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Contact Officer:

Sophie Butcher, Democratic Services Officer
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23 November 2021

Dear Councillor

Your attendance is requested at a meeting of the **PLANNING COMMITTEE** to be held in the Council Chamber, Millmead House, Millmead, Guildford, Surrey GU2 4BB on **WEDNESDAY 1 DECEMBER 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 Christopher Barrass
Councillor David Bilbé
Councillor Chris Blow
Councillor Ruth Brothwell
Councillor Angela Goodwin

Councillor Angela Gunning
Councillor Liz Hogger
The Mayor, Councillor Marsha Moseley
Councillor Ramsey Nagaty
Councillor Maddy Redpath
Councillor Pauline Searle
Councillor Paul Spooner

Authorised Substitute Members:

Councillor Tim Anderson
Councillor Richard Billington
The Deputy Mayor, Councillor Dennis Booth
Councillor Graham Eyre
Councillor Guida Esteves
Councillor Andrew Gomm
Councillor Steven Lee
Councillor Nigel Manning
Councillor Ted Mayne

Councillor Bob McShee
Councillor Susan Parker
Councillor Jo Randall
Councillor Tony Rooth
Councillor Will Salmon
Councillor Deborah Seabrook
Councillor Cait Taylor
Councillor James Walsh
Councillor Catherine Young

QUORUM 5



THE COUNCIL'S STRATEGIC FRAMEWORK (2021- 2025)

Our Vision:

A green, thriving town and villages where people have the homes they need, access to quality employment, with strong and safe communities that come together to support those needing help.

Our Mission:

A trusted, efficient, innovative, and transparent Council that listens and responds quickly to the needs of our community.

Our Values:

- We will put the interests of our community first.
- We will listen to the views of residents and be open and accountable in our decision-making.
- We will deliver excellent customer service.
- We will spend money carefully and deliver good value for money services.
- We will put the environment at the heart of our actions and decisions to deliver on our commitment to the climate change emergency.
- We will support the most vulnerable members of our community as we believe that every person matters.
- We will support our local economy.
- We will work constructively with other councils, partners, businesses, and communities to achieve the best outcomes for all.
- We will ensure that our councillors and staff uphold the highest standards of conduct.

Our strategic priorities:

Homes and Jobs

- Revive Guildford town centre to unlock its full potential
- Provide and facilitate housing that people can afford
- Create employment opportunities through regeneration
- Support high quality development of strategic sites
- Support our business community and attract new inward investment
- Maximise opportunities for digital infrastructure improvements and smart places technology

Environment

- Provide leadership in our own operations by reducing carbon emissions, energy consumption and waste
- Engage with residents and businesses to encourage them to act in more environmentally sustainable ways through their waste, travel, and energy choices
- Work with partners to make travel more sustainable and reduce congestion
- Make every effort to protect and enhance our biodiversity and natural environment.

Community

- Tackling inequality in our communities
- Work with communities to support those in need
- Support the unemployed back into the workplace and facilitate opportunities for residents to enhance their skills
- Prevent homelessness and rough-sleeping in 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 - 90)

To confirm the minutes of the meeting of the Committee held on 20 October as attached at Item 3. A copy of the minutes will be placed on the dais prior to the meeting. The minutes of the meeting of the Committee held on 3 November will be attached to the supplementary late sheets.

4 ANNOUNCEMENTS

To receive any announcements from the Chairman of the Committee.

5 PLANNING AND RELATED APPLICATIONS (Pages 91 - 92)

All current applications between numbers 20/P/00825 and 21/P/01683 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/00825 - Urnfield, Downside Road, Guildford, GU4 8PH**
(Pages 93 - 122)

5.2 **20/P/01708 - Land at Wisley Airfield, Hatch Lane, Ockham, GU23 6NU** (Pages 123 - 166)

5.3 **21/P/01581 - Waterside Farm Cottage, Wharf Lane, Send, Woking, GU23 7EJ** (Pages 167 - 194)

5.4 **21/P/01582 - Land at Wisley Airfield, Hatch Lane, Ockham, GU23 6NU** (Pages 195 - 236)

5.5 **21/P/01658 - Pine Cottage, Send Hill, Send, Woking, GU23 7HR**
(Pages 237 - 258)

5.6 **21/P/01683 - High Brambles, Park Corner Drive, East Horsley, Leatherhead, KT24 6SE** (Pages 259 - 270)

6 PLANNING APPEAL DECISIONS (Pages 271 - 280)

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.
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 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 [Councillors should notify the Committee Officer, in writing, by no later than midday the day before the meeting of their intention to speak.] 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).
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*.

