X		
12	Chris Blow		X	
13	Chris Barrass	X		
14	The Mayor, Cllr Marsha Moseley	X		
15	Paul Spooner	X		
	TOTALS	12	2	1

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

RESOLVED to approve application 20/P/01148:

- (i) Subject to a Section 106 Agreement securing:
- Provision of 100% affordable housing in accordance with the Council's approved tenure split
 - Nomination rights of housing in agreement with the Housing and Strategy Manager
 - Provision of SANG mitigation in accordance with the Thames Basin Heaths SPA Avoidance Strategy 2017;
 - A contribution towards SAMM;
 - A contribution towards early years, primary and secondary education
 - A contribution towards open space in accordance with the tariff.

If the terms of the S106 or wording of the planning conditions are significantly amended as part of ongoing S106 or planning condition(s) negotiations any changes shall be agreed in consultation with the Chairman of the Planning Committee and lead Ward Member.

- (ii) That upon completion of the above, the application be determined by the Director of Service Delivery.

PL6 20/P/02067 - MANOR FARM, EAST LANE, WEST, HORSLEY, LEATHERHEAD, KT24 6HQ

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

- Parish Councillor Catherine Young (on behalf of West Horsley Parish Council);
- Mr Guy Murray (to object);
- Mr Tristan Robinson (Agent) (in support) and;
- Ms Lisa Probyn (Agent) (in support)

The Committee considered the above-mentioned hybrid application for a) Outline planning application for 7 self-build/custom build dwellings with access from Long Reach and b) Full planning application for the erection of 139 dwellings alongside provision of Suitable Alternative Natural Greenspace (SANG), together with new Junior Sports Hall, two Padel Tennis Courts and Nursery School Facility with associated accesses, car parking, refuse/re cycling storage, landscaping, earthworks and infrastructure following demolition of existing bungalow and agricultural buildings.

The Committee received a presentation from the Specialist Development Management (Majors), John Busher. The Committee noted the supplementary late sheets which included some amendments and corrections to the report. The site was allocated in the Local Plan for 135 dwellings. The site also included a woodland which was currently private but as part of the proposal would be permitted for public use. The Green Belt wrapped around the western and northern boundaries of the site and to the south and east was a settlement area mainly characterised by residential development. The site contained a number of TPO trees and a Grade II listed Manor Farmhouse.

The existing built form was centred in the middle of the site and included a large agricultural barn and a single storey shed as well as commercial premises and a bungalow which were located closer to East Lane, all of which would be demolished. To the north was Horsley Football Club and to the south-west were residential properties accessed from Longreach. There was no vehicular connection between the northern and southern parcels of the site however pedestrians and cyclists would be able to use the existing track which currently ran past the listed building. The existing access would be used for the site, to the south were the

proposed two-storey apartment buildings and then off the main spine road were two cul-de-sacs. In the centre of the site was the extension to the existing children's nursery and the proposed sports hall facility including the padel tennis courts. A collection of apartment buildings and dwellings wrapped around the sports hall forming a courtyard development. To the south of the public open space was a proposed large, detached dwelling.

The scheme also included a SUDS attenuation basin. The existing access from East Lane would be widened slightly and landscaped on either side. The scheme would also deliver 40% affordable housing which were spread out throughout the development. Bens Wood which was publicly accessible could have access rights removed at any time. The woods were therefore being re-designated as a SANG and retained as a public open space so to mitigate against the impact of the development upon the SPA. The existing tracks within the woodland would be retained but supplemented by new cross paths and a looped path down the eastern edge. A management plan for the site had already been submitted and agreed by Natural England. The total number of parking spaces for the SANG had also been increased recently from 4 to 7 in total.

Through the application process, the proposed height of the dwellings had been reduced and reflected a modest two-storey house that was traditional in appearance. The apartment buildings would have their own individual doors. Guildford Borough Council's Conservation Officer had concluded that the relationship between the Grade II Listed Manor Farmhouse and the proposed apartment building was acceptable and no concerns were raised in that regard. The Sports Hall in the centre of the site had been designed to reflect the existing agricultural use of the site and would provide a real sense of community for the development. The Sports Hall would also include a small ancillary coffee bar and studio therapy rooms with changing facilities. The hall was conditioned to secure its use for community events as well.

The proposal would have an open and spacious feel and appearance and officers had worked closely with the applicant to ensure that traditional materials would be used that were reflective of the local area. The site was allocated in the Local Plan which provided for 135 dwellings and whilst the proposal was for 4 more dwellings, the principle of residential development was deemed to be acceptable. Planning officers were also content that the proposed open space area and the sports and community facilities were also acceptable in principle.

The report acknowledged that harm would be caused to the setting of the Grade II Listed Manor Farmhouse by virtue of its proximity to the development, but it was considered by Guildford Borough Council's Conservation Officer to cause less than substantial harm. Concerns had also been raised by the Parish Councils and local residents regarding the design and layout of the development as well as the quantum of dwellings proposed. However, it was also acknowledged that the applicant had worked hard with planning officers and the Council's Urban Design Consultant to produce a scheme which was policy compliant and a good example of design incorporating mixed uses which would help generate a sense of place and community in a spacious development that would not be harmful to its surroundings.

No objections to the proposal had been raised by Surrey Highways Authority or the Lead Local Flood Authority. The provision of 40% affordable homes, sports and community facilities, children's play area and proposed extension of the existing nursery was perceived to be a significant benefit as well as securing public access to the open space area. The development would also achieve a 41% reduction in carbon emissions as well as providing 5 net zero carbon homes. Contributions had also been secured of £2.3 million which would be used to improve highways, local infrastructure, healthcare facilities, policing, existing community facilities such as the Village Hall, the waiting room facilities at Horsley train station and the village tennis courts.

The harm identified to the heritage assets had been carefully balanced against the public benefits gained by the proposal and planning officers had concluded that the Council would

deliver an exemplar development helping to protect the five-year land supply position. It was a site allocated in the Local Plan under Policy 37 and was therefore recommended for approval subject to the S106 Agreement.

The Chairman reminded the Committee that the following officers were in attendance to provide specialist advice if required:

- Paul Fineberg, Principal Urban Design Officer and Architect
- Hossein Amirhoseini, Transport Development Planning Officer

The Committee considered concerns raised that the application failed to meet the key promises outlined in the West Horsley Neighbourhood Plan and the Guildford Local Plan. The development proposed did not maintain the transitional edge around the village to the countryside. The proposal was out of character with the existing settlement pattern due to the scale, mass, and height of the dwellings. No protection was afforded to the wildlife corridor or its biodiversity. There was inadequate surface water management as well as a prolific amount of street lighting being introduced to what was defined as a Dark Skies village as per the West Horsley Neighbourhood Plan. There was a lack of infrastructure to support the scheme with the local schools remaining over-subscribed, capacity at the doctor's surgery was at its maximum and the pharmacy was frequently flooded. The development did not respond to the distinctive development pattern of the village and its important relationship between the built environment and the surrounding landscape. Insufficient weight was given to the current climate emergency with just 5 net zero homes, equating to just 4% of the overall development with still the installation of gas boilers which were being phased out. The NPPF, paragraph 149 stated that a proactive approach should be taken to protect the local area and our climate.

The Committee considered concerns that the West Horsley Neighbourhood Plan was not given enough weight when assessing the scheme. The original land assessment carried out for the site was 8.4 hectares for 135 homes. Since the land assessment had been carried out, concerns were raised that a large area of land had since been taken out such as land around the Grade II Listed Farmhouse as well as around numerous other buildings and on the other side of the nursery school which could have been used for housing. In addition, the owner had retained a large piece of land on which to build his own property and retain his privacy. The land also allocated for the implementation of the SuDs as well as the sports and community facilities had also not been factored into the original land assessment undertaken. On that basis a total of 83 homes as opposed to 135 homes should now be proposed. The scheme did not reflect its local environment or community.

The Committee considered comments that the quality of the building materials were of a high standard. The density of the development equated to 17.6 hectares per 28 dwellings and was therefore not extreme. Development could not be easily achieved in a dark skies area. The statutory authorities such as the Surrey Highways Authority and those representing schools had not objected. It was disappointing that only 5 net zero carbon homes had been incorporated into the scheme but was good to see different designs such as bungalows. The lack of a transitional edge to the countryside was concerning and therefore the views of Mr Paul Fineberg, Principal Urban Design Officer and Architect was sought.

The Committee considered that the scheme represented a disappointing response to the Council's commitment to mitigating against climate change particularly with the planned installation of gas boilers into the proposed properties. The installation of electric vehicle charging points was acknowledged as a positive benefit to the scheme. In relation to the installation of the LEAP and LAP, who was ultimately responsible for their ongoing maintenance in perpetuity? Who was also responsible for ensuring that sustainable transport measures were implemented through the monies given via the S106 scheme such as improving the frequency of the bus route? The scheme would also undoubtedly increase traffic in the local

area owing to the significant mitigation measures the County Highway Authority had put in place to ensure that the development would not be detrimental to the local area.

The Specialist Development Management, was invited to comment on the queries raised by the Committee. In relation to the energy and sustainability concerns raised, the Council's requirement was to achieve a 20% reduction in carbon emissions and that this proposal had gone above and beyond that by achieving a 31% decrease. The provision of 5 net zero carbon homes was a benefit of the development given it was not a requirement of the Local Plan. Additionally, there was no policy requirement which would prevent the applicant from installing gas boilers however the scheme overall would deliver a reduction in carbon emissions that was above policy requirements. In terms of flooding, the scheme had been assessed by the Lead Local Flood Authority and found that the proposal would actually improve the management of rainfall which had not been managed as effectively previously. Silt would be removed from the inlet to the ponds to restore storage capacity as well as the construction of a bund along the eastern boundary to help prevent flooding. The maintenance of the site would be undertaken by a management company set up with the residents on the estate.

Paul Fineberg, Principal Urban Design Officer and Architect was asked to comment regarding the concerns raised in relation to density and design. The Committee noted that the first designs proposed were of concern particularly its relationship to the Grade II Listed Farmhouse. The applicant therefore worked closely with the Council to successfully overcome those concerns. The materials to be used were of a high quality which weathered well over time. The developer was a local house builder and not a national company which meant they were invested in building a quality scheme with a refined design. The sports hall originally was proposed to be clad in a powder coated aluminium which was removed following further discussions with the Council as being out of character with the local area. The density of the scheme of 17.6 hectares was considered to be low with up to 25 dwellings per hectare. In terms of the design, the approach was to create a hamlet that looked like it had grown around the farmhouse. The open and spacious community spaces respected the principles of placemaking and was a positive addition to the area.

Hossein Amirhoseini, Transport Development Planning Officer was asked to comment regarding the concerns raised in relation to how the contributions being made towards travel were being managed. A total of £250,000 was to be put towards the in-house bus service that would be payable upon first occupation and another contribution of £100,000 would be secured towards improving passenger accessibility at East Horsley Station particularly the installation of a lift. The total cost of the lift installation was in the region of £5-£6 million pounds. In addition, the bus transport team would manage the enhancements to be made to its services.

The Committee again considered concerns raised regarding the density of the site. The land designated in the Local Plan equated to 8.4 hectares for 135 homes when this development proposed 139 dwellings on 5.2 hectares of land. The fact that the applicant had partitioned off a large parcel of land for his own development, the growing demand for school places locally and the positioning of the dwellings was imposing owing to the land rising steeply up to the Green Belt. It was also concerning regarding installation of gas boilers and council's commitment to climate emergency.

The Committee noted that the roads to be built as part of the development would not be adopted and wanted to confirm if a maintenance company would therefore undertake that work. The Committee also wanted assurance that accessible parking spaces would be provided at the Sports Hall and what measures would be put in place to encourage walking, cycling and car sharing.

The Committee considered concerns raised again regarding the layout and design of the development particularly its impact upon the listed building. There was a perceived lack of a

transitional edge and the hedge was not enough to maintain that given the apartment block was only 13 metres away.

The Specialist Development Management confirmed that the size of the allocated site was 7.9 hectares and not 5.2 hectares as referred to in the debate. The existing track and hedgerow would be retained which facilitated the transitional edge with only 4-5 dwelling proposed on that boundary. In terms of the dark skies policy, the roads within the site would not be adopted and therefore the applicant had committed to the use of bollard lighting along the roads with potentially some taller light stands around the nursery building which would help maintain the dark skies. The large, detached dwelling and garden proposed by the applicant was not unacceptable, even if it was a feature of the site, and was not contrary to policy. The installation of boilers and lack of air source heat pumps was raised by planning officers with the applicant, however the additional loading required for the heat pumps would not be met by the existing substation and would require a new or expanded substation which affected the viability of the scheme. It was also confirmed that the unadopted roads would be managed by a management company onsite and accessible parking spaces would be provided at the Sports Hall. Active travel would be encouraged and facilitated by the travel plan. Lastly, the Council's Conservation Officer was satisfied that the relationship between the listed building and development was acceptable and had been improved significantly throughout the application process.

In response to concerns raised regarding climate change, the Development Management Applications Lead, Dan Ledger confirmed that the sustainability measures put forward as part of this application exceeded policy requirements. The infrastructural contributions towards education, roads, travel, and healthcare were also significant, so a proportionate approach needed to be taken. The height of the proposed dwellings was also considered to be acceptable acknowledging concerns raised that the pitch of the roofs proposed was too steep.

The Committee also received confirmation that the Parish Councils in the area were Statutory Consultees who had all objected to the application. The Planning Solicitor confirmed that those objections were included in the report and had been assessed by the Committee.

The Committee considered that given the site was allocated in the Local Plan the principle of development was accepted. Less than substantial harm would be caused to the setting of the Listed Building and that harm was outweighed by the significant public benefits afforded by the proposal. A total of 139 dwellings would be created of which 56 were affordable therefore contributing towards meeting the Council's housing need and delivery commitments. The significant contributions secured of 2.3 million pounds would also help to mitigate against the impacts of the development.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Colin Cross		X	
2	Pauline Searle	X		
3	Angela Gunning	X		
4	David Bilbé (had left the meeting)			
5	Chris Blow	X		
6	Maddy Redpath		X	
7	Fiona White	X		
8	Chris Barrass		X	
9	Angela Goodwin	X		
10	Paul Spooner	X		
11	Ruth Brothwell		X	
12	Jon Askew	X		
13	Liz Hogger		X	
14	Ramsey Nagaty		X	
15	The Mayor, Cllr Marsha Moseley	X		
	TOTALS	8	6	0

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

RESOLVED to approve application 20/P/02067:

Subject to a Section 106 Agreement securing:

- provision of 40% affordable housing in accordance with Council's approved tenure split;
- provision of 5% self / custom build plots;
- provision of the sports uses (sports hall and padel tennis courts) and arrangements for their management and maintenance for the lifetime of the development;
- provision of SANG mitigation in accordance with the Thames Basin Heaths SPA Avoidance Strategy 2017;
- a contribution towards SAMM;
- a contribution for travel plan auditing fee;
- a contribution towards an enhanced bus service payable upon first occupation of the development.
- a contribution is required in order to improve passenger accessibility at and to Horsley Station.
- a contribution to amend the existing TRO and extend the 30mph speed limit north on Ockham Road North to the point where Green Lane and Ockham Road North.
- a contribution to install traffic calming measures for approximately 750m on Ockham Road North.
- a contribution to improve pedestrian facilities on Station Parade, on the east side of the zebra crossing.
- a contribution to provide two road tables in Ockham Road South on either side of its junction with Forest Road.
- a contribution to install a raised table for the existing zebra crossing south

of the train station.

- a contribution to provide signs, road markings and VASs on Ockham Road North from the point where School Lane and Ockham Road North meet up until the A3 junction.
- retention of the pedestrian / cycle access which runs between the two parcels of the development (i.e. between Manor Farmhouse and Barnside Cottage) in perpetuity.
- a contribution to early years, primary and secondary education.
- provision of the expanded facilities for the existing nursery school.
- a contribution towards primary healthcare.
- a contribution towards secondary healthcare.
- a contribution towards policing infrastructure.
- provision and maintenance of public open spaces for the lifetime of the development.
- a contribution towards improvements to the Parish Council owned tennis court.
- a contribution towards improvements to West Horsley Village Hall.
- a contribution towards improvement to the toilet facilities and waiting room at Horsley train station.

If the terms of the S106 or wording of the planning conditions are significantly amended as part of ongoing S106 or planning condition(s) negotiations any changes shall be agreed in consultation with the Chairman of the Planning Committee and lead Ward Member.

(ii) That upon completion of the above, the application be determined by the Director of Service Delivery.

Approve subject to the conditions and reasons as detailed in the report.

PL7 21/P/00978 - 9 MARLYNS DRIVE, GUILDFORD, GU4 7LS

The Committee considered the above-mentioned full application for construction of a two-storey side extension and single storey rear extension following demolition of existing garage and utility room.

The Committee considered the ward councillors view that the lack of parking spaces proposed to accommodate the additional bedroom was in fact acceptable and would not contravene the Burpham Neighbourhood Plan.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Paul Spooner	X		
2	Chris Blow	X		
3	Ruth Brothwell	X		
4	Angela Gunning	X		
5	David Bilbé (had left the meeting)			
6	Liz Hogger	X		
7	Jon Askew	X		
8	Ramsey Nagaty	X		
9	Fiona White	X		
10	Pauline Searle	X		
11	Maddy Redpath	X		
12	Chris Barrass	X		
13	Colin Cross	X		
14	Angela Goodwin	X		
15	The Mayor, Cllr Marsha Moseley	X		
	TOTALS	14	0	0

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

RESOLVED to approve application 21/P/00978 subject to the conditions and reasons as detailed in the report.