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PLANNING COMMITTEE

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

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|--------------------------------|--|
| * 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 |

*Present

Councillors Joss Bigmore, George Potter, John Redpath and John Rigg, were also in attendance.

PL1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Chris Barrass and Colin Cross. Councillors Tim Anderson and Tony Rooth attended as substitutes for Councillors Chris Barrass and Colin Cross respectively.

PL2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

No disclosable pecuniary interests were declared.

20/P/02173 – Land at Burpham Court Farm, Clay Lane, Guildford, GU4 7NA and 20/P/02155 – Weyside Urban Village (Slyfield Regeneration Programme), Slyfield Green, Guildford, GU1

Councillor Fiona White declared a non-pecuniary interest in the above applications, owing to being a member of the Weyside Urban Village Governance Board and Guildford Borough Councils Major Projects Board. Only the principles of developing the Council's strategic sites in the Local Plan had been discussed by those Board's and she had not made statements at any time that would prejudice her objectivity in deciding either of the above applications.

Councillor Paul Spooner declared a non-pecuniary interest in the above applications, owing to being Chairman of the Major Projects Board until May 2019 and member of the Major Projects Board since May 2019, also formerly Lead of the Council and previously, the Lead Member for Planning Policy and Development Management in relation to the Local Plan (Weyside Urban Village as an allocated strategic site). He confirmed he had not been involved in the details of either application and would not prejudice his objectivity in deciding either of the above applications.

Councillor Ramsey Nagaty declared a non-pecuniary interest in the above applications, owing to being a member of the Weyside Urban Village Governance Board and Guildford Borough Council's Major Projects Board. He confirmed that his membership of those Boards would not prejudice his objectivity in deciding either of the above applications.

Councillor Angela Gunning wished to confirm that despite being a ward councillor for Stoke for the past 25 years that this would not prejudice her objectivity in deciding either of the above applications.

PL3 20/P/02173 - LAND AT BURPHAM COURT FARM, CLAY LANE, GUILDFORD, GU4 7NA

The Committee considered the above-mentioned application for change of use of the site to 45.9 hectares of land to publicly accessible open space and Nature Reserve to facilitate a Suitable Alternative Natural Greenspace (SANG).

The Committee received a presentation from Kelly Jethwa, Specialist Development Management (Majors). The Committee noted that the change of use would allow for the land to be used as a SANG which was mitigated in accordance with the Thames Basin Heaths Avoidance Strategy (TBHSPA) adopted by the Council. Members were reminded that the SANG was not a land use of itself, the application was to look at the material change of use so that it could become publicly accessible land. If the land became a SANG, its proximity to the residential development proposed at Weyside Urban Village to the south would provide valuable mitigation for that development as well as other residential development that would meet the Council's housing needs.

The site was referenced in Appendix 6 of the Local Plan as part of the Infrastructure Schedule. It is located in the Green Belt and would be appropriate development as it complied with paragraph 150, Part E of the NPPF which allowed for change of use for outdoor recreation. The proposed car park would be an engineering operation as it would preserve the openness of the Green Belt being on brownfield land or near existing development at the farmstead. The site would also have biodiversity value added to it and would continue to act as a home for protected species.

The Council and Natural England had worked with the applicant on refining and improving the SANG concept design to ensure that the site would provide a suitable environment. As a result, Natural England had no objection to the proposals. The constraints of the site needed to be taken into consideration, which included the provision of crossing points, the distance of footpaths to trees, new footpaths which would provide year-round access and odour control from the new sewage treatment works. Taking these constraints into consideration, it was believed that the site would be able to deliver a SANG of 27.9 hectares. Conditions were recommended in relation to the final design and SANG management plan as well as additional screening. Land to the north of Clay Lane would require a safe crossing point and therefore at this time land would only be used as a nature reserve until a safe pedestrian access across Clay Lane could be provided. Most of the site would have noise levels that were within acceptable levels. The parts of the site where noise levels would be exceeded included areas by Clay Lane and by the A3 and would not be used as SANG land. The site is also located within a flood zone, however flood mitigation measures were proposed and formed part of the management plan. The applicant had also provided a possible circular SANG walking route from Burpham Court and the proposed car park with a secondary loop also provided.

A range of habitats existed on the site including grasslands, river corridor, ditches, hedges, and woodland edge. There was also the potential to include additional habitat enhancements which would also provide and secure biodiversity net gain such as hedgerow enhancements, shallow pools, log, and brush piles to extend the reed bed and bird and bat boxes. The most significant trees would be retained and where trees were removed there would be new planting, the details of which secured by condition 6. The site would need a car park and the illustrative plans proposed 32 spaces with suitable access.

The proposed site contained a Grade II listed building, Burpham Court Farm Cottages which provides a good example of early 17th century domestic architecture and formed part of the legible historic courtyard of the farmstead. Less than substantial harm would be caused to the setting of the Farm Cottages and had been verified by the Council's Conservation Officer who when balancing the harm caused to the heritage assets and its setting against the public

benefits concluded that given the car park would be sited on previously developed land its location would have a lesser impact on habitats and the benefits would outweigh the setting of the identified heritage asset in this case. Members were also reminded that several alternative sites were looked at for the car park and this was felt to be the best one given the other constraints that existed. The application was therefore recommended for approval subject to conditions and a legal agreement.

The Chairman permitted the Ward Councillor for Burpham, Councillor George Potter to speak for an extended period of time of five minutes. He noted concerns raised regarding the Flood Risk Assessment and its robustness having been questioned by the National Trust in earlier versions of the application such as getting the height of the riverbanks incorrect. The site was in a floodplain and any errors in Flood Risk Assessment would materially affect the suitability of parts of the site for SANG usage. In terms of car parking, one parking space per hectare should be provided and according to Waterway's guidance an additional 10 parking spaces should be provided for canoe users to access water. In the report it was stated that only 0.75 hectares was needed but condition 5 only provides 0.7 spaces per hectare. Natural England stated that you needed 38 spaces for the new SANG yet only 32 spaces had been recommended as part of condition 5. You would therefore have a shortfall of 16 spaces. This would also provide an extension to the existing Burpham Nature Reserve with the existing access point at Bower's Lane serving as one of the access points to the new SANG. The existing nature reserve did not have 1 parking space per hectare provided, so if the new SANG did not accommodate this unmet need, we would see more parking at Bower's Lane which was already at capacity and also at Clay Lane. No parking spaces had been provided on the urban side of the new SANG meaning that the catchment area would be much bigger than for the residents of Weyside and many of the people using the SANG would come by car. He raised further concerns that to approve a change of usage the new use was meant to be viable and sustainable which cannot be the case if concerns remained over the flood risk, parking, and access. Parking concerns had been raised by County Highways, GBC Parks and Countryside and GBC's specialist landscape advisers.

He raised concerns that if the application was approved that additional conditions should be applied so to ensure that parking provision took account of the unmet need for visiting nature reserves and make provision for other users of the SANG such as canoe users. Condition 5 should be varied which went beyond the reduction agreed by Natural England and failed to take account of the unmet need of Burpham Nature Reserve. Assurance was needed also that the Flood Risk Assessment would be properly tested and evaluated. Any changes made to the second application in terms of the recommendation and changes to conditions also needed to be applied to this application. Insufficient parking provision would negatively affect the residents of Jacob's Well and Clay Lane.