PL8 PLANNING APPEAL DECISIONS

The Committee noted the appeal decision, Land read of Catherine, Frimley Road, Ash Vale, GU12 5NS which was allowed and concerned whether the development was acceptable in terms of its proximity to the Thames Heath Basin. Planning officers did explore with legal colleagues the potential to challenge the decision and the advice received was that the Inspector had made a mistake in law but was not significant enough to overturn the decision.

The planning solicitor confirmed that the applicant had another planning permission which the owners offered to surrender or promise not to implement in the S106 Agreement. The implication was that the Inspector was misled into accepting that when he shouldn't have. However, the likelihood of having another case like that was very slim whereby the applicant would have another planning permission to hand to surrender. On that basis legal action was not taken and the Council avoided the risk of losing the case and the possibility of having to pay costs.

The meeting finished at 9.31 pm

Signed

Date

Chairman

This page is intentionally left blank

Agenda item number: 5

GUILDFORD BOROUGH COUNCIL
PLANNING COMMITTEE INDEX
11/08/2021

Item No.	Parish	Applicant	Location	App.No.	Rec.	Page
5.1	Merrow	Inkster, 34 Fitzjohn Close	34 Fitzjohn Close, Guildford, GU4 7HB	20/P/02011	APPC	41.
5.2	West Clandon	Mr E. Leaver, Elm Cottage	Elm Cottage, The Street, West Clandon, Guildford, GU4 7TG	21/P/00339	S106	49.
5.3	Seale	MPK Farnham Ltd, Sherwood House	Land between Smugglers End and Merlins, Smugglers Way, The Sands, Farnham, GU10 1LW	21/P/00535	APPC	67.
5.4	Westborough	Guildford Borough Council, Millmead House	Aldershot Road Allotment Site, Woodside Road, Guildford	21/P/00542	APPC	83.
5.5	Stoughton	Ms V Potts, 36 Railton Road, Guildford, GU2 9LX	36 Railton Road, Guildford, GU2 9LX	21/P/00812	APPC	93.
5.6	Worplesdon	Mrs Osborn, The Old Cottage	The Old Cottage, Broad Street, Guildford, GU3 3BE	21/P/01106	REF	101.

Total Applications for Committee 6

This page is intentionally left blank

20/P/02011 - 34 Fitzjohn Close, Guildford



© Crown Copyright 2021. Guildford Borough Council.
Licence No. 100019625.

This map is for identification purposes only and should
not be relied upon for accuracy.

Print Date: 27/07/2021



Page 41 Not to Scale



GUILDFORD
BOROUGH

20/P/02011 – 34 Fitzjohn Close



App No: 20/P/02011 **8 Wk Deadline:** 16/08/2021
Appn Type: Full Application
Case Officer: Sakina Khanbhai
Parish: Merrow **Ward:** Merrow
Agent : Mr G. Belbin **Applicant:** Mr Inkster
Mayford Conservatories Ltd 34 Fitzjohn Close
Little Honey Pots Guildford
Ellis Farm Close GU4 7HB
Mayford
Woking
GU22 9QN

Location: 34 Fitzjohn Close, Guildford, GU4 7HB
Proposal: Erection of a rear conservatory (part retrospective)

Executive Summary

Reason for referral

This application has been referred to the Planning Committee by Councillor Seabrook on the grounds that the development results in unacceptable harm to the neighbouring amenity of No. 32 Fitzjohn Close in terms of loss of sunlight and daylight contrary to saved policies G1 and H8 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007).

Key information

Erection of a rear conservatory (part retrospective)

Summary of considerations and constraints

Planning permission ref 20/P/01381 was recently approved for the existing ground floor rear extension measuring approximately 3.76 metres in width, 3.3 metres in depth and 3.0 metres in height.

The current application has been submitted because the previously approved plans did not show the building below floor level and ground level. The current plans show the brickwork below DPC and the plans indicate the gradient of the ground level. No external changes are proposed to the approved extension which is substantially complete. Officers have conducted a further site visit and taken measurements on site and are satisfied that the submitted plans accord with what has been built out on site. There is no increase in height or change to the footprint of the development when compared to the existing extension recently approved by the Council.

The proposal would have an acceptable scale and design and, as such, would respect the scale and character of the existing property and the character of the surrounding area.

The development is not considered to result in a detrimental impact on residential amenities enjoyed by the occupants of the neighbouring properties.
As such, the development is recommended for approval.

RECOMMENDATION:

Approve - subject to the following condition(s) and reason(s) :-

1. The development hereby permitted is shown on the following approved plans: Site Location Plan, Block/Site Plan, Existing Side Elevation, Existing and Proposed Front Elevation, Proposed Side Elevations, Existing and Proposed Rear Elevations, Proposed East Side Elevation, Existing and Proposed Ground Floor Plan and additional information received on 25/11/20 and 24/12/20.

Reason: In the interests of proper planning.

Informatives:

1. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:

- Offering a pre application advice service
- Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
- Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

However, Guildford Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application is required.

In this case pre-application advice was not sought prior to submission and the application was acceptable as submitted.

2. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or buildingcontrol@guildford.gov.uk

Officer's Report

Site description.

The application relates to a two-storey semi-detached property located within Guildford Urban Area. Fitzjohn Close is characterised by semi detached properties set within relatively small plots.

Proposal.

Erection of a rear conservatory (part retrospective)

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
20/P/01381	Erection of a rear conservatory (part retrospective)	Approve 19/10/2020	N/A
06/P/02463	Rear conservatory.	Refuse 16/01/2007	N/A
06/P/02123	Rear conservatory.	Withdrawn 27/11/2006	N/A

Background

The original planning permission for the application dwelling is ref 81/P/01026 which relates to the erection of 35 dwellings within the surrounding neighbouring area. Condition 3 of this decision removed permitted development rights under the provisions of the Town and Country Planning and General Development Order 1977 within Class 1 of Schedule 1 of the Order. Therefore, planning permission is required for a rear extension to the property.

Planning permission was refused in 2006 for a similar proposal under application 06/P/02463. Under this application the rear extension measured 4.5 metres in width, 3.5 metres in depth and 3.6 metres in height. This application was refused on the grounds that the development would result in a loss of light to the neighbouring property (No. 32 Fitzjohn Close).

Planning permission ref 20/P/01381 was recently approved for the existing ground floor rear extension measuring approximately 3.76 metres in width, 3.3 metres in depth and 3.0 metres in height.

The current application has been submitted to include brickwork below DPC on the drawings as this detail was omitted on the previous application. The new plans for the extension also indicate the gradient of the ground level. No external changes are proposed to the approved extension which is substantially complete. Officers have conducted a further site visit and taken measurements on site and are satisfied that the submitted plans accord with what has been built out on site.

Consultations.

None.

Third party comments:

One letter of representation has been received raising the following objections and concerns:

- The line of the existing fence is inaccurate and lower than shown on the plans, therefore the build will be visible above the fence line.(Officer note: the plans are considered to be accurate and it is acknowledged the development is visible above the fence line. This impact has been addressed within the main sections of the report).
- Encroachment of 45 degree rule
- overbearing impact
- Loss of light to dining room window and overshadowing to garden
- Lack of privacy

Planning policies.

National Planning Policy Framework (NPPF) 2021

Chapter 12. Achieving well-designed places

Guildford Borough Local Plan: Strategy and Sites (adopted by Council on 25 April 2019).

Policy D1: Place shaping

Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007):

G1	General Standards of Development
G5	Design Code
H8	Extensions to Dwellings in Urban Areas

Supplementary planning documents:

Residential Extensions and Alterations Guide 2018

Planning considerations.

Impact on scale and character of the existing dwelling and surrounding area

The case officer has visited the site and is satisfied that the scale of the extension is in keeping with the size of the existing property and surrounding buildings.

The design of the extension would not detract from the character of either the existing property or the surrounding area.

Neighbouring Amenity

The nearest neighbouring properties to the application site are Nos 32 and 36 Fitzjohn Close.

No.32 is the adjoining property which is most likely to be impacted to some extent by the development given the close proximity of the extension to No.32's ground floor rear openings and garden.

The current proposal has been submitted to provide further clarification on the full extent of the development built out on site. The submitted plans include the DPC level and gradient of the land which was not previously shown on the earlier approval. There are no material changes to this scheme which could affect the assessment of the current application in terms of impact on neighbouring amenity when compared to the approved scheme Ref 20/P/01381. The structure is no higher than that previously approved. The neighbouring amenity assessment is set out below:

It is acknowledged that the extension intercepts the 45 degree angle, however there is already an existing impact on No. 32's sunlight/daylight given the siting of an existing raised fence panel closest to the rear elevations of the properties on the shared boundary. It is also noted that No.32's rear openings comprise of a 3 pane window, kitchen door and window and a further side window which serve the kitchen/dining room area. Therefore the development would not result in an unacceptable loss of sunlight/daylight to No.32's ground floor rooms.

The conservatory extension also comprises of a glazed roof which would result in a more light weight structure than if a solid tiled roof were to be built. Whilst the extension is still visible above the raised fence panel, this in itself does constitute unacceptable harm to No.32's neighbouring amenity. It is also notable that at the time of the officers site visit for the current application the structure was nearing completion. Officers have therefore been able to assess the as built situation and this reinforces the original assessment and are satisfied that the development does not harm the amenities of the adjoining occupiers.

The development is of a smaller scale than the initial refused application in terms of width, depth and height, whilst these changes are not a significant reduction in size when compared to the previous refusal, Officer's are satisfied that the extension does not result in detrimental impact to No32's neighbouring amenity. It should also be noted, that there are no other material factors under the current application compared to the recent approved scheme to warrant grounds for refusal.

Owing to its modest scale, the conservatory extension would not appear an overbearing feature and there are no overlooking concerns resulting from the development.

Retrospective application

A ministerial planning policy statement on 31 August 2015 introduced a planning policy to make intentional unauthorised development a material consideration that would be weighed in the determination of planning applications and appeals. This has been supplemented by a written answer to the House of Commons on 19 October 2018 confirming that the remains a potential material consideration.

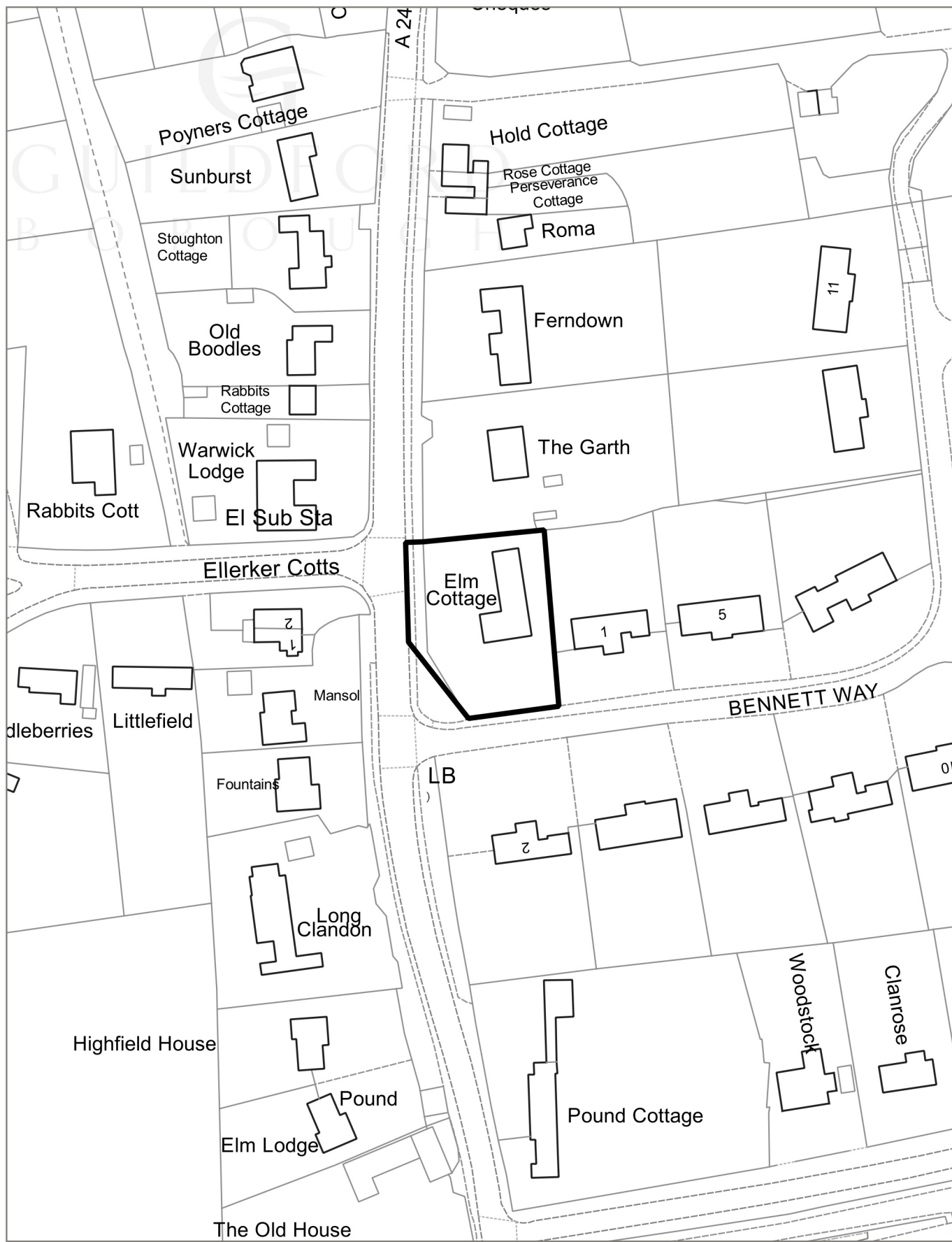
The statement does not advise the level of weight it that should be applied, neither does it override Section 73A of the Town and Country Planning Act 1990 (as amended) which provides the legal basis for submitting a retrospective application. The nPPG also confirm the use of an application as a legitimate means of regularising a breach of planning control. Given these factors it is unlikely that where development accords with the provisions of the Development Plan that refusal could be justified only on the grounds that it was unauthorised.

In considering this current application, which seeks to regularise unauthorised development, the local planning authority has given weight to the fact that the application is retrospective. In this case, the applicant was informed the development is unauthorised and required planning permission by the Council's Planning Enforcement Team. Subsequently the applicant sought to regularise the unlawful development by applying for planning permission. However, in the absence of any evidence to demonstrate that the applicant intentionally sought to breach planning legislation, or any detailed guidance from central government on the level of weight that should be applied in such circumstances, the fact that this application is retrospective is only considered to weigh against granting planning permission to a limited degree.

Conclusion.

The proposal would have an acceptable design, would not result in detrimental impact on residential amenities of the neighbouring properties. For these reasons, the application is acceptable and is therefore recommended for approval.

21/P/00339 - Elm Cottage, The Street, West Clandon, Guildford



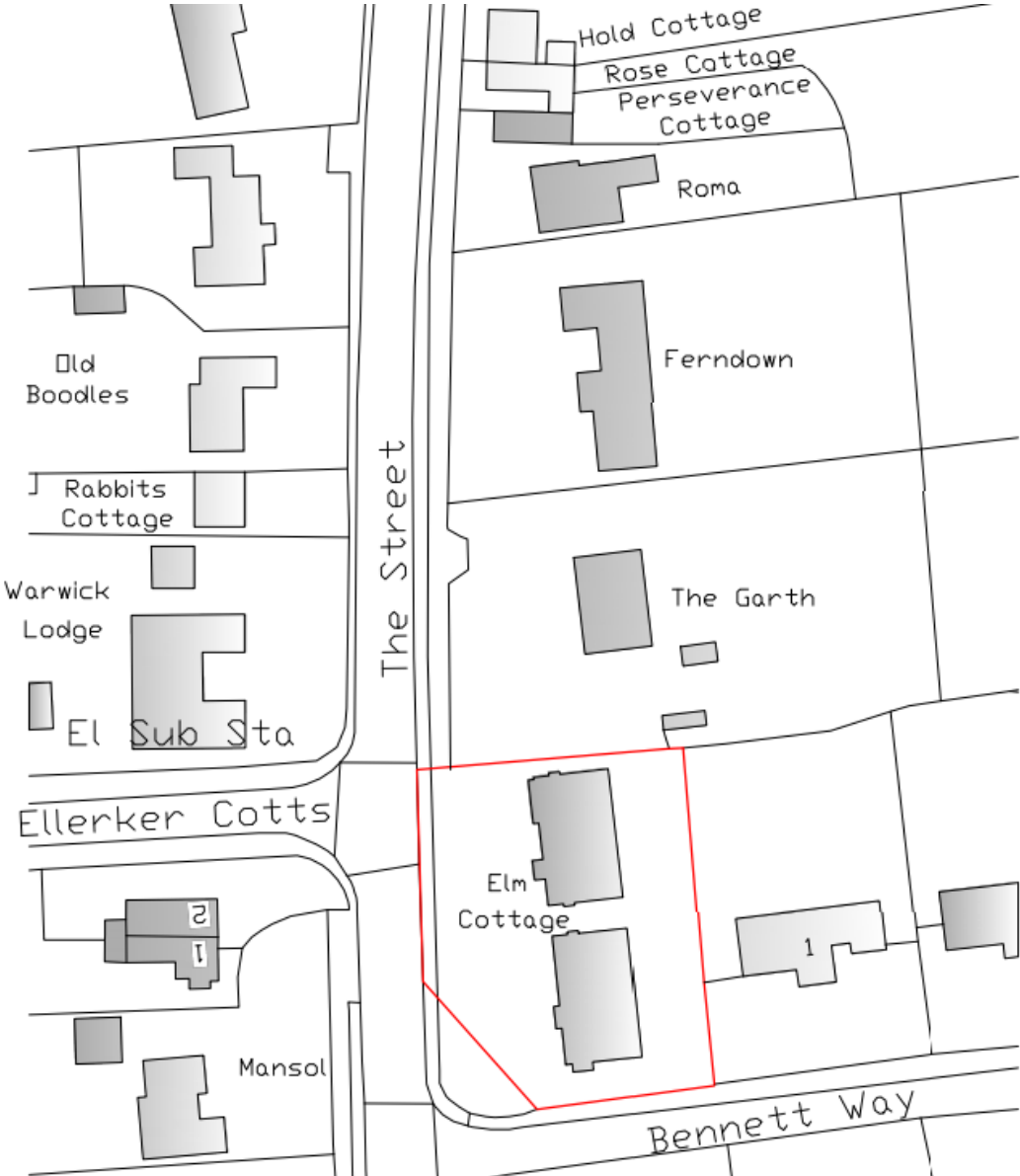
© Crown Copyright 2021. Guildford Borough Council.
Licence No. 100019625.

This map is for identification purposes only and should
not be relied upon for accuracy.

Print Date: 27/07/2021



21/P/00339 – Elm Cottage



App No: 21/P/00339
Appn Type: Full Application
Case Officer: Katie Williams
Parish: West Clandon
Agent : Miss E. Leaver
Dream Concepts (Surrey)
Limited
1 Park Road
Hampton Wick
Kingston-upon-Thames
KT14AS

8 Wk Deadline: 06/05/2021

Ward: Clandon & Horsley
Applicant: Mr E. Leaver
Elm Cottage
The Street
West Clandon
GU4 7TG

Location: Elm Cottage, The Street, West Clandon, Guildford, GU4 7TG
Proposal: Erection of one pair of semi-detached dwellings and one detached dwelling, following the demolition of detached bungalow, with associated access, parking & landscaping.

Executive Summary

Reason for referral

This application has been referred to the Planning Committee because more than 20 letters of objection have been received, contrary to the Officer's recommendation.

Key information

The application site comprises a large detached bungalow on a corner plot on the east side of The Street (A247), at its junction with Bennett Way. The overall plot size is approximately 1200 sq.m. The site is within the identified settlement of West Clandon and falls within the 400m to 5km buffer zone of the Thames Basin Heath SPA.

The proposal is for the erection of one pair of semi-detached dwellings and one detached dwelling, following the demolition of detached bungalow, with associated access, parking & landscaping.

The access to Plots 1 & 2 would be via the existing vehicular access from The Street. A new vehicular access is then proposed from The Street, serving Plot 3.

6 parking spaces (2 per dwelling) are proposed.

Amended plans (received 21 June 20201)

The amendments show the number of dwellings reduced from 4 dwellings (4 x 3 bed) to 3 dwellings (2 x 3 bed & 1 x 4 bed) and the parking area amended to reduce the extent of hardstanding proposed.

Summary of considerations and constraints

This application is a revision to two previous applications, 20/P/01398 for four x three bedroom dwellings (2 x pairs of semis) on the site which was refused and 19/P/00866 which was approved for two detached four bedroom dwellings.

This revised application shows revisions from the refused scheme, reducing the number of dwellings proposed and reducing the extent of hardsurfacing across the frontage of the plots.

It is considered that the proposal constitutes limited infilling within a village and therefore constitutes appropriate development within the Green Belt.

The scale, height and design of the proposed dwellings (as amended) and the soft landscaping to the front of the dwellings would be in keeping with the character of the surroundings and there would be no adverse impact on neighbouring amenity.

Sufficient car parking and visibility splays are proposed and there are no concerns regarding any adverse impacts on highway safety.

The application is therefore recommended for approval subject to conditions and a S106 agreement.

RECOMMENDATION:

(i) That a S106 Agreement be entered into to secure the provision of:

- **SANG and SAMM Contributions and Open Space contributions in accordance with the formula of the updated tariff**

If the terms of the S106 or wording of the planning conditions are significantly amended as part of ongoing S106 or planning condition(s) negotiations any changes shall be agreed in consultation with the Chairman of the Planning Committee and lead Ward Member.

(ii) That upon completion of the above, the application be determined by the Head of Place. The preliminary view is that the application should be granted subject to conditions.

Approve - subject to the following condition(s) and reason(s) :-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: EC/21/01 and EC/21/02 (existing block plan) received 11 March 2021 and amended plans EC/21/04/A, 05/A, 06/A, 07/A, 08/B, 08/BB and 12 received on 21 June 2021.

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

3. No development shall take place beyond slab level until details and samples of the proposed external facing and roofing materials and hard surfacing materials including colour and finish have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and samples.

Reason: To ensure that the external appearance of the building is satisfactory.

4. No part of the development shall be first occupied unless and until the proposed vehicular access to The Street has been constructed and provided with visibility zones in accordance with the approved plans, Drawing No.EC/21/04/A, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

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

5. 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 plans, Drawing No.EC/21/04/A, for vehicles and bicycles 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 for vehicles and parking for bicycles 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.

6. The development hereby approved shall not be occupied unless and until each of the proposed dwellings 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.

7. No development shall take except for the demolition of the existing building until an energy statement has been submitted to and approved in writing by the Local Planning Authority. This shall include details of how energy efficiency is being addressed, including benchmark data and identifying the Target carbon Emissions Rate TER for the site or the development as per Building Regulation requirements (for types of development where there is no TER in Building Regulations, predicted energy usage for that type of development should be used) and how a minimum of 20 per cent reduction in carbon emissions against the TER or predicted energy usage through the use of on site low and zero carbon technology shall be achieved.

The approved details shall be implemented prior to the first occupation of the development and retained as operational thereafter.

Reason: To reduce carbon emissions and incorporate sustainable energy in accordance with the Council's 'Climate Change, Sustainable Design, Construction and Energy' SPD 2020.

8. The development hereby permitted must comply with regulation 36 paragraph 2(b) of the Building Regulations 2010 (as amended) to achieve a water efficiency of 110 litres per occupant per day (described in part G2 of the Approved Documents 2015). Before occupation, a copy of the wholesome water consumption calculation notice (described at regulation 37 (1) of the Building Regulations 2010 (as amended)) shall be provided to the planning department to demonstrate that this condition has been met.

Reason: To improve water efficiency in accordance with the Council's 'Climate Change, Sustainable Design, Construction and Energy' SPD 2020.

9. No development shall take except for the demolition of the existing building until details of biodiversity enhancement measures have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented in full prior to the occupation of the development hereby approved and maintained in perpetuity.

Reason: To increase the biodiversity of the site and mitigate any impact from the development.

10. No development shall take except for the demolition of the existing building until full details, of both hard and soft landscape proposals and all boundary treatment, including a schedule of landscape maintenance for a minimum period of 10 years, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and retained.

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.

11. All planting, seeding or turfing approved shall be carried out in the first planting and seeding season following the occupation of the development or the completion of the development, whichever is the sooner. 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.

12. No trees, hedgerows or shrubs within the curtilage of the site, except those shown on the approved plan(s) or otherwise clearly indicated in the approved details as being removed shall be felled, lopped or pruned, nor shall any roots be removed or pruned without the prior consent of the Local planning authority during development and for a period of five years after completion of the building(s), structure(s) or any other development hereby approved. Any trees, hedgerows or shrubs removed or which die or become dangerous, damaged or diseased before the end of a period of five years after completion of the development hereby approved shall be replaced with new trees, hedging or shrub species (of such size species and in such number and position as maybe agreed in writing), before the end of the first available planting season (1 November to 31 March) following their loss or removal.

Reason: In order to ensure that the site is landscaped and is maintained in the interest of the visual amenities of the area, ensuring the adequate respect for trees, set out in Section 197 of the Town and Country Planning Act 1990.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A and B shall be carried out on the dwellinghouse(s) hereby permitted or within their curtilage.

Reason: Having regard to the size of the dwellings approved, the local planning authority wishes to retain control over any future extensions in order to safeguard the residential amenities of adjoining properties.

14. The first floor bathroom windows in the side elevations and the rooflight window(s) in the rear roofslope(s) of the development (Plots 1, 2 and 3) hereby approved shall be fitted with obscure glass and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

Reason: In the interests of residential amenity and privacy.

Informatives:

1. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or buildingcontrol@guildford.gov.uk
2. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:
 - Offering a pre application advice service
 - Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
 - Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

However, Guildford Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application is required.

In this case pre-application advice was not sought prior to submission. Alterations were required to overcome concerns, these were sought and the applicant agreed to the changes.

3. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see <https://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs>.
4. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <https://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/traffic-management-permit-scheme>.
5. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.

6. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles.
The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders.
(Highways Act 1980 Sections 131, 148, 149).
7. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
8. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required.
Please refer to:
<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

Officer's Report

Site description.

The application site comprises a large detached bungalow on a corner plot on the east side of The Street (A247), at its junction with Bennett Way. The overall plot size is approximately 1200 sq.m. The site is within the identified settlement of West Clandon and falls within the 400m to 5km buffer zone of the Thames Basin Heath SPA.

Proposal.

Erection of one pair of semi-detached dwellings and one detached dwelling, following the demolition of detached bungalow, with associated access, parking & landscaping. [Amended description and amended plans received 21 June 2021]

The access to Plots 1 & 2 would be via the existing vehicular access from The Street. A new vehicular access is then proposed from The Street, serving Plot 3.

6 parking spaces (2 per dwelling) are proposed.

Amended plans (received 21 June 2021)

The amendments show the number of dwellings reduced from 4 dwellings (4 x 3 bed) to 3 dwellings (2 x 3 bed & 1 x 4 bed) and the parking area amended to reduce the extent of hardstanding proposed.

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
20/P/01398	Erection of 4 new dwellings following demolition of the existing dwelling.	Refuse 23/10/2020	N/A
19/P/00866	Erection of two detached 4-bedroom dwellings following demolition of existing bungalow along with associated landscaping, parking and access.	Approve 30/08/2019	N/A
10/P/00692	Retention of a 2 metre high close boarded timber fence on southern boundary (facing Bennett Way)	Approve 05/10/2010	N/A

20/P/01398 - Reasons for refusal:

1) The proposed development by reason of the amount of development, limited plot size, and dominance of hardstanding to the front of the site, would have a detrimental impact on the character of the site and surrounding area, contrary to policy G5 and G11 of the saved Local Plan 2003, policy D1 of the Local Plan 2019 and paragraph 127 and 130 of the NPPF.

2) The site lies within the 400m to 5km zone of the Thames Basin Heaths Special Protection Area (TBHSPA). The Local Planning Authority is not satisfied that there will be no likely significant effect on the Special Protection Area and, in the absence of an appropriate assessment, is unable to satisfy itself that this proposal, either alone or in combination with other development, would not have an adverse effect on the integrity of the Special Protection Area and the relevant Site of Special Scientific Interest (SSSI). In this respect, significant concerns remain with regard to the adverse effect on the integrity of the Special Protection Area in that there is likely to be an increase in dog walking, general recreational use, damage to the habitat and disturbance to the protected species within the protected areas. As such the development is contrary to the objectives of policies NE1 and NE4 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07) and conflicts with saved policy NRM6 of the South East Plan 2009. For the same reasons the development would fail to meet the requirements of Regulation 61 of The Conservation of Habitats and Species Regulations 2010, as amended, and as the development does not meet the requirements of Regulation 62 the Local Planning Authority must refuse to grant planning permission.

Consultations.

Statutory consultees

County Highway Authority:

- no objection, subject to conditions
- the Highway Extent Plan has been sought and confirms that the required visibility splays for the proposed access traverses land controlled by the Applicant and public highway.
- the Highway Authority considers that the proposal is unlikely to have a material impact on highway safety issues.

Internal consultees

Operational Services:

- no objections
- we will not be entering this development so would expect residents to present bins at the edge of the property for collection from The Street.

West Clandon Parish Council

Objects to the application:

- parking concerns
- overdevelopment not constituting an appropriate form of limited infilling
- impact on scale and character of the site and surrounding area, will have a more detrimental impact than the approved scheme
- impact on the Green Belt
- conflict with the emerging Neighbourhood Plan
- if granted, important that a condition is attached to secure arrangements for construction vehicle parking to avoid parking / stopping on The Street (A247)

Third party comments:

22 letters of representation have been received raising the following objections and concerns:

- similar size of houses and hardstanding to front of site as refused application 20/P/01398
- insufficient turning space within the site
- overdevelopment
- not in keeping with surrounding houses
- loss of privacy and loss of light to 1 Bennett Way and properties in The Street
- increased noise impact due to intensification in the number of dwellings
- highway safety concerns
- density out of character with the village
- parking concerns / no allocation for visitor parking
- small plot sizes
- noise and disruption during construction
- negative impact on the street scene

- will add to existing traffic congestion
- increased congestion and noise from construction traffic

Following the receipt of amended plans 13 additional letters have been received reiterating the original comments and making the further points:

- three dwellings would still be out of keeping with the housing density in the area and detrimental to the surrounding area.

Planning policies.

National Planning Policy Framework (NPPF):

Chapter 5. Delivering a sufficient supply of homes

Chapter 8. Promoting healthy and safe communities

Chapter 9. Promoting sustainable transport

Chapter 11. Making effective use of land

Chapter 12. Achieving well-designed places

Chapter 13. Protecting Green Belt land

Chapter 14. Meeting the challenge of climate change, flooding and coastal change

South East Plan 2009:

NRM6 Thames Basin Heath Special Protection Area

Guildford Borough Local Plan: Strategy and Sites (2019):

Policy S1: Presumption in favour of sustainable development

Policy H1: Homes for all

Policy P2: Green Belt

Policy P5: Thames Basin Heaths Special Protection Area

Policy D1: Place shaping

Policy D2: Climate change, sustainable design, construction and energy

Policy ID1: Infrastructure and delivery

Policy ID3: Sustainable transport for new developments

Policy ID4: Green and blue infrastructure

The Guildford Borough Local Plan: Strategy and Sites was adopted by Council on 25 April 2019. The Plan carries full weight as part of the Council's Development Plan. The Local Plan 2003 policies that are not superseded are retained and continue to form part of the Development Plan (see Appendix 8 of the Local Plan: strategy and sites for superseded Local Plan 2003 policies).

The Council is able to demonstrate a five year housing land supply with an appropriate buffer. This supply is assessed as 7.34 years based on most recent evidence as reflected in the GBC LAA (2020). In addition to this, the Government's recently published Housing Delivery Test indicates that Guildford's 2020 measurement is 90%. As this is over 85%, the buffer that needs to be applied to our five year housing supply (as set out in NPPF para 73) is now 5% rather than 20%. Therefore, the Plan and its policies are regarded as up-to-date in terms of paragraph 11 of the NPPF.

Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007):

G1	General Standards of Development
G5	Design Code
NE4	Species Protection

Supplementary planning documents:

GBC Vehicle Parking Standards SPD 2006/SCC Vehicular and Cycle Parking Guidance 2018
Climate Change, Sustainable Design, Construction and Energy SPD 2020
Planning Contributions SPD 2017
Thames Basin Heaths Special Protection Area Avoidance Strategy 2017
Technical housing standards - nationally described space standard 2015 (DCLG)

West Clandon Neighbourhood Plan

Planning considerations.

The main planning considerations in this case are:

- the principle of development and the impact on the Green Belt
- the impact on the scale and character of the site and surrounding area
- amenity and space standards
- the impact on neighbouring amenity
- highway / parking considerations
- sustainability and green and blue infrastructure
- TBHSPA and AA
- legal agreement requirements

The principle of development and the impact on the Green Belt

The site is located within the Green Belt and the identified settlement boundary of West Clandon as set out in Policy P2 of the newly adopted local plan.

Policy P2 sets out that development proposals within the Green Belt will be considered in accordance with the NPPF; paragraph 149 of the NPPF 2019 states that the construction of new buildings will be deemed inappropriate unless for the purpose of e) limited infilling in villages. Under Policy P2, this exception is further defined as (c)i. "limited infilling within the identified settlement boundaries, as designated on the Policies Map, of the following villages: West Clandon", where sites located within these identified areas should be considered within the 'village'.

The location of the site, a corner plot between Bennett Way and the established string of residential development along The Street that forms the linear village of West Clandon, can be considered to form part of the established village. The new local plan affirms that the site is situated within the identified settlement boundary. The proposed net gain of 2 small dwellings is, in this instance, considered to represent limited infilling within a village and the proposal is acceptable in principle, complying with Policy P2 and Chapter 13 of the NPPF 2019 in this respect.

It is important to note that planning permission has been granted for 2 x 4 bedroom dwellings on the site (following the demolition of the existing bungalow) under planning application 19/P/00866. This permission is extant and is a material consideration in the assessment of this current planning application.

The impact on the scale and character of the site and surrounding area

The local street scene is mixed in character due to the varying age and architectural styles of neighbouring properties. The development along Bennett Way comprises larger two storey dwellings with a similar form; whereas properties along The Street have no uniform character or appearance. The prominent feature of residential development along The Street is a verdant nature, with most dwellings set back from the road in reasonably wide plots.

The current scheme maintains the set back previously approved under application 19/P/00866; With the number of dwellings reduced from the plans originally submitted under this application from 4 to 3, the width of Plot 3 is now slightly narrower than that approved under 19/P/00866, and the plots widths for Plots 1 & 2 have increased compared to the refused scheme (20/P/01398), allowing increased spacing to the northern boundary with The Garth. The reduction in the number of units compared to the refused scheme has also increased the garden sizes for each of the proposed dwellings.

The overall footprint of development and scale of built form proposed under this application will be slightly less than proposed under the approved scheme (19/P/00866), albeit with an increase in the number of dwellings by virtue of the provision of a pair of 3 bedroom semi-detached dwellings on Plots 1 & 2 instead of a detached 4 bedroom dwelling. The scale and footprint of the detached dwelling proposed on Plot 3 is reduced compared to the dwelling proposed on this part of the site under the approved scheme (19/P/00866).