The Head of Place, Dan Ledger confirmed that in respect of concerns raised regarding flood risk this issue had already been addressed on pages 51 and 52 of the agenda. This set out the flood risk compatibility of the use being provided, and the measures being put in place. Again, parking had been covered in the report, and in terms of working out the parking provision for the site, whilst the site area was of a significant size, the amount of it that was put towards the SANG was less. The purpose of the SANG was to serve the new development and not to mitigate other impacts that were already in existence. One of the intentions of the location so it was close to Weyside was so that it was accessible by foot thereby reducing reliance upon vehicle movements and car parking. The final point in relation to the scheme of delegation, it had been mentioned that we should make the same updates in relation to the following application 20/P/02155. This was a matter for members, the intention was to keep the recommendation as simple as possible, but it should be straightforward to implement if desired.

The Committee discussed the application and noted that clarification was requested on page 51 of the agenda regarding flood risk and paragraph E in relation to appropriate flood warning and evacuation plans. How would the SANG work in practice given the current flood problems?

The Committee sympathised with the concerns raised regarding parking and whether that issue should be re-visited by the Review Board? In relation to the timescale for the SANG, it was understood that the SANG had to be operational before any property was first occupied. There was also a proposal in the agenda that Tyting Farm might be a suitable fallback position for a SANG and whether that was viable?

The Head of Place, Dan Ledger confirmed that it had previously been discussed at Committee about the difference between planning applications for land use and the operation of the land as a SANG. A planning permission for residential development would include S106 requirements regarding the operation of a SANG. This would set the triggers in place for standards to be met and safety factors were always integral to this. In terms of Tyting Farm, it was not strictly relevant to this application, however just for clarity, it's set out as an alternative due to the crossing requirements for the northern part of the SANG. Tyting Farm was set within the right catchment area but was further away and could be used if needed. Operational matters to do with the SANG were generally controlled through the S106 on residential developments. Natural England had to be content on each of those applications that the SANG provision was adequate. So even if permission was granted for land intended to be a SANG, at the point of granting permission or intending to grant permission for those other applications, Natural England still had to be content that what was on the ground was acceptable.

The Senior Planning Officer – Major Applications, Andrew Lainton further confirmed that the SANG would not be needed unless after 2027 there was no crossing north of Clay Lane. Effectively, the council had 5-6 years to design, consult and build a pedestrian crossing which could be reasonably achieved. A flow of housing would come forward in phases in Weyside to satisfy the condition. There had to be sufficient SANG at the point that phase came forward to meet the Natural England test. It was possible for Burpham Court Farm to be built in phases, and the more SANG you build the more housing that relied on that SANG could be built.

The Committee noted a query raised regarding sustainable drainage systems and whether further information could be provided by officers in that regard.

The Committee also noted a query in relation to it being asked to approve a change of use rather than for this specifically to be a SANG. The S106 requirements for any residential development was hoped would give us some guidance or control over what was happening on the SANG whilst also assuming that we were talking about reserved matters for residential development on the Weyside Urban Village. The Committee was also in agreement with the proposal put forward by the Ward Councillor for Burpham, George Potter that the formal recommendation was changed to be the same as that for Weyside Urban Village and that any necessary changes were made in consultation with the Chairman of the Planning Committee.

The Senior Planning Officer – Major Applications, Andrew Lainton referred members to page 63 of the agenda where the key condition on the management plan was detailed. Natural England had to agree the SUDs and included a large number of issues which had also been agreed with the Council's Parks and Ecology Services. The condition did not mention SUDs like it did for a housing development given that SUD's were designed to recreate the natural drainage you might find on a riverside or park, so strictly speaking SUDs was not the term which should be used, it would rather be drainage. The condition at point 23 could therefore be updated to include details of drainage.

A motion was moved and seconded which was carried so that the formal recommendation for this application was updated to reflect the same wording as that used for application 20/P/02155:

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Paul Spooner	X		
2	Liz Hogger	X		
3	Fiona White	X		
4	Maddy Redpath	X		
5	Pauline Searle	X		
6	Ruth Brothwell	X		
7	Angela Gunning	X		
8	Tim Anderson	X		
9	Tony Rooth	X		
10	Jon Askew	X		
11	Angela Goodwin	X		
12	Chris Blow	X		
13	Marsha Moseley	X		
14	Ramsey Nagaty	X		
15	David Bilbe	X		
	TOTALS	15	0	0

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Ruth Brothwell	X		
2	Maddy Redpath	X		
3	Chris Blow	X		
4	Liz Hogger	X		
5	Angela Gunning	X		
6	Paul Spooner	X		
7	Tim Anderson	X		
8	Fiona White	X		
9	Tony Rooth	X		
10	David Bilbe	X		
11	Ramsey Nagaty	X		
12	Pauline Searle	X		
13	Marsha Moseley	X		
14	Jon Askew	X		
15	Angela Goodwin	X		
	TOTALS	15	0	0

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

RESOLVED that this application be GRANTED subject to securing a planning obligation with the heads of terms as set out in Appendix 1, and subject to the conditions set out in Appendix 2, for the reasons set out in section 1.31.-1.3.5 above and expanded on in the body of the report.

That the Head of Place (or person with acting authority thereof) is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions and/or informatives) prior to a decision notice being issued, provided that the Head of Place (or person with acting authority thereof) is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee, where necessary in consultation with the Chairman of the Planning Committee and lead Ward Members for Stoke, Worplesdon and Burpham Wards.

That upon completion of the planning obligation, the application be determined by the Head of Place.

That if negotiations on the planning obligation are not successfully concluded within six months of the date of the committee decision the Head of Place (or person with acting authority thereof) be authorised to refuse the scheme on grounds lack of provision of the matters that would have been secured in the heads of terms set out in Appendix 1.

If the application is granted regulation 30 of the Environmental Impact Assessment Regulations 2017, which sets a duty on the local planning authority to inform the Secretary of State, consultation bodies and the public of the final decision, shall be complied with.

Appendix 1 Planning Obligation Head of Terms

- Securing Management of the SANG and Biodiversity Exclusion Zones in Perpetuity, including step-in-rights.
- Improvements to the Bowers Lane Bridge, with public access granted by confirmatory deed.
- Construction of a controlled pedestrian crossing across Clay Lane, and costs of any associated TRO to adjust extent of Jacobs Well speed limit X
- Improvement to bell mouth of access to Burpham Court Farm to bring to a Safe Standard.

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Appendix 2 Planning Conditions and Informatives

CONDITIONS:

1. Time limit – Full Application

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. Drawing no.s

The development hereby permitted shall be carried out in accordance with the following list of approved plans and documents, except where other conditions require detailed and /or revised drawings on specific matters.

Plan No	Date Issued /last revision	Title
42287/3147/001	17 th Dec 2020	Site Location Plan
42287/3147/03	17 th Dec 2020	Transport Note including Indicative Site Access and Parking Layout Drawings
42287/3147/03	17 th Dec 2020	Landscape Details
20275-MA-RP-D-TS01	17 th Dec 2020	Arboricultural Statement
201209-1.0-WUVSANG-AS-CH	17 th Dec 2020	Ecological Appraisal and Shadow Habitats Regulations Assessment Screening Statement
42287/3163	17 th Dec 2020	Flood Risk Assessment
42287/4017	17 th Dec 2020	Noise Assessment
42287/3167	17 th Dec 2020	Sustainability Statement
20_P_02173	22 Sep 2021	SANG Illustrative Design

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans and documents is achieved in practice.

3. Exclusion of Certain Areas as SANG (pre-commencement condition)

The change of use to Public Open Space (intended for SANG purposes) does not apply to the following areas:

- a) All areas within the site Boundary north of Clay Lane, unless and until the pedestrian crossing required by the planning obligation linking footpaths north and south of Clay Lane is approved by the planning authority and highways authority and so implemented.:
- b) All areas defined as biological exclusion areas in the approved landscape management plan;
- c) All areas within the A3 60DbA noise contour;
- d) All areas shown on the flood management plan as being within flood zone 3 and where safe pedestrian access cannot be provided.