The extent of hardstanding for parking across the front of the site has been significantly reduced compared with the refused scheme (20/P/01398) which proposed almost the entire frontage to be taken up with hardstanding. This revised scheme (as amended) now incorporates significant areas of soft landscaping to the frontage, in keeping with the character of the surrounding properties. Details of the proposed landscaping can be secured by condition.

The proposed dwellings would be of a traditional design with pitched roofs and materials consisting of rendered elevations and clay tiled roofs. As such, the design of the dwellings would also be in keeping with the surrounding area. The ridge heights of the proposed dwellings would also be no taller than the adjacent dwellings.

It is therefore concluded that, due to the increased spacing now proposed around the new dwellings resulting from the reduction in the number of units and the subsequent reduction in hardstanding to the front of the site, this revised proposal has overcome the first reason for refusal attached to 20/P/01398 and the proposal would not have a detrimental impact on the character of the area and therefore accords with Policy D1 of the new Local Plan and saved Policies G5(2) and G5(7) of the saved Local Plan.

Amenity and space standards

Paragraph 127(f) of the NPPF 2019 states that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policy D1(4) of the new local plan states that all new development is expected to have regard to and perform positively against the recommendations set out in the latest Building for Life guidance and conform to the nationally described space standards (MHCLG 2015).

The submitted plans show overall internal floor areas of the proposed dwellings and the bedroom sizes comply with the nationally described space standards.

It is implicit in the proposal that the proposed dwellings would provide family homes within the established residential area of West Clandon. The application site is located in walking distance of public transport links, a public house, a primary school and a doctors surgery. The nearby railway station has a regular link to central Guildford and the A3 runs north of the village. The proposal is therefore found to have sufficient regard to the 'Integrating into the neighbourhood' principles of Building for Life 12.

The private amenity space per dwelling has been indicated on the proposed site layout plan, and the scheme is considered to provide reasonable outdoor amenity space for the scale of dwellings proposed. The proposal is found to be acceptable in terms of Policy D1(4) and paragraph 127 of the NPPF 2019.

The impact on neighbouring amenity

The Garth to the immediate north is well screened along the shared boundary. A good separation distance to plot 1 has also been achieved. The new dwelling would be positioned further forward within the application site than the dwelling at The Garth. Due to the separation distance and position of windows, it is considered that no overlooking or loss of light is expected from the new relationship created between these two properties.

To the immediate east is 1 Bennett Way. A minimum separation distance of approximately 9 metres can be achieved between the rear elevations of the proposed dwellings and the boundary with 1 Bennett Way, and approximately 14 metres to the flank elevation of 1 Bennett Way. These separation distances were considered acceptable under 19/P/00866. There is also a reasonable level of screening between these properties consisting of mature trees.

The rear elevations of the dwellings on Plots 1 and 2 incorporate two first floor bedroom windows (one for each dwelling) facing towards the rear garden of 1 Bennett Way and high level rooflights. The proposed dwelling on Plot 3 incorporates two first floor bedroom windows facing towards the flank elevation and front garden of 1 Bennett Way. Rooflights are also proposed and these can be conditioned to ensure they are positioned at high level.

Taking into account the separation distances, the boundary screening and the development approved under 19/P/00866 which also incorporated bedroom windows at first floor level, it is concluded that the proposal would not have an unacceptable impact in terms of adverse loss of privacy to 1 Bennett Way.

It is acknowledged that there may be some limited impact increased levels of noise generated from the site, however this is an acceptable level within the settlement boundary. The proposal is therefore considered acceptable in terms of saved Policy G1(3) of the Local Plan 2003.

Highway/parking considerations

Each property would have two parking spaces which is in line with the Council's parking standards. Covered cycle parking would also be provided for each dwelling in line with the Council requirements.

In terms of the existing and new access, and impact of the proposal on highway safety Surrey County Council has assessed the application and raised no objection, subject to suitable conditions. It is therefore considered that the proposal would not lead to conditions prejudicial to highway safety.

Concern has been raised regarding the proposed visibility splays encroaching on to a land which forms the visibility splays for neighbouring Bennetts Way and which it is stated belongs to the Bennetts Way Residents Association. However, the CHA has confirmed that the required visibility splays for the proposed access traverses land controlled by the Applicant and public highway.

Sustainability and green and blue infrastructure

As set out in the new local plan and the Council's Climate Change, Sustainable Design, Construction and Energy SPD 2020, there is a requirement to achieve a 20 percent reduction in carbon emissions through the use of on site low or zero carbon technologies and include water efficiency measures in line with building regulations. No details of the proposed sustainability measures have been submitted with the application; however, it is possible to secure these measures by condition to ensure compliance with Policy D2.

It is a requirement of new Policy ID4 that new development aims to deliver biodiversity gains where appropriate. No details of biodiversity enhancement measures have been submitted, but this information can again be provided as part of a condition to ensure that the development provides some gains to local biodiversity, e.g. bird or bat boxes as a small-scale example. This requirement could also be addressed through a detailed landscaping plan supporting native species and insect- or animal-friendly habitats. There is only limited landscaping information provided with the scheme and as mentioned above, a condition is recommended to ensure full details of the proposed landscaping are submitted to the LPA for approval. Subject to these recommended conditions, the scheme complies with Policy ID4 and saved Policy G5(9) which remains extant.

Thames Basin Heaths Special Protection Area (TBHSPA) and appropriate assessment

The application site is located within 400m to 5km buffer zone of the Thames Basin Heaths. Natural England advise that new residential development in proximity of the protected site has the potential to significantly adversely impact on the integrity of the Thames Basin Heath through increased dog walking and an increase in recreational use. The application proposes a net increase of 2 residential units and as such has the potential, in combination with other development, to have a significant adverse impact on the protected site.

As part of the application process the Council has undertaken an Appropriate Assessment (AA), which concluded that the development would not affect the integrity of the European site either alone or in combination with other plans and projects in relation to additional impact pathways subject to the application meeting the mitigation measures set out in the TBHSPA Avoidance Strategy. Natural England (NE) has advised that it will not object to an Appropriate Assessment (AA) undertaken which concludes no adverse effects on the integrity of the TBHSPA due to measures being secured and required to be put in place through a legal agreement and accord with the provisions of the Development Plan and the adopted Guildford Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2017.

The applicant has agreed to enter into a legal agreement to secure the necessary contributions. As such, it is concluded that the development would not impact on the TBHSPA and would meet the objectives of the TBHSPA Avoidance Strategy 2017 and Policy NRM6 of the South East Plan 2009. For the same reasons the development meets the requirements of Regulation 61 of the Conservation of Habitats and Species Regulations 2010.

Legal agreement requirements

The three tests as set out in Regulation 122(2) require S106 agreements to be:

- (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.

As the application would result in the net gain of 2 new residential units, in order for the development to be acceptable in planning terms, a S106 agreement is required as part of any subsequent planning approval to secure a financial contribution towards a SANG and SAMM, in line with the Guildford Borough Council TBHSPA Avoidance Strategy 2017. This strategy has been formally adopted by the Council. In line with this strategy and the requirements of Regulation 63 of the Habitats Regulations 2017, a S106 agreement is required to ensure that the additional residential units proposed by this development would not have any likely significant effect on the TBHSPA. The level of financial contribution sought is required to be in line with the specific tariffs set out in the adopted Avoidance Strategy which relate to the number of residential units and number of bedrooms proposed. As such, the requirement for the S.106 agreement meets the three tests set out above. Provided that a S.106 agreement is in place to mitigate against the likely significant effect on the TBHSPA, the proposed development would be considered acceptable in planning terms in this regard.

Conclusion.

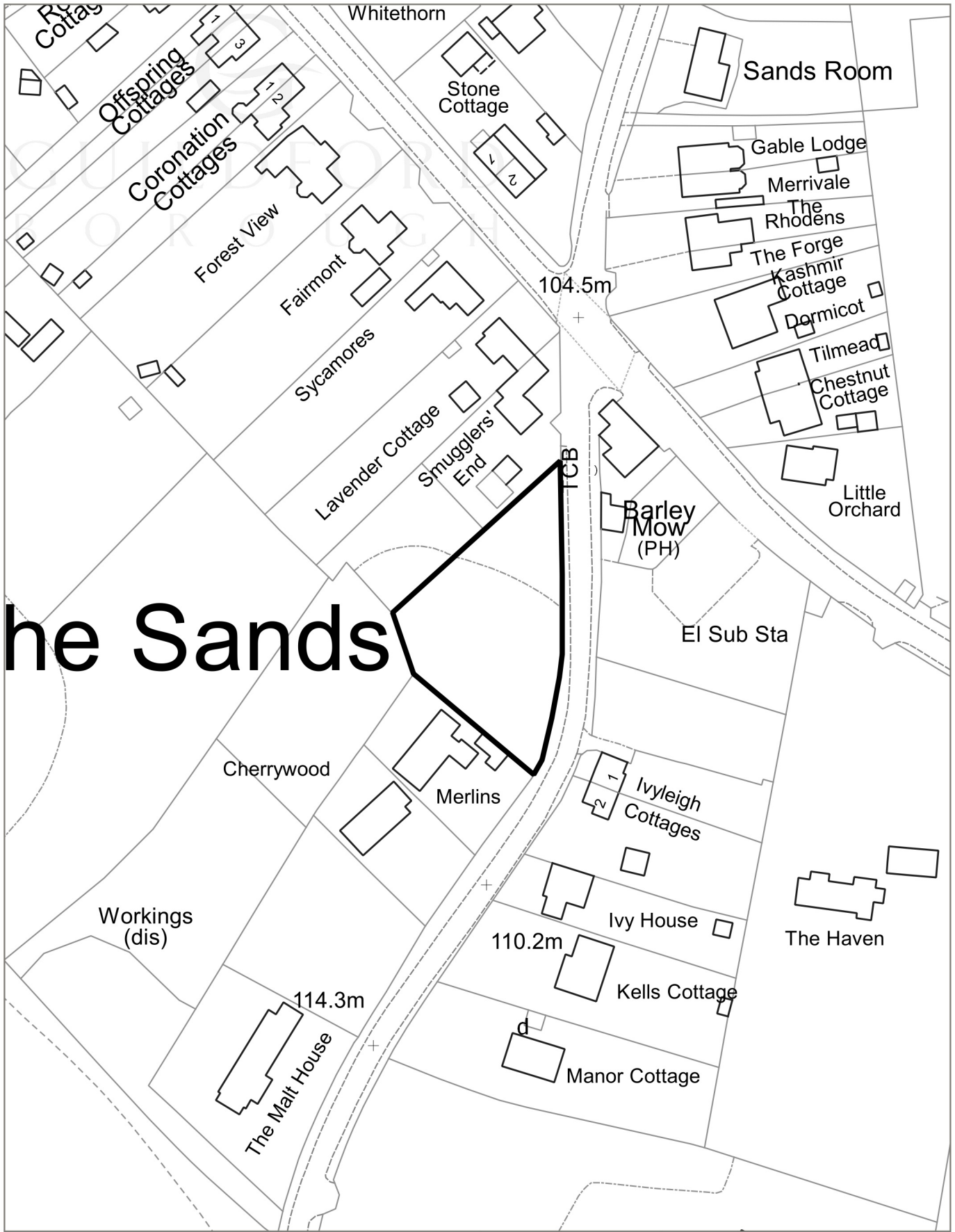
It is considered that the proposal constitutes limited infilling within a village and therefore constitutes appropriate development within the Green Belt. The scale, height and design of the proposed dwellings as shown on the amended plans would be in keeping with the character of the surroundings and there would be no adverse impact on neighbouring amenity. Sufficient car parking is proposed and there are no concerns regarding any adverse impacts on highway safety.

The necessary SANG and SAMM contributions will be secured by way of a S106 agreement to ensure any adverse impact on the TBHSPA is adequately mitigated.

The application is therefore recommended for approval subject to conditions and S106 agreement.

This page is intentionally left blank

21/P/00535 - Land Between Smugglers End And Merlins, Smugglers Way, The Sands, Farnham



The Sands

© Crown Copyright 2021. Guildford Borough Council.
Licence No. 100019625.

This map is for identification purposes only and should not be relied upon for accuracy.

Print Date: 27/07/2021

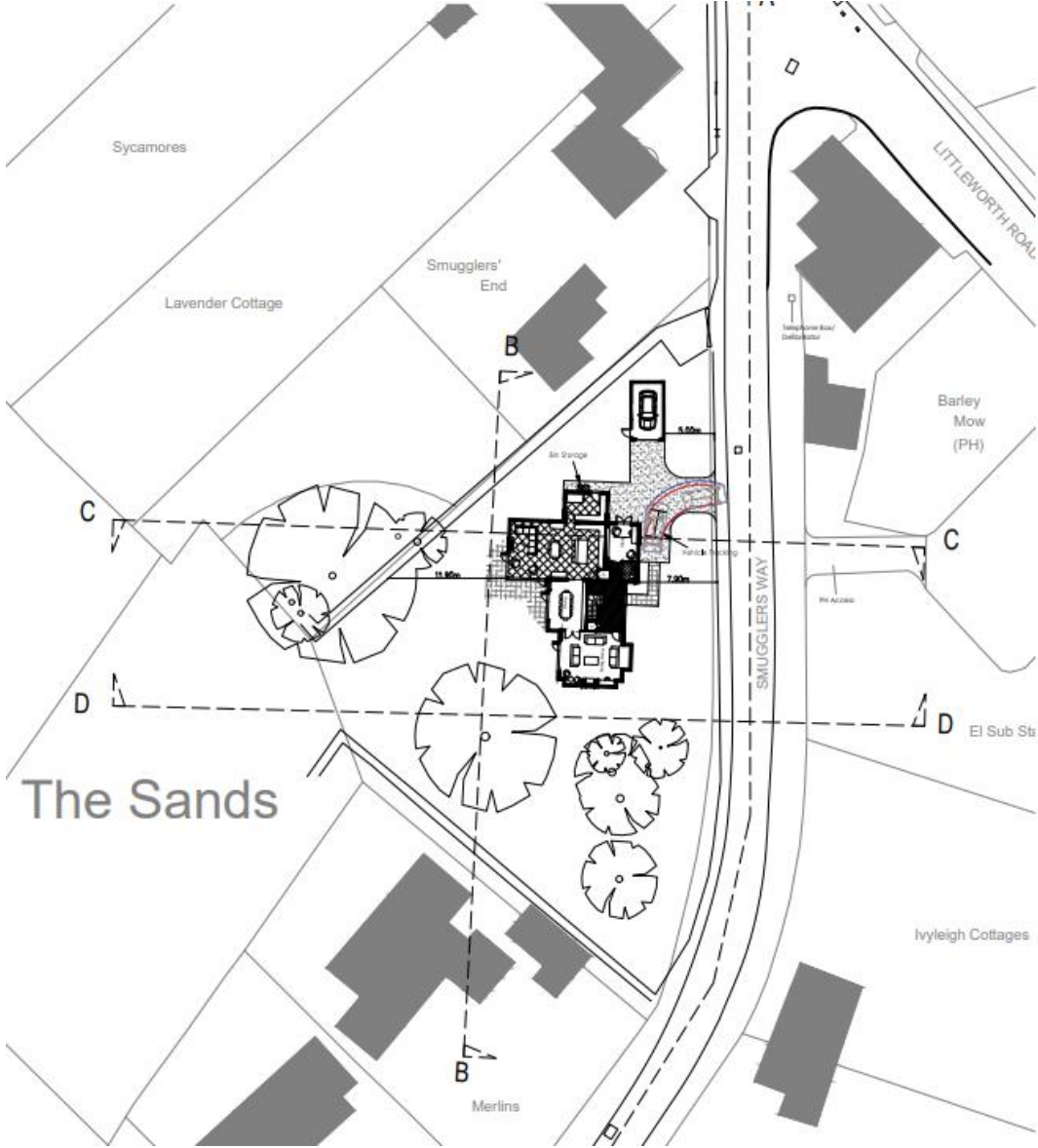


Page 67 Not to Scale



GUILDFORD
BOROUGH

21/P/00535 – Land Between Smugglers End And Merlins



App No: 21/P/00535 **8 Wk Deadline:** 23/07/2021
Appn Type: Full Application
Case Officer: Becky Souter
Parish: Seale **Ward:** The Pilgrims
Agent : Mr M. Conoley **Applicant:** Mr M. Keane
Michael Conoley Associates MPK Farnham Ltd
The Old Forge Sherwood House
The Green 41 Queens Road
Elstead Farnborough
GU8 6DD GU14 6JP

Location: Land between Smugglers End and Merlins, Smugglers Way, The Sands, Farnham, GU10 1LW
Proposal: Erection of a single dwelling and detached garage on land between Smugglers End and Merlins, Smugglers Way.

Executive Summary

Reason for referral

The application has been called to the planning committee by Councillor Tony Rooth on the basis that the proposed development would not constitute 'limited infilling' in the Green Belt, would be out of scale and character with other properties in the surrounding area and would result in detrimental impact on residential amenities of the adjacent neighbouring properties contrary to policies P2 and D1(1) of the Guildford Borough Local Plan: Strategy and Sites 2015-2034 and policy G5 of the Local Plan 2003.

Key information

The application site relates to a parcel of land located to the south of Smugglers' End and to the north of Merlins in the centre of The Sands Village.

It lies within the Green Belt and forms part of the Surrey Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value.

The site is within the 5 - 7 km buffer zone of the Thames Basin Heaths Special Protection Area.

The proposal is for the erection of a single dwelling and detached garage on land between Smugglers End and Merlins, Smugglers Way.

Summary of considerations and constraints

The application site is in close proximity to the village amenities, including the Barley Mow Public House and The Sands Village Hall. Therefore, owing to its proximity to the built up area of the village and the village amenities, it is considered that the site could reasonably be part of the village of The Sands.