Prior to commencement of development and coming into use as a SANG clear plans shall be submitted to and approved by the local planning authority showing each of these 4 areas, and the area of the residual SANG area.

Reason: To ensure the Natural England minimum standards for SANGS are met.

4. Public Use in Perpetuity

Following the of all the capital works as shown on the approved plans under condition 2 the site shall be made available for public use in perpetuity, other that the excluded areas listed in condition 3.

Reason To ensure the site can qualify as a SANG

5. SANG Car Park (pre-commencement condition)

Prior to commencement of development and coming into use as a SANG plans for a car park and access arrangements within the red line boundary for at least 1 car parking space for every 0.7ha of approved SANG, plus other spaces for Non SANG activities, shall be submitted to and approved by the local planning authority and so implemented. This shall include screening landscaping details and include a minimum of two DDA wide bays.

In addition, the Car Park shall not be opened for public access until the planning obligation for improvement to the bellmouth has been implemented.

Reason: To ensure the Natural England minimum standards for SANGS are met.

6. SANG and Biodiversity Management Plan (pre-commencement condition)

Prior to commencement of development hereby permitted a SANG and landscape and ecological management plan (SLEMP), including long-term design objectives, management responsibilities and maintenance schedules for all areas shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall be carried out and maintained thereafter in accordance with the approved details.

All works in the approved SLEMP, including hard and soft landscaping, shall be implemented before any approved parts of the plan suitable for SANG are brought into use of as public open space.

The plan shall also include the additional elements listed below:

- i. aims and objectives of the management plan
- ii. description of the ecological features of the site to be managed and habitat condition to be achieved, including tree planting measures
- iii. a plan which illustrates which areas have been included for Biodiversity Net Gain for other schemes;
- iv. Description of measures to encourage and manage public access, including signage, walkways, bird hides, cycleways, car parks, and picnic areas
- v. Ecological trends and constraints on site that might influence management
- vi. Areas where public access is restricted (biodiversity exclusion areas)
- vii. details of maintenance regimes for each habitat type supported by a detailed map. coppicing/pollarding should aim to create approximately 60% sun and 40% shade over the watercourse.
- viii. timings of maintenance activities and ecological considerations (e.g. avoiding bird nesting season when carrying out vegetation clearance/tree works) details of how public access will be restricted and disturbance minimised to the buffer zone
- ix. landscape maintenance for a minimum period of 10 years, including timings, work programmes, replacements etc
- x. monitoring for and control of non-native invasive species, including Himalayan Balsam which has been recorded on site
- xi. details of new/restored Hedgerow planting and enhancement of hedgerows e.g. through in-fill or double/new planting.
- xii. management of existing woodland via selective thinning and planting of new woodland.
- xiii. diversification of some grassland areas e.g. using meadow management techniques.
- xiv. management of existing ponds to increase the diversity of vegetation.
- xv. creating buffer areas along the riverbanks where access is prevented.
- xvi. the creation of larger shallow pools or scrapes in areas toward the centre of the Site.
- xvii. creation of log and brash piles to provide refuge for small fauna.
- xviii. expansion of reedbed habitat in the south of the Site.
- xix. the installation of new bird and bat boxes
- xx. details of Eel passes
- xxi. details of proposals to increase wetland areas, wet woodland and wildflower meadows
- xxii. details of measures to encourage otter habitat
- xxiii. details of on-going ecological survey work to further shape the Management Plan details of management responsibilities
- xxiv. all native planting is to be of local provenance.
- xxv. details of the legal and funding mechanism(s) by which long term implementation of the plan shall be secured by the developer with the management body responsible for its delivery
- xxvi. A circular walk of minimum length of 2.3 km

- xxvii. The LEMP shall be implement in accordance with the approved details and thereafter maintained.
- xxviii. Details of drainage.

Reason: to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site.

7. Heritage Management Plan (pre-commencement condition)

Prior to the commencement of development a heritage management plan shall be submitted to and approved by the local planning authority showing ho heritage assets and archaeological features (particularly surviving and remnant sections of the 'Flowing River'), are maintained and not adversely impacted by proposed planting, relandscaping and construction of the walkways.; and the scheme shall be implemented in line with the approved plan.