The application site features residential development to both sides of the plot and opposite is the site of the Barley Mow and another residential property. The residential development to the north of the site is part of a continuous linear frontage which runs along Smugglers Way and Sands Road. The proposal would further extend the continuous linear stretch of development by connecting the built development to the south-west of the site with that of the north/north-west. As a result of the positioning of the site and the surrounding built form and associated curtilage, the only part of the site which borders land devoid of any development is therefore the western edge. This is only a small section of the site and owing to its surroundings the plot is found to be substantially surrounded by built development. Therefore, the proposal represents limited infilling within a village.

The proposed building would be two storeys in height and would reflect the footprint and surrounding pattern of development. The ground level rises gently to the south and south-west and as a result of this and the height of the dwelling, the proposal would not exceed the ridge height of neighbouring Merlins but would instead occupy a position which creates a gradual step up in building heights from north to south.

The design and materials would blend with the surrounding dwellings and as such the resultant dwelling would be respectful to its surroundings and in keeping with the character of the area.

The site is of limited visibility from wider vantage points and would be located within a predominantly residential area surrounded by other built development and, as such, the proposed development would have not any materially harmful impact on the special landscape character of the AONB or AGLV.

As a result of the separation distance, positioning, design and boundary treatment, the proposal would not have any unacceptable impact in terms of loss of light, loss of privacy or overbearing impact on the adjacent neighbouring properties, Smugglers' End and Merlins.

The proposal would also provide adequate living environment and would not result in detrimental impact on highways, parking or trees. Lastly, the proposal will incorporate rainwater harvesting, permeable driveway and parking area and all surface water will be discharged to soakaways.

Therefore, the application is recommended for approval subject to conditions.

RECOMMENDATION:

Approve - subject to the following condition(s) and reason(s) :-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1533/S-01; 1533/S-02; 1533/S-03; 1533/P-02; 1533/P-03; 1533/P-04; 1533/P-05; 1533/P-06 and 1533/P-07 received on 12/03/2021 and amended plan 1533/P-01B received on 13/07/2021.

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

3. No development shall take place until an updated Arboricultural Impact Assessment and 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.

4. No above slab level works shall take place until a scheme to enhance the biodiversity of the site shall be 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: To increase the biodiversity of the site and mitigate any impact from the development.

5. Prior to any above slab level works, an energy statement shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of how energy efficiency is being addressed, including benchmark data and identifying the Target carbon Emissions Rate TER for the site or the development as per Building Regulation requirements (for types of development where there is no TER in Building Regulations, predicted energy usage for that type of development should be used) and how a minimum of 20 per cent reduction in carbon emissions against the TER or predicted energy usage through the use of on site low and zero carbon technology shall be achieved. The approved details shall be implemented prior to the first occupation of the development and retained as operational thereafter.

Reason: To reduce carbon emissions and incorporate sustainable energy.

6. The development hereby approved shall not be first occupied unless and until the proposed vehicular access to Smugglers Way has been constructed and provided with visibility zones in accordance with the approved plans, Drawing No. 1533/P-01A, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

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

7. 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. 1533/P-01A, 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: To ensure that the development should not prejudice highway safety nor cause inconvenience to other highway users.

8. The development hereby approved shall not be occupied unless and until the dwelling is 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 drawing 1533/P-01B, it shall thereafter retained and maintained for its designated purposes.

Reason: In the interests of sustainability.

9. The first floor windows in the northern elevation of the development hereby approved shall be glazed with obscure glass and permanently fixed shut, unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

Reason: In the interests of residential amenity and privacy.

10. No external lighting shall be installed on the site or affixed to any buildings on the site unless the local planning authority has first approved in writing details of the position, height, design, measures to control light spillage and intensity of illumination. Only the approved details shall be installed.

Reason: In the interests of visual and/or residential amenity.

11. The development shall be carried out in accordance with the approved materials as specified in the Proposed External Building Materials Schedule, reference 1533, dated July 2021, received on 13/07/2021.

Reason: To ensure that the external appearance of the building is satisfactory.

12. The development hereby permitted must comply with regulation 36 paragraph 2(b) of the Building Regulations 2010 (as amended) to achieve a water efficiency of 110 litres per occupant per day (described in part G2 of the Approved Documents 2015). Before occupation, a copy of the wholesome water consumption calculation notice (described at regulation 37 (1) of the Building Regulations 2010 (as amended)) shall be provided to the planning department to demonstrate that this condition has been met.

Reason: To improve water efficiency in accordance with the Council's Supplementary Planning Guidance 'Sustainable Design and Construction' 2011.

13. The development shall be carried out in accordance with the details of the submitted Sustainability and Energy Statement, reference 1533, dated July 2021, received on 13/07/2021.

Reason: In the interests of sustainability.

Informatives:

1. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:
- Offering a pre application advice service
 - Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
 - Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

However, Guildford Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application is required.

In this case pre-application advice was sought and provided which addressed potential issues, the application has been submitted in accordance with that advice and no further issues have arisen.

2. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or buildingcontrol@guildford.gov.uk

3. Surrey County Council Highways Informatives

The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-cross-overs-or-dropped-kerbs.

The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149). The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

Officer's Report

Site description.

The application site relates to a parcel of land located to the south of Smugglers' End and to the north of Merlins in the centre of The Sands Village. It lies within the Green Belt and forms part of the Surrey Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value. The site is within the 5 - 7 km buffer zone of the Thames Basin Heaths Special Protection Area.

Proposal.

Erection of a single dwelling and detached garage on land between Smugglers End and Merlins, Smugglers Way.

Relevant planning history.

None relevant.

Consultations.

Statutory consultees

County Highway Authority:

The proposed development has been considered by the Highway Authority who have assessed the application on safety, capacity and policy grounds and has raised no objection. Conditions regarding visibility splays, parking, EV charging and cycle storage are recommended. The following comments were also made by the Highway Authority:

- All costs associated with relocation of existing street furniture if required, must be met by the applicant.
- Swept path analysis from the access provided is satisfactory.
- Existing vegetation must be maintained at all times to ensure good visibility is achieved from the proposed access to site.
- It is not considered that the proposed development will result in a significant increase in vehicular trips on the surrounding highway network.

Thames Water: No response.

Internal consultees

Environmental Health Officer: No objection.

Parish Council

Seale and Sands Parish Council: Objection.

- Site is in the Green Belt, AONB and AGLV where there is a presumption against development.
- Site lies within the Thames Basin Heaths Special Protection Area.
- The parish is not identified in the new Local Plan as having any development requirement and as such no previous approval has been given for this type of potential infilling to take place.
- The density of the new dwelling and garage is totally out of keeping with the surrounding properties.
- It would dominate the street scene and result in a loss of openness.
- It would adversely affect views from neighbouring gardens. [Officer note: This is not a material planning consideration.]
- The size and street facing elevation of the proposed property is completely out of keeping.
- Trees have been felled on site before permission was granted.
- Harmful impact on surface water issues due to loss of trees and open grassland.
- Proposal is a change of use.
- Construction would cause major disruption.
- Permission would set a precedent for future infilling development.

Third party comments:

13 letters of representation have been received raising the following objections and concerns:

- The dwelling is too large for its setting.
- Only one dwelling should be permitted and this restricted by condition.
- There should be minimal disturbance when the property is being built.
- Hedges to form screening between the proposed dwelling and 'Merlins' should be planted.
- The plot has only one access route which is on to a quiet and narrow no through road which is used for public access to woodland. Construction site will impair access and render [Officer note: SCC Highways are content with the proposal.]
- The AONB will be blighted.
- The proposal would overlook neighbouring properties.

Planning policies.

National Planning Policy Framework (NPPF), 2019:

Chapter 5: Delivering a sufficient supply of homes.

Chapter 8: Promoting healthy and safe communities.

Chapter 9: Promoting sustainable transport.

Chapter 11: Making efficient use of land.

Chapter 12: Achieving well-designed places.

Chapter 13: Protecting Green Belt land.

Chapter 14: Meeting the challenge of climate change, flooding and coastal change.

Chapter 15: Conserving and enhancing the natural environment.

Guildford Borough Local Plan: Strategy and Sites (LPSS), 2015-2034:

H1: Homes for all.

P1: Surrey Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value.

P2: Green Belt.

P5: Thames Basin Heaths Special Protection Area.

D1: Place shaping.

D2: Climate change, sustainable design, construction and energy.

ID3: Sustainable transport for new developments.

ID4: Green and blue infrastructure.

Guildford Borough Local Plan, 2003 (as saved by CLG Direction 24 September 2007):

G1 General Standards of Development

G5 Design Code

NE5 Dev. Affecting Trees, Hedges & Woodlands

Supplementary planning documents:

National Design Guide (NDG), 2019.

GBC Maximum Vehicle Parking Standards, 2006.

Residential Design Guide, 2004.

Planning considerations.

The main planning considerations in this case are:

- the principle of development and the impact on the green belt
- change of use
- the impact on the character of the area
- living environment
- the impact on neighbouring amenity
- the impact on highways and parking
- the impact on trees and vegetation
- the impact on operational services
- sustainability
- biodiversity

The principle of development and the impact on the green belt

The application site is located within the green belt and outside the identified settlement area of West Horsley. The NPPF attaches great importance to the Green Belt and the construction of new buildings is regarded as inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 145 sets out a number of exceptions to this which include 'limited infilling in villages', the LPSS sets out further criteria related to the assessment of whether a proposal constitutes limited infilling. For the purposes of policy P2 limited infilling is considered to be the development of a small gap in an otherwise continuous built-up frontage, or the small-scale redevelopment of existing properties within such a frontage.

Policy P2 of the Local Plan, 2015-2034, sets out that limited infilling may be appropriate in the certain specified villages, where it can be demonstrated that the site should be considered to be within the village. This includes the village of Seale.

Is the site within a village?

The application site is in close proximity to the village amenities, including the Barley Mow Public House and The Sands Village Hall. The site is opposite the Barley Mow access and the village telephone box and defibrillator. The Sands Village Hall is approximately 100 metres from the proposed infill plot. The proposed site access would be under 30 metres from the closest section of public footpath linking the village. Therefore, owing to its proximity to the built up area of the village and the village amenities, it is considered that the site could reasonably be part of the village of The Sands.

Is the site substantially surrounded by built development?

The application site features residential development to both sides of the plot and opposite is the site of the Barley Mow and another residential property. The residential development to the north of the site is part of a continuous linear frontage which runs along Smugglers Way and Sands Road. The proposal would further extend the continuous linear stretch of development by connecting the built development to the south-west of the site with that of the north/north-west.

As a result of the positioning of the site and the surrounding built form and associated curtilage, the only part of the site which borders land devoid of any development is therefore the western edge. This is only a small section of the site and owing to its surroundings the plot is found to be substantially surrounded by built development.

Therefore, the proposal represents limited infilling within a village and is compliant with policy P2 of the LPSS, 2015-2034, and paragraph 145(g) of the NPPF, 2019.

The impact on the character of the area, AONB and AGLV

The National Design Guide sets out that well-designed development is influenced by local character and the characteristics of existing built form, and it is important to consider the composition of street scenes, the height, scale, massing and relationships between buildings, the scale and proportions of building and landscaping, both hard and soft. The proposal relates to the construction of a new detached 5 bedroom dwelling with detached garage and associated landscaping works. The site is currently comprised of vegetation, grass and trees with no built form. The boundaries are predominantly marked by stock fencing and vegetation. Whilst the site does not currently feature built form, it does sit between other residential development. The surrounding area is characterised by the rural nature with low density development which is well spaced and permits through views.

The majority of the boundary treatments that front Smugglers Way comprise mainly hedges made up of indigenous plants and therefore this treatment is reflected in the proposed design. This will help to create an attractive green boundary. The new access which is proposed to the south of the existing access will be in the form of a wooden 5-bar gate which will give a softer and more attractive appearance but still in-keeping with the rural theme, the existing metal gate would be removed and vegetation planted in its place to add to the green buffer at the front of the site.

The proposed building would be two storeys in height and would reflect the footprint and surrounding pattern of development. The ground level rises gently to the south and south-west and as a result of this and the height of the dwelling, the proposal would not exceed the ridge height of neighbouring Merlins but would instead occupy a position which creates a gradual step up in building heights from north to south.

The Design and Access Statement sets out that the palette of materials utilised on surrounding houses is as follows:

- Walls: Stone, render, tile hanging, timber, composite cladding, brick
- Roofs: Cedar shingles, grey slates, concrete roof tiles, clay roof tiles

The proposed design would have the following material palette:

- Roof: Red/brown clay tiles
- Walls: A mixture of random rubble stone and second hand bricks
- Windows: A combination of oak framing and Crittal style black polyester powder finished aluminium
- Special features: Oak framing and struts

The design and materials would blend with the surrounding dwellings and as such the resultant dwelling would be respectful to its surroundings and in keeping with the character of the area.

The site is of limited visibility from wider vantage points and would be located within a predominantly residential area surrounded by other built development. As a result of these factors and the appropriate scale, design and vegetative boundary treatment, it is not considered that the proposal would have any materially harmful impact on the character of the immediate surrounding area or the special landscape character of the AONB or AGLV.

The proposal is found to be compliant with policies D1 of the LPSS, 2015-2034, and G5 of the saved Local Plan, 2003, and the requirements of Chapter 12 of the NPPF, the National Design Guide, 2019, and the Residential Design Guide, 2004.

Living environment

Policy D2 of the LPSS requires all new development to conform to the nationally described space standards as set out by the Ministry for Housing, Communities and Local Govt (MHCLG). The application proposes the construction of a 5 bedroom, two storey dwelling. The standard requires 128 square metres of floor area for a 5 bedroom, 2 storey, 8 person, dwelling. The proposal would well exceed this requirement.

The standard also sets out dimensional requirements in respect of bedroom sizes, double bedrooms must be at least 11.5 square metres in area and one double must be at least 2.75 metres wide with every other double at least 2.55 metres wide. Single bedrooms must be at least 7.5 square metres in floor area and at least 2.15 metres wide. The proposed dwellings comply with these dimensional requirements. The floor plans show appropriate room sizes for their intended use and adequate outlook. The proposed garden area would be adequate in terms of outdoor amenity space.

The proposal is found to be acceptable in this regard.

The impact on neighbouring amenity

The closest neighbouring properties are Smugglers' End and Merlins.

Smugglers' End is the immediate neighbouring property to the north of the application site. The dwelling would be located, at the closest point, over 8 metres from the shared boundary which consists of substantial mature vegetation. There would be two small first floor windows in the northern side elevation of the dwelling, these would serve as a window for the second bedroom en-suite and a secondary window to the master bedroom. As a result of their function and positioning, it is considered appropriate to condition that these windows are obscure glazed. As a result of the separation distance, positioning, design and boundary treatment, the proposal would not have any unacceptable impact in terms of loss of light, loss of privacy or overbearing impact on this neighbouring dwelling.

Merlins is the immediate neighbouring property to the south-west of the application site. The dwelling would be over 20 metres from the common boundary which is a significant separation distance and will mitigate any impact on this neighbour. Further no side windows are proposed in the south-western elevation of the proposed dwelling. The boundary treatment between these properties would consist of vegetation. Therefore, as a result of the separation distance, positioning, design and boundary treatment, the proposal would not have any unacceptable impact in terms of loss of light, loss of privacy or overbearing impact on this neighbouring dwelling.

Therefore, the proposal is compliant with policy G1(3) of the saved Local Plan, 2003, and the requirements of the NPPF, 2019.

The impact on highways and parking

The proposal would provide parking off road for three vehicles, one space being within the detached garage and two available on the driveway. The garage would be of sufficient scale, measuring 6x3m internally, this allows for the parking of a vehicle and cycle storage. The parking provision would be compliant with the Council's Parking Standards which require two vehicle parking spaces per dwelling.

The County Highways Department has reviewed the application in terms of highway safety and capacity and have raised no objection. The applicant has provided information which demonstrates that there is space within the site for all vehicles to manoeuvre so that they can enter and leave the site in forward gear.

Therefore, the proposal is found to be acceptable in this regard, and compliant with policy ID3 of the LPSS, 2015-2034, and the requirements of the NPPF, 2019.

The impact on trees and vegetation

The application site is located in an area which has a rural character, the site features a number of trees and mature vegetation. The Council's Arboricultural Officer has visited the site and whilst it was identified that a small number of trees which formed part of the tree survey report have been removed prior to development. However, the Arboricultural Officer considers that whilst they would have had aesthetic benefit, they looked to have some decay so their loss would not have been objectionable. An updated Arboricultural Impact Assessment and Arboricultural Method Statement and Tree Protection Plan should be submitted prior to the commencement of development, therefore, a condition will be added in this regard.

Therefore, subject to conditions, the proposal would be compliant with policy NE5 of the saved Local Plan, 2003, and the requirements of Chapter 15 of the NPPF, 2019.

The impact on operational services

The dwelling will be provided with sufficient bin storage to the side of the property, bins will be able to be presented for kerbside collection.

Therefore, the proposal is found to be acceptable in this regard, and compliant with policy D1 of the LPSS, 2015-2034, and the requirements of the NPPF, 2019.

Sustainability

The sustainability measures are set out in the Sustainability and Energy Statement, dated July 2021, this details that the development will achieve the carbon emissions reduction through:

- Rainwater harvesting to supply water for garden watering and general outside use such as car washing,
- Extensive use of low energy lighting,
- The dwelling will be fitted with shower save systems

- A standard of thermal insulation higher than that required by the current building regulations,
- The dwelling will be fitted with an Air Source Heat Pump to serve the heating system, and
- The dwelling will have a whole house ventilation system with heat exchanger.

Conditions will be added to cover submission of reports and calculations to demonstrate compliance with the 20% carbon emissions requirement and water efficiency target.