Reason: to protect heritage assets. This is required to be a pre-commencement condition to ensure that this issue is fully considered in drawing up detailed management proposals.

8. Tree protection measures (pre-commencement meeting)

No development shall other than in accordance with finalised Arboricultural Method Statement (AMS) (detailing all aspects of construction and staging of works relating to the full application) and the finalised Tree Protection Plan (TPP), submitted with and approved as part of this planning application, including both trees affected by the full application works, and needing to be protected where part of future phases, in accordance with British Standard 5837:2012. 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. 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 and enhance the appearance and character of the site and locality and reduce the risk to protected and retained trees. This is required to be a pre-commencement condition as details relating to the protection of trees during and after construction goes to the heart of the permission.

9. Tree Protection Meeting (pre-commencement meeting)

No development shall commence until a site meeting has taken place with the site manager, the retained consulting arboriculturalist and the LPA and Parks and Countryside Tree Officers.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality. It is considered necessary for this to be a pre-commencement condition because the tree protection measures need to be checked prior to the development commencing to ensure they are adequately installed.

10. Ancient Woodland and Veteran Tree Buffer

No development may take place within 15m of any veteran tree or area of ancient woodland identified in the arboricultural statement (20275-MA-RP-D-TS01), other than no-dig development agreed in advance with the local planning authority.

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

11. Weyside Buffer Zone scheme

In order to protect the River Wey (and associated biodiversity receptors), an 8m minimum ecological buffer is required between the top of the River Wey riverbank and any development. There shall be no development within this buffer zone other than that required for access to the River Wey or for the creation of a riverside Walk.

Reason: Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. Buffer zones to watercourses form a vital part of green infrastructure provision.

12. Restriction of Permitted Development Rights

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended), no buildings, gates, fences, or any other form of enclosure other than shown on the approved plans or agreed as part of the Landscape and Biodiversity Enhancement and Management Plan shall be constructed or erected on the site.

Reason: In the interests of visual amenity.

13. Ecological Appraisal

Unless otherwise agreed by the Biodiversity and Landscape Enhancement and Management Plan the development shall be undertaken in accordance with the recommendations set out in the submitted Ecological Appraisal as well as the Bat Survey, Breeding Birds Survey, Badger Survey, Dormouse Survey and Great Crested Newt Survey.

Reason: In order to protect the nature conservation and biodiversity value of the site.

14. Landscape Design (SANG use)

Prior to use of the site as an area of public open space approved for use as Suitable Alternative Natural Green Space (SANG) details of all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The shall be subsequently implemented in accordance with the approved plan details.

Reason: In order to ensure implementation of the approved landscape details.

15. No Lighting

No lighting shall be installed on the site unless otherwise agreed and approved in writing by the LPA.

Reason: In the interests of visual amenity and nature conservation. Any variance would require a separate habitat assessment in terms of protected species such as bats.

16. Western Wey Bank Exclusion Zone

The exclusion zone for the protection of wintering birds in the centre of the site is to be extended to the western bank of the river, so that it includes the area between the proposed bridge crossings.

Reason: To protect this area from disturbance to wintering birds, reduce operational impacts on managing this area for nature conservation and biodiversity net gain.

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 initial issues, the application has been submitted in accordance with that advice, however, further issues were identified during the consultation stage of the application. Officers have worked with the applicant to overcome these issues.

2. Lead Local Flood Authority Informatives:

If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.

If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

As part of the submission of information to discharge the surface water drainage planning conditions the Applicant should provide pond liner details and depths in accordance with the manufacture's recommendations, this should include evidence

that a hydrogeologist has reviewed the pond liner design to take account of ground conditions.

3. County Highway Authority 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/vehiclecrossovers-or-dropped-kerbs

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

www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-trafficmanagement-permit-scheme

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-planningandcommunitysafety/flooding-advice

The developer is advised that as part of the detailed design of the highway works required by the above condition(s), 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.

The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.