Therefore, the development is found acceptable in this regard and would be compliant with policy D2 of the LPSS, 2015-2034, and the requirements of the NPPF, 2019.

The impact on flooding

A number of third party comments make reference to potential for the proposal to exacerbate existing flooding in the area. The Environment Agency has designated this site to lie within an area which is at low risk from surface water flooding. The Design and Access Statement states that the proposals will incorporate rainwater harvesting, permeable driveway and parking area and all surface water will be discharged to soakaways.

Therefore, the proposal is found to be acceptable in this regard.

Biodiversity

Policy ID4 of the LPSS requires a net gain in biodiversity to be achieved on a site, the supporting Design and Access Statement sets out mitigation in terms of bats and that bird boxes would be delivered. However, further commitments are required to ensure biodiversity enhancements and net gain, therefore, the submission of a detailed biodiversity enhancement strategy will be conditioned.

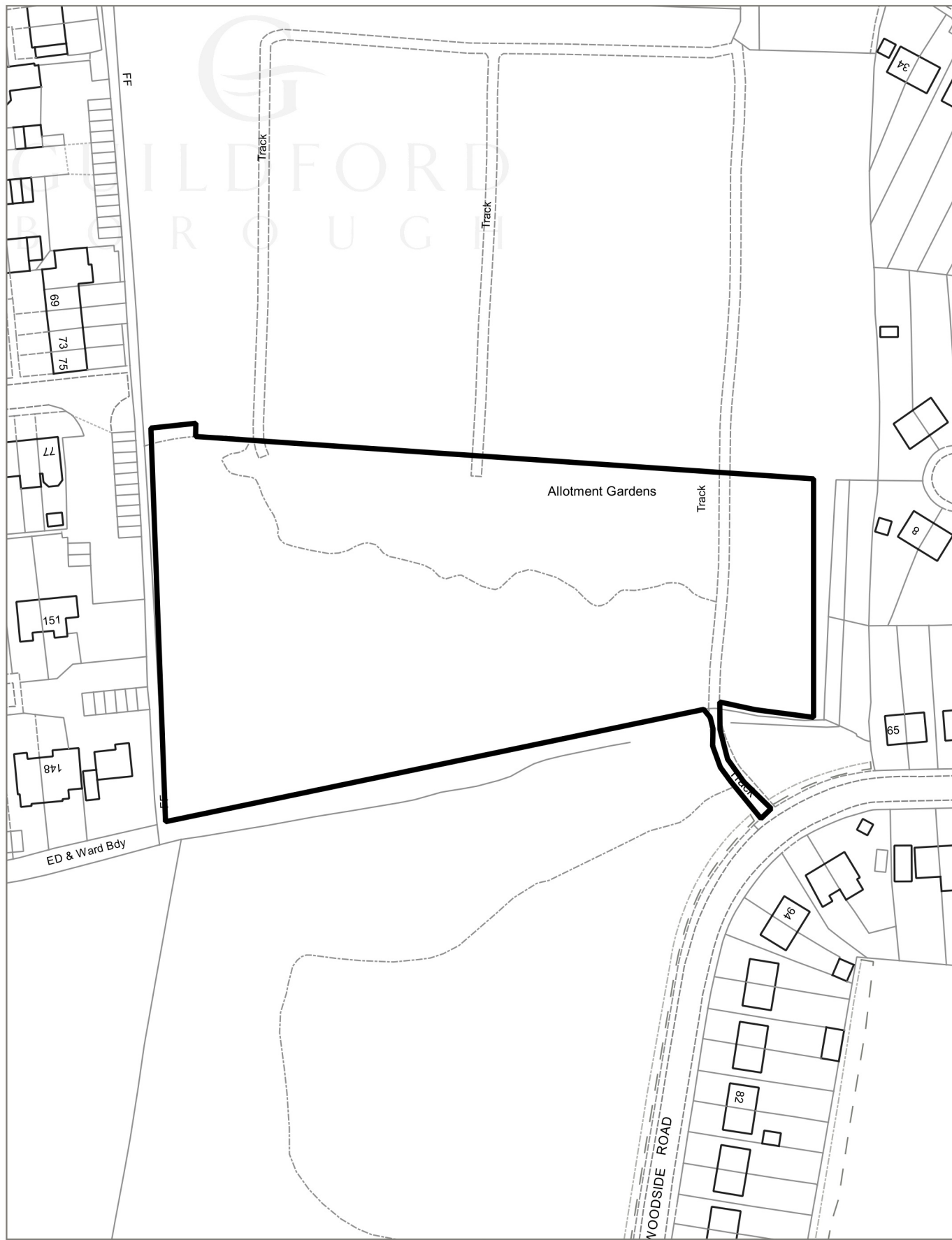
The proposal is compliant with policies ID4 of the LPSS, 2015-2034, NE4 of the saved Local Plan, 2003, and the requirements of the NPPF, 2019.

Conclusion.

The proposal is found to be compliant with both local and national planning policy and is, therefore, recommended for approval.

This page is intentionally left blank

21/P/00542 - Aldershot Road Allotment Site, Woodside Road



© Crown Copyright 2021. Guildford Borough Council.
Licence No. 100019625.

This map is for identification purposes only and should
not be relied upon for accuracy.

Print Date: 27/07/2021

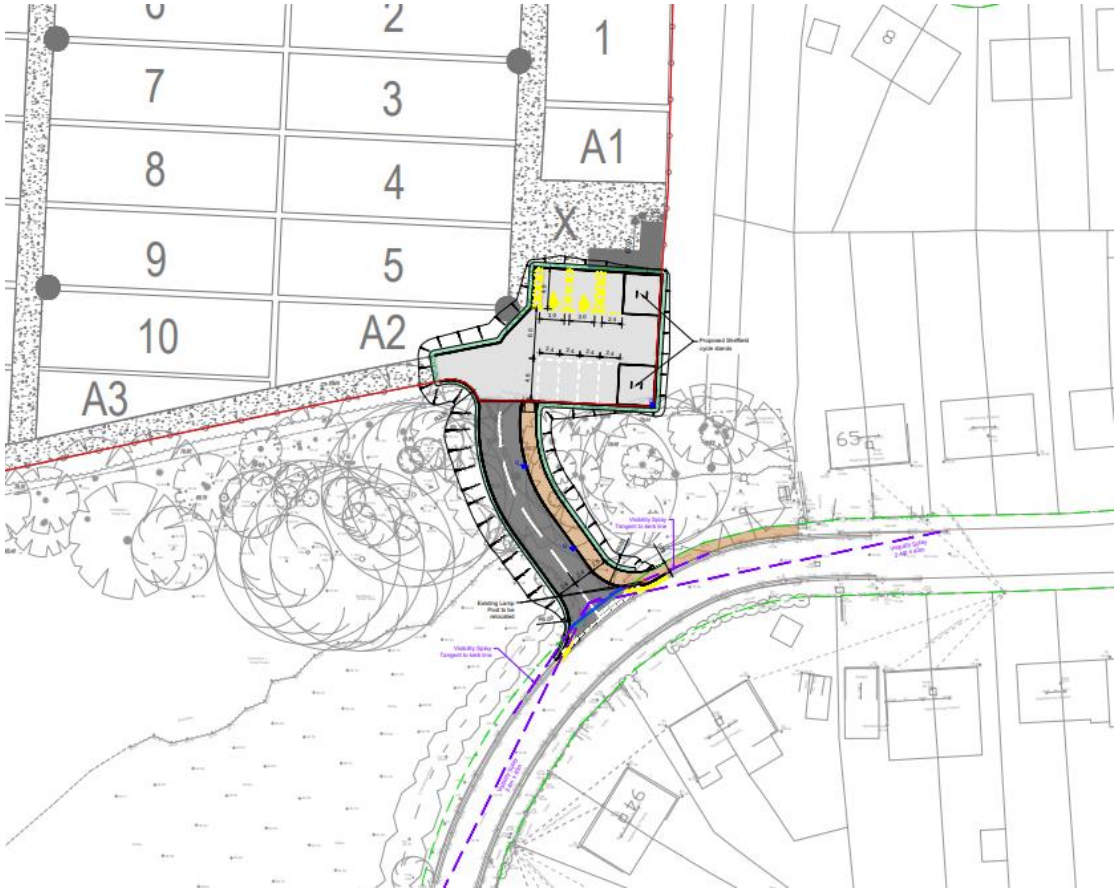


Page 83 Not to Scale



GUILD FORD
BOROUGH

21/P/00542 – Aldershot Road Allotment



App No: 21/P/00542
Appn Type: Full Application
Case Officer: Paul Sherman
Parish: Westborough
Agent : Mr. Jim Beavan
Savills
2 Charlotte Place
Southampton
SO14 0TB

8 Wk Deadline: 10/05/2021

Ward: Westborough
Applicant: Mr. Leigh Edwards
Guildford Borough Council
Millmead House
Millmead
Guildford
GU2 4BB

Location: Aldershot Road Allotment Site, Woodside Road, Guildford
Proposal: Variation of conditions 2 (approved plans) and 3 (arboricultural method statement) of planning permission 20/P/00478, approved on 20/05/2020, to allow the creation of a footpath alongside the approved access and the submission of an updated arboricultural method statement.

Executive Summary

Reason for referral

The application has been referred to the Planning Committee as the Council is the applicant and, in the opinion of the Head of Place, the proposal is not 'minor' development. While this application is made under s73 of the Town and Country Planning Act it seeks to vary a planning permission which was a major application.

Key information

The application site comprises approximately 0.95ha of land directly to the south of the Aldershot Road allotment site. The site comprises grassland, scrub and broadleaf woodland however it was previously used as allotments as part of the Aldershot Road site.

The original application sought the change of use of the land to allotments which would provide an additional 35 plots (287 Rods) with associated vehicle and cycle parking and new landscaping. This application seeks to increase the width of the proposed access road so as to facilitate a pedestrian footpath from the site to Woodside Road.

Summary of considerations and constraints

The site is located within the urban area of Guildford, is a Protected Open Space and is allocated for allotment use by Policy A21 of the Local Plan which applies to the application site and the existing Aldershot Road allotment site. The woodland on site is identified as a Priority Habitat.

The development would not result in any great tree removal and would not impact on the character or the appearance of the area. The development would deliver an improved access for pedestrians and would not give rise to conditions prejudicial to highway safety.

RECOMMENDATION:

Approve - subject to the following condition(s) and reason(s) :-

1. The development hereby permitted shall be begun before the 20th May 2023 .

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004 and to ensure that this consent does not extend the time limit for the implementation of the planning permission.

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

Drawing Title
Drawing Number

Site Location Plan
42287/3125/002 Rev A
Proposed Car Park Access
19319-MA-XX-XX-DR-C-0001 P01, and P03
Landscape Proposals
42287/3125/003 Rev B
Landscape Proposals Planting Schedule
42287/3125/003a
Supplementary Proposed Fencing Plan
42287/3125/003b Rev A
Supplementary Landscape and Ecological Mitigation GA
42287/3125/003c Rev B
2.44m High Securimesh Fence Detail
J6/04030
Tree Constraints Plan
200309-1.1-ARAG-TCP-Site Design B-NC

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

3. 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) and in general accordance with the submitted Arboricultural Impact Assessment (Ref: 200317-1.3-ARAG-AIA-LF) 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. This is required to be a pre-commencement condition to ensure that tree protection is installed before work commences.

4. The development shall be undertaken in accordance with the approved Landscape Proposals. There shall be no variation from the approved details and the landscaping scheme shall be fully implemented before the allotments hereby approved are first brought in to use. Any of the proposed trees, shrubs or plants that die, become damaged or diseased within 10 years of planting shall be replaced by replacement of a similar size and species to those that are to be removed.

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no buildings, structures, fences or hard surfaces shall be erected or created on the site other than those shown on the approved plans.

Reason: In the interests of visual amenity and to control further development within the site.

6. The development hereby approved shall be carried out in accordance with the mitigation measures detailed in the Ecological Assessment Report (dated March 202) and the Landscape and Ecological Management Plan (dated May 2020) and there shall be no variation from the approved details unless first agreed in writing with the Local Planning Authority. Following the completion of the development the site and the proposed replacement landscaping areas shall continue to be managed in accordance with the recommendations of these documents.

Reason: To mitigate against the loss of existing biodiversity and natural habitats

Informatives:

1. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:
 - Offering a pre application advice service
 - Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
 - Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

Pre-application advice was not sought prior to submission and the application was acceptable as submitted.

2. The applicant is advised that the details required by condition 3 should include details of any trees to be retained on the western boundary and the method for protection of these trees during construction.
3. The applicant is advised to explore the possibility of providing one or more electric vehicle charging points on the site to support the use of electric vehicles and sustainable modes of transport.

Officer's Report

Site description

The application site comprises approximately 0.95ha of land directly to the south of the Aldershot Road allotment site. The site originally comprises grassland, scrub and broadleaf woodland however work to clear the site has now commenced following the grant of an earlier planning permission. Access to the site is from a narrow track from Woodside Road.

The site is located within the urban area of Guildford, is a Protected Open Space and is allocated for allotment use by Policy A21 of the Local Plan which applies to the application site and the existing Aldershot Road allotment site. The woodland on site is identified as a Priority Habitat.

Proposal

The application seeks a Minor Material Amendment to planning permission 20/P/00478 and is made under s.73 of the Town and Country Planning Act 1990.

Planning permission was granted in May 2020 for the change of use of the land to provide an extension to the existing Aldershot Road Allotments site to provide 35 new allotment plots with associated landscaping works, cycle storage and car parking. The current application seeks to widen the access to the site to provide a footpath.

Relevant planning history

20/P/00478 - Proposed change of use of land to provide an extension to the existing Aldershot Road Allotments site to provide 35 new allotment plots (287 Rods), landscaping and associated cycle storage and car parking.

Approved (20/05/2020)

Consultations

Statutory consultees

County Highway Authority: No objection subject to conditions [Officer Note: The requirement for the proposed development has been identified in discussion with SCC as part of the highway works agreement associated with the previous application]

Environment Agency: No comments to make on proposal

Internal consultees

Arboricultural Officer: No objection subject to replacement planting, tree protection and suitable future management.

Non-statutory consultees

Surrey Wildlife Trust: No comments received. [Officer note: The proposed minor amendment is not considered to have a greater impact on biodiversity subject to the reimposition of the conditions set out in the previous planning permission]

Parish Council

Worplesdon Parish Council: No comments received.

Third party comments

No representations received

Planning policies

National Planning Policy Framework (NPPF):

Chapter 8. Promoting healthy and safe communities

Chapter 14. Meeting the challenge of climate change, flooding and coastal change

Chapter 15. Conserving and enhancing the natural environment

Guildford Local Plan: Strategy and Sites (2015-2034)

Policy S1: Presumption in favour of sustainable development

Policy D1: Place shaping

Policy D2: Climate change, sustainable design, construction and energy

Policy ID4: Green and blue infrastructure
Policy A21: Aldershot Road allotments

Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007):

Policy NE4: Species Protection
Policy NE5: Development Affecting Trees, Hedges and Woodlands

Supplementary planning documents

Climate Change, Sustainable Design, Construction and Energy SPD
Vehicle Parking Standards SPD 2006

Planning considerations

The application seeks a Minor Material Amendment to an existing planning permission which approved an extension to the Aldershot Road Allotments site to provide 35 new allotment plots. The proposed amendment seeks to widen the proposed access to create a footpath into the site.

As this is an application under s.73 of the Town and Country Planning Act the planning considerations must be limited those arising from the proposed amendment. Accordingly, the principle planning considerations in assessing this application are;

- the impact on trees, vegetation and the character of the area
- the impact on highway and pedestrian safety

The impact on trees, vegetation and the character of the area

At the time of the previous application the site included an area of broadleaf deciduous woodland as well as areas of scrub and grassland. The woodland primarily contained Ash, Oak and Sycamore with an understory of Goat Willow, Hawthorn and Blackthorn that had naturally generated over the past 20-30 years. This consent granted required the removal of this woodland to enable the allotment plots to be created.

Following the grant of the previous planning consent this area of the site has now largely been cleared for the proposed development. The current application seeks solely to increase the width of the proposed access so as to include a footpath into the site from the new junction with Woodside Road. The development would not require any further trees to be removed but would require an alteration to the previously agreed Arboricultural Method Statement (AMS) which detailed how trees would be protected throughout the construction program. The updated AMS submitted for this application shows a reduction in the protection area afforded to the trees in the vicinity of the access however the Councils Arboricultural Officer has concluded that the scheme would continue to allow these trees to be retained and that the additional impact of the amended access would be minimal.

Having regard to the above, the proposed amendment is not to have a greater impact on the trees, vegetation or that character of the area than the consent scheme subject to the reimposition of the conditions previously imposed. This will include details of replacement planting and measures to secure the better management of the woodland surrounding the site. Subject to these conditions the proposal is considered to comply with the objectives of Policy ID4 of the Local Plan and the guidance set out in the NPPF.

The impact on highway and pedestrian safety

The application site is accessed via a narrow private access track which would lead to a small car park. The access is located on the inside of the bend in the road and has good visibility in both directions. The original application included a modified access to Woodside Road, this was secured by a planning condition and was to be delivered through a s278 agreement with Surrey County Council. During the detailed design stage of the s278 agreement it has been determined that an additional section of footpath should be created from the new access into the site.

This application therefore seeks to deliver the amended access arrangement which would include a new section of footpath within the site which would link from the proposed car park to the new access to be created on Woodside Road. The County Highway Authority have advised that the proposed new access would not give rise to conditions prejudicial to highway safety and it is acknowledged that the proposed amendments would result in a safer and more convenient route for pedestrians wishing to access the site on foot from Woodside Road.

The development would therefore not give rise to a condition prejudicial to highway safety, would not inconvenience existing users of the highway and would continue to provide a suitable quantity of off-street car parking.

Conclusion

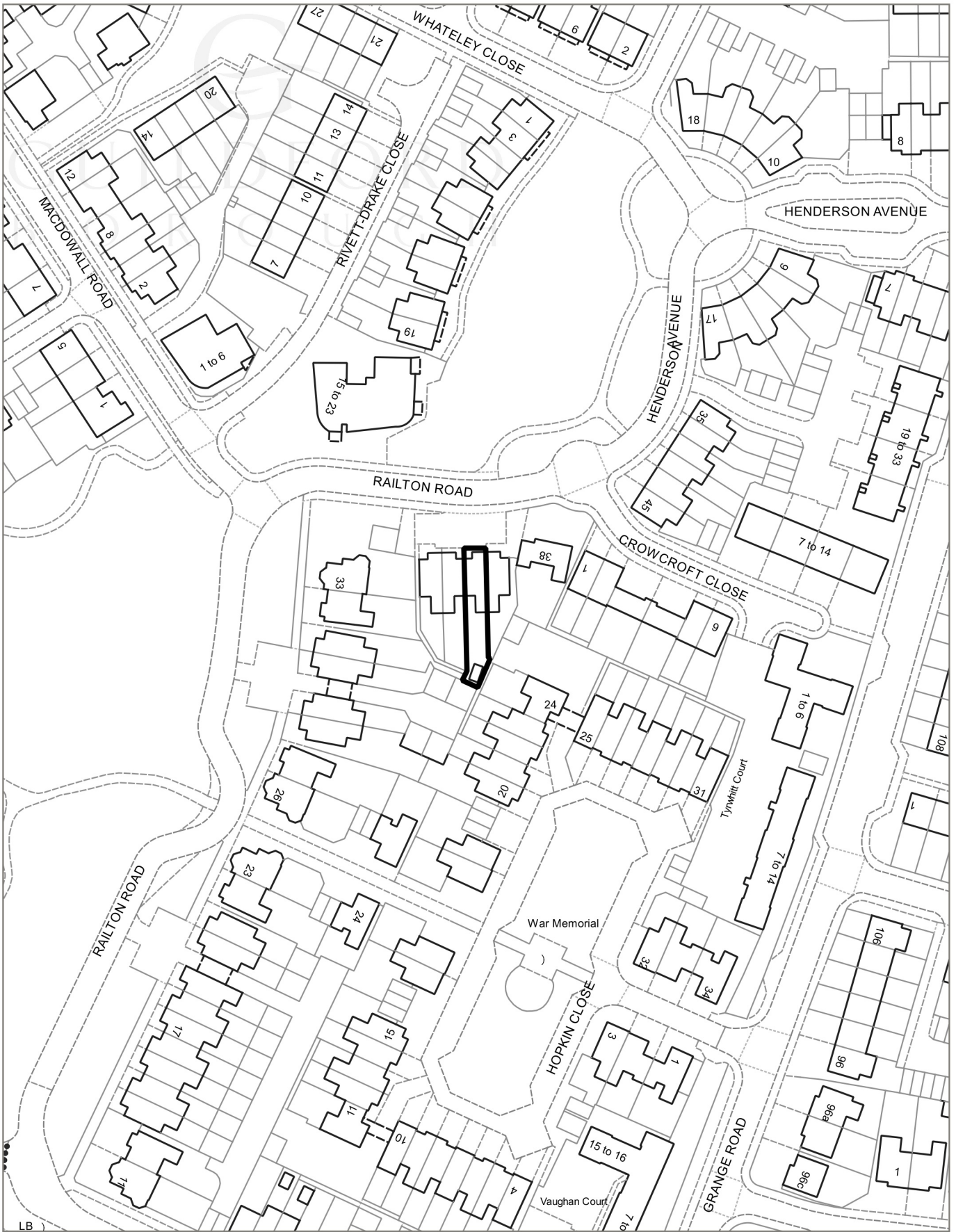
The application site forms part of a protected Open Green Space which is allocated in the Local Plan for allotments, including the creation of additional plots. The proposed development would continue to deliver 35 new plots, this would be a significant benefit to the local community and would support local and national objectives for healthy and active lifestyles.

Given that the application is made under s73 of the Town and Country Planning Act only the implications of the proposed changes to the scheme should be considered, these matters principally relate to the impact on the retention of the trees in the vicinity of the access and the implications on highway and pedestrian safety. It is concluded that the development would not have a materially greater impact on the retention of trees than the consented scheme and would result in an improvement in the access arrangement for pedestrians.

For these reasons it is considered that the application should be approved.

This page is intentionally left blank

21/P/00812 - 36 Railton Road, Guildford



© Crown Copyright 2021. Guildford Borough Council.
Licence No. 100019625.

This map is for identification purposes only and should
not be relied upon for accuracy.

Print Date: 27/07/2021

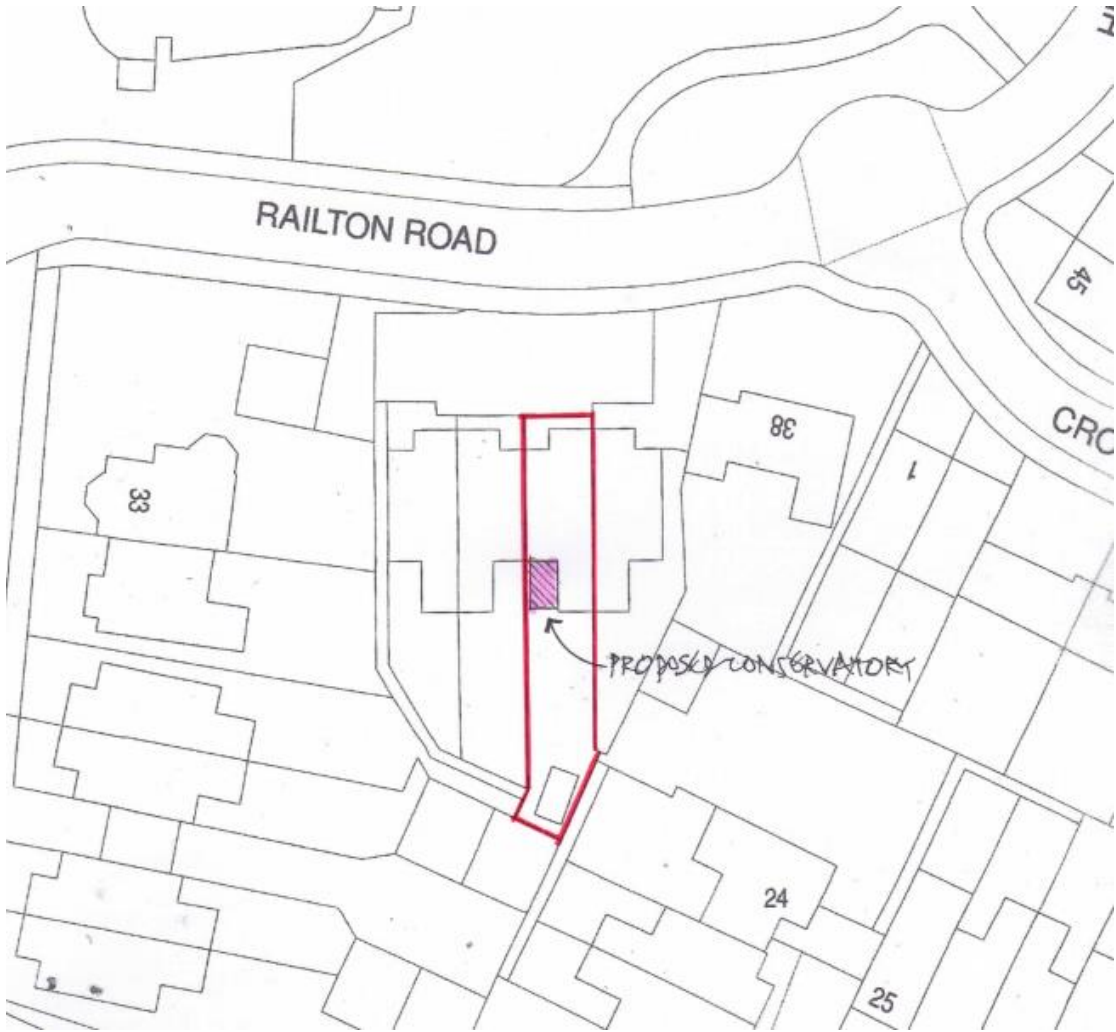


Page 93 Not to Scale



GUILDFORD
BOROUGH

21/P/00812 – 36 Railton Road



App No: 21/P/00812 **8 Wk Deadline:** 16/08/2021
Appn Type: Full Application
Case Officer: Sakina Khanbhai
Parish: Stoughton **Ward:** Stoughton
Agent : Mr A. Clare **Applicant:** Ms V. Potts
Clare and Company Ltd
85 High Path Road
Guildford
GU1 2QL
36 Railton Road
Guildford
GU2 9LX

Location: 36 Railton Road, Guildford, GU2 9LX
Proposal: Single storey rear conservatory extension and enlargement of 2nd floor rear dormer.

Executive Summary

Reason for referral

This item has been referred to Planning Committee by the Council's Head of Place because the application has been submitted on behalf of a member of staff.

Key information

The proposal is for a single storey rear conservatory extension and enlargement of 2nd floor rear dormer.

Summary of considerations and constraints

The proposal would have an acceptable scale and design and, as such, would respect the scale and character of the existing property and the character of the surrounding area.

The proposed development is not considered to result in a detrimental impact on residential amenities enjoyed by the occupants of the neighbouring properties.

As such, the proposed development is recommended for approval.

RECOMMENDATION:

Approve - subject to the following condition(s) and reason(s) :-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 264/01 Rev A 264/02 Rev D, 264/03 Rev A, 264/04 Rev F, 264/06 Rev B, 264/07 Rev A and 264/08 Rev C received on 12th and 19th April 2021.

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

3. The external finishes of the development hereby permitted, including making good to the retained fabric, shall match in material, colour, size, style, bonding, texture and profile those of the existing building.

Reason: To ensure that the external appearance of the building is satisfactory.

Informatives:

1. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:

- Offering a pre application advice service
- Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
- Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

However, Guildford Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application is required.

In this case pre-application advice was sought and provided which addressed potential issues and suggested amendments to overcome concerns. The application has been partly carried out in accordance with that advice. The application was considered to be acceptable and no further amendments were sought.

2. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or buildingcontrol@guildford.gov.uk

Officer's Report

Site description.

The application relates to a mid terrace three storey property located within the Urban Area of Guildford.

Proposal.

Single storey rear conservatory extension and enlargement of 2nd floor rear dormer.

Relevant planning history.

None.

Consultations.

None.

Third party comments:

One letter of representation has been received raising the following objections and concerns:

- Loss of privacy due to side facing windows
- Right to light- if we wish to extend in the future, we may be prevented to do so as any new extension would block the light of the applicant through the proposed windows (Officer note: this is not a material planning consideration)
- Visual impact of the extension due to the siting of frosted glass which would be visible above the fence line
- Request to condition that the side wall is made of brick with no windows permitted.
- Limited access to clean the proposed windows due to the close proximity to the fence (Officer Note: this is not a material planning consideration)

Planning policies.

National Planning Policy Framework 2021 (NPPF):

1. Introduction
2. Achieving sustainable development
4. Decision-making
12. Achieving well-designed places

Guildford Borough Local Plan: Strategy and Sites 2015-2034:

The Guildford Borough Local Plan: Strategy and Sites was adopted by Council on 25 April 2019. The Plan carries full weight as part of the Council's Development Plan. The Local Plan 2003 policies that are not superseded are retained and continue to form part of the Development Plan (see Appendix 8 of the Local Plan: strategy and sites for superseded Local Plan 2003 policies).

D1 Place shaping

Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007):

G1 General Standards of Development
G5 Design Code

Supplementary planning documents:

Residential Extensions and Alterations SPD 2018

Planning considerations.

The main planning considerations in this case are:

- the impact on the scale and character of the existing dwelling and the surrounding area
- the impact on neighbouring amenity

The impact of the development on the character of the area and scale and character of the existing building

The application site lies within an urban residential area.

The proposed conservatory extension measures approximately 3.6m in depth, 2.3m in width and 2.8m in height. The extension would have a brick finish built up to 1.7m above the finished floor level on the side elevation with glazing to eaves level and a glazed roof. Due to its modest scale and relatively light weight built form, the development would clearly read as a subservient addition when compared to the scale of the host dwelling. The materials and overall design would be in keeping with the character and appearance of the existing dwelling. Given the siting of the extension to the rear, the extension would not have a significant material impact on the street scene nor would it detract from the character of the area.

The proposal includes the enlargement of the existing rear dormer. Whilst the dormer enlargement would be noticeably wider than the neighbouring dormers on this terrace row, it is still well proportioned and adequate spacing around the dormer would still exist.

Overall, the development would comply with policy D1 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034, policy G5 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction 24/09/2007) and the NPPF 2021.

The impact on neighbouring amenity

The neighbouring property most affected is No.35 Railton Road.

It is acknowledged that efforts have been made to minimise the scale of the extension and include a more light weight design to reduce the impact to the neighbouring property No. 35. The proposed extension would clearly infringe the 45 degree line and therefore it is noted that there would be an impact on No.35's sunlight and daylight. However, as the development is modest in scale and there is a south facing rear aspect, the neighbouring property would continue to get daylight. Furthermore, the extension hips away from the shared boundary with No.35 and would be a light weight glass structure so would not be overbearing.

In regards to privacy, the extension includes high level obscure glazed windows positioned 1.7m above the finished floor level. The proposed drawings also confirm the windows would be obscure glazed and non-opening. With these mitigation measures in place, there would not be any overlooking caused above the existing 1.8m fence line towards No. 35. Instead of a solid brick built wall and tiled roof, the obscure glazed high level windows together with the glazed roof is not expected to have an unacceptable impact on No.35's outlook.

No neighbouring amenity concerns are raised in regards to the dormer enlargement.

By virtue of the minor scale of development, the light weight design and high level obscure glazed and fixed shut windows the development will not have an unacceptable impact on the amenities enjoyed by the occupants of either neighbouring or surrounding properties, in terms of overbearing impact, privacy and access to sunlight and daylight.

Therefore, the development would comply with saved policy G1(3) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction 24/09/2007).

Conclusion.

The proposed works would be acceptable in scale and design and would not result in a detrimental impact on residential amenities of the neighbouring properties. For these reasons, the application is acceptable and is therefore recommended for approval.

This page is intentionally left blank

21/P/01106 - The Old Cottage, Broad Street, Guildford



© Crown Copyright 2021. Guildford Borough Council.
Licence No. 100019625.

This map is for identification purposes only and should
not be relied upon for accuracy.

Print Date: 27/07/2021



Page 101 Not to Scale



21/P/01106 – The Old Cottage



Not to scale

App No: 21/P/01106 **8 Wk Deadline:** 13/08/2021
Appn Type: Full Application
Case Officer: Benjamin Marshall
Parish: Worplesdon **Ward:** Worplesdon
Agent : Mr G Marshall **Applicant:** Mrs Osborn
Marshall Arts Design
16 Sutherland Drive
Burpham
Guildford
Surrey
GU4 7YJ
The Old Cottage
Broad Street
Guildford
GU3 3BE

Location: The Old Cottage, Broad Street, Guildford, GU3 3BE
Proposal: Erection of a single storey garden office outbuilding (retrospective application).

Executive Summary

Reason for referral

This application has been referred to the Planning Committee because more than 10 letters of support have been received, contrary to the Officer's recommendation.

Key information

Construction of a single storey garden office outbuilding to the west of the site (retrospective application).

Summary of considerations and constraints

The proposed development constitutes the construction of new buildings within a green belt and as such is unacceptable. No very special circumstances have been identified.

The proposal would have an acceptable scale and design and, as such, would respect the scale and character of the existing property and the character of the surrounding area.

The proposed development is not considered to result in a detrimental impact on residential amenities enjoyed by the occupants of the neighbouring properties.

The impact on the green belt is not considered to be acceptable. The lack of harm in respect of the other matters does not constitute very special circumstances, it simply does not add any further reasons for refusal

RECOMMENDATION:

Refuse - for the following reason(s) :-

The construction of the new outbuilding in the green belt is inappropriate in the Green Belt. There are no very special circumstances that outweigh the harm of inappropriateness. The proposal therefore fails to comply with policy P2 of the Local Plan and para 149 of the NPPF.

Informatives:

This decision relates expressly to drawings Location Plan, Block Plan and WS/21/01 received on 17/05/2021.

This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:

- Offering a pre application advice service
- Where pre-application advice has been sought and that advice has been followed we will advise applicants/agents of any further issues arising during the course of the application
- Where possible officers will seek minor amendments to overcome issues identified at an early stage in the application process

However, Guildford Borough Council will generally not engage in unnecessary negotiation for fundamentally unacceptable proposals or where significant changes to an application is required.

Pre-application advice was not sought prior to submission and there are significant objections to the application that minor alterations would not overcome, it was not considered appropriate to seek amendments through the course of this application

If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or buildingcontrol@guildford.gov.uk

Officer's Report

Site description.

The application relates to a large residential plot of land siting a two-storey detached dwellinghouse, constructed with clay tiled pitched roofs and rendered elevations. The site is located within the ward of Worplesdon.

The surrounding area is rural; consisting of a mix of detached and semi-detached properties and open spaces. The site does not lie within Article 2(3) land and there are no protected trees within or adjacent to the site. The site lies within the Green Belt and is bordered on the north and east sides of the property by a Site of Importance for Nature Conservation and a Surrey Biodiversity Opportunity Area.

Proposal.

The applicant has proposed the construction of a single storey garden office outbuilding to the west of the site (retrospective application).

Relevant planning history.

N/A

Consultations.

Parish Council

Worplesdon Parish Council - No comments received

Third party comments:

2no. letters of representation have been received raising the following objections and concerns:

- Not in keeping with main dwelling
- Too close to boundary
- Resulting glare
- Does not fall within permitted development

12no. letters of support have been received outlining the following positive comments:

- Conforms to the style of the existing dwelling
- No impact on neighbouring properties
- Discrete
- Does not face a highway
- Not overbearing

Planning policies.

National Planning Policy Framework (NPPF):

- 2. Achieving sustainable development
- 4. Decision-making
- 12. Achieving well-designed places
- 13. Protecting Green Belt land

Guildford Borough Local Plan: strategy and sites (LPSS) 2015 - 2034

The Guildford borough Local Plan: strategy and sites was adopted by Council on 25 April 2019. The Plan carries full weight as part of the Council's Development Plan. The Local Plan 2003 policies that are not superseded are retained and continue to form part of the development plan (see Appendix 8 of the Local Plan: strategy and sites for superseded Local Plan 2003 policies).

D1	Place shaping
D3	Historic environment
P1	Presumption in favour of sustainable development
P2	Green Belt

Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007):

G1	General Standards of Development
G5	Design Code

Supplementary planning documents:

Residential Extensions and Alterations SPD (2018)

Site Background

The outbuilding proposed is currently in situ, having been constructed believing it fell within permitted development under Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As amended). The council's enforcement team were made aware of the outbuilding and consequently requested a retrospective planning application.

The outcome of the enforcement investigation was that the outbuilding does not fall within permitted development as it has been situated on land forward of a wall forming the principal elevation of the original dwellinghouse and measures more than 2.5 metres in height within 2 metres of the boundary of the curtilage of the dwellinghouse, and therefore fails to comply with Schedule 2, Part 1, Class E(c) and E(e)(ii) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As amended). Therefore, the applicant has no fall back position in this instance.

The applicant has provided additional information, which infers that the identification of the principal elevation by the council was inaccurate, however as a householder application was original submitted, not a certificate of lawfulness the assessment must be based on the householder application as it stands.

Planning considerations.

The main planning considerations in this case are:

- the principle of development and impact on the Green Belt
- the impact on the scale and character of the existing site
- the impact on neighbouring amenity

The principle of development and the impact on the green belt

The application site lies within the green belt, the NPPF makes clear at paragraph 149 that the construction of new buildings in the green belt is inappropriate. There are a number of exceptions to this listed at paragraph 149, however, the proposed building would not meet with any of these exceptions. The building would be over 5 metres from the residential property and as such is not to be physically attached to the dwelling so cannot be treated as an extension. The proposed use of the building would be for use as an offices space ancillary to the main dwelling. The proposal, therefore, represents the construction of a new building in the green belt which fails to comply with any exceptions and as such represents inappropriate development, which is by definition harmful to the green belt. Inappropriate development should not be approved unless in the case of very special circumstances which outweigh the harm identified.

The applicant's requirement for the structure has come about from a change of circumstance within the property, which has resulted in additional residents; whilst this is a material consideration and carries some weight, it would not out way the substantial harm by reason of inappropriateness to the green belt. The applicant has also provided a statement outlining a believed fallback position, commenting that the outbuilding could be constructed elsewhere on the property, behind the principal elevation and fall within permitted development, whilst this would address Class E.1(c) it would not, with any certainty, address Class E.1(e)(ii) with concerns remaining around the height. An outbuilding may be possible elsewhere within the site, however, no certificate is in place to demonstrate this and it is not the role of the LPA in this planning application to carry out unspecified lawfulness tests. Therefore in the absence of any further evidence on this matter it is considered that a theoretical fall back position can carry only limited weight. Overall the matters identified do not, either individually or collectively, constitute very special circumstances, as outlined in paragraph 151 of the NPPF and therefore, the proposal fails to comply with policy P2 of the LPSS and Chapter 13 of the NPPF, 2021.

Impact on scale and character of the existing dwelling and surrounding area

The outbuilding has been constructed to the west of the property, at least 5 metres south of the existing dwellinghouse. The case officer has visited the site and is satisfied that its siting and scale is in keeping with the size of the existing dwellinghouse.

Whilst the materials used in the construction of the outbuilding are not matching those of the dwelling, it is not considered that the design of the outbuilding would not detract from the character of either the existing property or the surrounding area.

Impact on neighbour amenity

The neighbouring properties most affected are 90, 92 94 and 96 Broad Street. The remaining adjacent neighbours are 86 Broad Street to the north and 74 to 88 Broad Street to the south.

Given the sufficient separation distances from the outbuilding to any adjacent dwellinghouse the size and siting of the extension would not cause a detrimental loss of light over either neighbouring property. The outbuilding lies just over 1 metre from the boundaries of 92 and 94 Broad Street, however there is significant screening to the south and a fence of at least 1 metre to the west, meaning the outbuilding would only be partial viewable from these properties.

It is also noted that the part of 94 Broad Street's boundary the outbuilding faces onto is the access road, and whilst the outbuilding would be viewable from the main dwellinghouse it is sited a significant distance away so would not be considered an overbearing feature.

The outbuilding is single-storey with windows facing into the property only, therefore there are no overlooking concerns resulting from the development.

Conclusion

The proposed development constitutes the construction of new buildings within a green belt and as such is unacceptable. There have been no exceptional circumstances identified.

The proposal would have an acceptable scale and design and, as such, would respect the scale and character of the existing property and the character of the surrounding area.

The proposed development is not considered to result in a detrimental impact on residential amenities enjoyed by the occupants of the neighbouring properties.

The impact on the green belt is not considered to be acceptable, regardless of the design or impact on neighbours, and therefore for this reason the application is considered to be unacceptable and is recommended for refusal.

Planning Committee

11 August 2021

Planning Appeal Decisions

The following appeal decisions are submitted for the Committee's information and consideration. These decisions are helpful in understanding the manner in which the Planning Inspectorate views the implementation of local policies with regard to the Guildford Borough Local Plan: strategy and sites 2015 - 2034 and the National Planning Policy Framework (NPPF) March 2012 and other advice. They should be borne in mind in the determination of applications within the Borough. If Councillors wish to have a copy of a decision letter, they should contact

Sophie Butcher (sophie.butcher@guildford.gov.uk)

<p>1.</p>	<p>Mr and Mrs Tim John 48 Wodeland Avenue, Guildford, Surrey GU2 4LA</p> <p>20/P/01923 – The development proposed is demolition of the roof for the erection of a new floor with both front and rear roof lights and alterations.</p> <p>Delegated Decision: To Refuse</p> <p>Summary of Inspector's Conclusions:</p> <ul style="list-style-type: none"> • The main issues are the effect of the proposed development on the character and appearance of the appeal property and the surrounding area; and • the effect of the proposed development on the living conditions of the occupiers of Nos 46 and 50 Wodeland Avenue, with regard to outlook and natural light. • The appeal property is a detached two-storey dwelling located on a residential road approximately 0.5km from Guildford town centre. It has a hipped roof and a front gable which sits over bay windows at ground and first floor level. • The development proposed would reconfigure the existing roof to accommodate an additional floor. The proposed new roof would include slopes at the front and back, which would join a hidden flat roof over the bulk of the property. The design would raise the dwelling's roof height in line with its neighbouring properties along the road. • The Council has indicated that the new roof design would be out of keeping with the street scene, as the current roof of the appeal property matches the design of its neighbouring properties which helps contribute to the symmetry between these dwellings. • Whilst I acknowledge that the appeal property does currently share some similarities with the detached dwellings to its west in terms of roof design, it also differs significantly from these properties due to its much narrower frontage and its lower roof line. The symmetry that is shared between the dwellings to its west therefore does not apply to the appeal property in the same way. • The proposed development would improve the appearance of the appeal property itself, as it would no longer appear dwarfed by the dwellings on either side. Similarly, it would contribute positively to the wider street scene, as the roof topography along the road would be more consistent. Moreover, 	<p>*ALLOWED</p>
-----------	---	------------------------

	<p>the proposed roof would improve the relationship between the appeal property and Nos 46 and 44 to its east, as both these properties already include a front slope with gable feature, similar to the design proposed in this instance. The increased consistency between these properties would again complement the street scene.</p> <ul style="list-style-type: none"> • The roof extensions at Nos 46 and 44 also incorporate flat roofs at the rear which are more visible than the hidden flat roof proposed in this instance, so the development proposed would not be unique, as there are already other examples of flat roofs along the road. • The increase in height is modest, and simply aligns the ridge height with other neighbouring properties. Whilst the proposal would introduce a new storey, the top floor would be integrated within a sloped roof at the front and back, which ensures the additional storey would appear proportionate to the existing dwelling, and not overly dominant when viewed from the street. The proposal would also be commensurate with other roof extensions and conversions along the road and would therefore integrate well with the wider street scene. • The presence of front roof lights on neighbouring properties was also readily apparent on my site visit. On this basis, I do not consider that the proposed front roof lights would cause any imbalance with neighbouring properties, as they are already a feature of the street scene. • The proposed development would raise the roof height of the appeal property, which would allow it to integrate more seamlessly with the current street scene. It would also improve the consistency in design between the appeal property and the neighbouring dwellings at Nos 46 and 44. For these reasons, the proposal would improve the character and appearance of the appeal property itself and the wider street scene. The development would therefore be consistent with Policy D1 of the Guildford Borough Local Plan: Strategy and Sites 2015 – 2034 (2019), and policies G5 and H8 of the Guildford Borough Local Plan (2003). Together, these policies require new development to achieve high quality design which is responsive to distinctive local character, and which respects established street patterns, scale, height and relationships with other buildings. The proposal would also be consistent with the overarching design objectives of the National Planning Policy Framework. • I am satisfied that the proposed development would not cause an unacceptable level of harm to the living conditions of Nos 46 or 50, in terms of overbearance or impact on natural light. The proposals would therefore be consistent with policies H8 and G1(3) of the Guildford Borough Local Plan 2003, which seek to ensure that new development does not impact adversely on the amenity of the occupiers of neighbouring properties, including effects on outlook and natural light. • I conclude that the appeal should be allowed. 	
<p>2.</p>	<p>Ben Nicholson Tree Services Ltd Woodhill Sawmill, Farley Heath Road, Albury, Surrey GU5 0SR</p> <p>20/P/02021 – The development proposed is erection of a forestry building.</p> <p>Delegated Decision: To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The main issues are: <p>(a) whether the proposal would constitute inappropriate development in the</p>	<p>*ALLOWED</p>

	<p>Green Belt,</p> <p>(b) the effect of the proposal on the landscape and scenic beauty of the Surrey Hill Area of Outstanding Natural Beauty (AONB), and</p> <p>(c) if it is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.</p> <ul style="list-style-type: none"> • The appeal relates to an area of open land surrounded by woodland with an excavated sandpit beyond. At the time of my visit there were a weighbridge, sawmill, several large wheeled or tracked vehicles and substantial log piles on site. The land was being used for forestry purposes. The proposal is to erect a forestry building on an area of concrete hardstanding. • Paragraph 145 of the National Planning Policy Framework (the Framework) states subject to stated exceptions that the construction of new buildings should be regarded as inappropriate in the Green Belt. Exception (a) relates to “<i>buildings for agriculture and forestry</i>”. • Policy P2 of the Guildford Borough Local Plan Strategy and Sites (2019) (LPSS) is consistent with the Framework in relation to cited exceptions to inappropriate development in the Green Belt. • The appellant has explained that the building would be used to store a mobile sawmill, forestry plant and as a drying barn for timber. It would be used for forestry purposes in association with the forestry use of the site. Case law confirms for this exception to inappropriate development that there are no restrictions relating to the size or location of the building. The proposal would be in accordance with exception (a) to Paragraph 145 of the Framework and there would be no conflict with Policy P2 of the LPSS. • The Council is concerned that the building may not be used solely for forestry purposes referencing other services provided by the appellant including tree surgery and domestic arboricultural work. But the key consideration is the use of the proposed building in relation to the lawful forestry use of the site, not the breadth of services offered by the appellant. • The appellant has explained that whilst there is a related arboricultural business, this is sub-contracted and operates from a separate yard with its own equipment. Furthermore, that the forestry business includes forestry work off site and the processing on site of timber from both on site and off site sources. It seems unlikely that the use of the proposed building would encompass materials or equipment relating to the arboricultural business given the smaller scale and different kind of operations involved, but if it did it would be open to the Council to consider the expediency of enforcement action. • The building would be large, 49.22m long, 10.20m wide and 6.08m high clad in timber boarding with roller shutter doors to the front according to the plans. Its long axis would be parallel with Farley Heath Road with a landscape buffer 25m wide in-between. The building would not be readily visible from the road or from the site access. • Its end wall would be seen from a public right of way to the north of the site, but the building would not be an unduly conspicuous feature amidst forestry operations in the open yard when viewed from this footpath. The building would not be visible from more distant viewpoints. • The Council’s concerns relate to an impact on the AONB if the building is not used for forestry purposes, a matter I have already addressed. The building is proposed to be used for forestry purposes in association with the forestry use of the appeal site. • Supporting paragraph 4.3.11 to Policy P1 of the LPSS comments that the 	
--	---	--

	<p>“Surrey Hills AONB Management Plan (2014-2019) ... interprets the AONB as a ‘living landscape’, which constantly changes across seasons and in response to the many social and economic forces placed upon it”. The building would be appropriate to its immediate context as a forestry site within a woodland setting and would have limited visibility beyond that context. It would not detract from the landscape character and scenic beauty of the Surrey Hills AONB and would not conflict with Policy P1 of the LPSS that seeks to conserve and enhance these qualities.</p> <ul style="list-style-type: none"> • As the proposal would not amount to inappropriate development in the Green Belt there is no need to consider if there are very special circumstances necessary to justify the proposal. • The proposal would not be inappropriate development in the Green Belt and would not adversely affect the landscape character and scenic beauty of the Surrey Hills AONB. For the reasons given the appeal should be allowed. 	
<p>3.</p>	<p>Mr L Budd Viewlands, Pinks Hill, Wood Street Village, Guildford, Surrey GU3 3BW</p> <p>20/P/01971 – The development proposed is erection of extensions and alterations.</p> <p>Delegated Decision – To Refuse</p> <ul style="list-style-type: none"> • The main issues are: <ul style="list-style-type: none"> (a) whether the proposal would constitute inappropriate development in the Green Belt, (b) the effect of the proposal on the scale and character of the existing property, and (c) if it is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development. • Viewlands is a two storey detached house, the last in a row of detached dwellings accessed via an unmade track. It has been previously enlarged by the addition of a rear conservatory. The site and surrounding area are within the Metropolitan Green Belt. • Paragraph 145 of the National Planning Policy Framework (the Framework) states subject to stated exceptions that the construction of new buildings should be regarded as inappropriate in the Green Belt. Exception (c) relates to “<i>the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building</i>”. Policy P2 of the Guildford Borough Local Plan: Strategy and Sites (adopted 2019) (LPSS) is consistent with the Framework in relation to cited exceptions to inappropriate development in the Green Belt. • The test for whether an enlargement would be “<i>disproportionate</i>” does not relate to openness in the Green Belt but requires a quantitative assessment. The Council states that the original building had a floor area of 94 sqm, that the existing building is 125 sqm and that the proposed resulting building would be 180 sqm. This would amount to a 91% increase in the size of the original building. The appellant disputes these figures stating the original building to be 96.6 sqm, the existing building to be 124.6 sqm and the proposed building to be 176.7% resulting in an uplift of 82% over and above the original building. 	<p>DISMISSED</p>

	<ul style="list-style-type: none"> • Whilst there is a disparity of 9% in overall uplift between these calculations, both figures indicate a substantial increase in relation to the floor area of the original building. The appellant has made reference to a ballpark figure of 50% increase evident in other determinations in the borough. The increase in the current appeal proposal would be significantly greater than this. It would amount to a disproportionate addition over and above the size of the original building and so would not satisfy exception (c). The proposal would thereby be inappropriate development in the Green Belt. • The proposal would replace the conservatory by a two storey extension with a pitched roof perpendicular to that of the present roof ridge and with a catslide roof feature to the front. These and other alterations would significantly change the scale, character and appearance of the house. Such a change could be a concern in a street of similarly designed houses resulting in a development out of keeping with the context of the locality. • The existing building is modest in scale and has a pleasant cottage style appearance, but it is not of exceptional quality or design. The Council's policies do not require such a character to necessarily be retained in the context of a road of varied character like Pinks Hill. • The proposed alterations would result in a dwelling of different scale and character, but there would be a coherent appearance and an acceptable design. The proposal would not be contrary to Policy D1 of the LPSS which requires a high quality design that responds to distinctive local character or to Saved Policies G5 and G1(3) of the Guildford Borough Local Plan (2003) which require the design of proposals to respect the context of the surrounding area and the amenities of occupants of neighbouring buildings; the latter issue was not included in the second refusal reason. • Whilst I have concluded that there would be no material harm to the scale and character of the existing building, the proposal would nonetheless result in "<i>disproportionate additions over and above the size of the original building</i>". It would therefore be inappropriate development in the Green Belt. Paragraph 144 of the Framework affirms that "<i>substantial weight is given to any harm to the Green Belt</i>". The fallback scheme could be built and is a material consideration. Its impact on the Green Belt would be comparable to that of the appeal proposal in many respects. But having regard to all relevant factors examined above, the harm arising from the fallback scheme and the likelihood of its implementation would not clearly outweigh the substantial weight to be attributed to harm arising from the appeal proposal. Other considerations amounting to the "<i>very special circumstances</i>" necessary to justify the development therefore do not exist. The proposal would be contrary to Policy P2 of the LPSS and to the provisions of the Framework taken as a whole. • I conclude that the appeal should be dismissed. 	
--	---	--

This page is intentionally left blank