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. For guidance and further information on charging modes and connector types please refer to:

www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicleinfrastructure.html

5. Ecology Informative:

Should Bats be identified as present or their roosts, the applicant should contact Natural England to establish if a Protected Species licence is required in order to allow the development to proceed lawfully.

6. SANG Informative

The proposed site is unlikely to provided mitigation against the impact of residential development on the TBH SPA unless and until a SANG Management Plan, including details and responsibilities of a suitable management body and the long term funding of the sites management, has been agreed with the Local Planning Authority in consultation with Natural England.

PL4 20/P/02155 - WEYSIDE URBAN VILLAGE, (SLYFIELD REGENERATION PROGRAMME), SLYFIELD GREEN, GUILDFORD, GU1

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

- Ms Amanda Mullarkey (on behalf of Guildford Resident's Association);
- Ms Sarah Beuden (in support) (Savills) and;
- Mr Leigh Edwards (in support)

The Committee considered the above-mentioned major application for the comprehensive redevelopment of part of the allocated site for the Slyfield Area Regeneration Project (SARP) for a mixed-use development (known as Weyside Urban Village (WUV)) and is submitted as a 'hybrid' planning application with planning permission sought for the following:

- A. Outline planning approval for the demolition of existing buildings and infrastructure and outline planning permission for up to 1,550 dwellings; local centre comprising up to 1,800 sqm of retail (including convenience store), healthcare, community, nursery and flexible employment uses (Use Class E); up to 500 sqm of flexible community facilities (Use Classes E/F1/F2); up to 6,600 sqm of flexible employment space (Use Classes E/B2/B8); up to 30,000 sqm for new Council Depot Site (Use Classes E/B8); six Gypsy and Traveller pitches (Use Class C3); and associated road infrastructure, landscaping (including Sustainable Urban Drainage Systems) and amenity space.
- B. Full planning permission for the development of primary and secondary site accesses, internal access roads and associated landscaping.
- C. Full planning permission for engineering operations associated with remediation and infrastructure, including primary and secondary sub-stations; utilities and drainage (including Sustainable Urban Drainage Systems).

The Committee received a presentation from the Specialist Development Management (Majors) Officer, Kelly Jethwa. The Committee noted that the application formed part of the wider Slyfield Area Regeneration Programme which included the relocation of the existing sewage works to the north as well as the relocation of the Council's depot and recycling facilities. A cumulative impact would result from these combined projects that were reliant on each other to be delivered. These projects had also been assessed as part of the Environmental statements submitted under the Environment Agency Regulations. It was a hybrid application with full details before the Committee of the road and engineering operations which would facilitate the residential development. The new homes, other employment sites and traveller sites were part of the outline application and would be delivered via further reserved matters applications. The residential development would be informed by a Design Code and reviewed after each phase so that it could respond to any changes in legislation.

The first phase of the development involved the relocation of the allotments. A new local centre would be created on the site of the former sewage treatment works which was the largest phase of the development. This part of the development could only start once the new sewage works were fully operational. The local centre would be comprised of mixed uses, including employment land for the new depot as well as space for Gypsy and Traveller pitches. The main spine road serving the site ran broadly north to south and would be a sustainable movement corridor using the existing access for Woking Road up to the Slyfield Industrial Estate. Access through the site was identified in the adopted Strategic Development Framework and also in the site allocation. Along the sustainable movement corridor would be a

segregated cycleway as well as secondary routes. A bus gate was also located at the northern end of the site to prevent HGV traffic from travelling through the site and into the new residential area. The scheme was striving to achieve a modal shift away from the car to more sustainable modes of travel, therefore significant investment had been incorporated into the master plan proposals to encourage cycling, walking and use of public transport. This would include a new bridge over the River Wey, traffic free routes to the town centre and upgrading of road surfaces as well as the introduction of a bypass route around the busy Stoke Road junction. The Woking Road junction which met Stoke Road had also undergone significant traffic modelling and the improvements required secured via a S278 agreement in order to ensure that traffic waiting times were not any longer than they were currently.

Access across the Woking Road was vitally important to link the site to the rest of Guildford. Junction improvement works would be secured as part of the development as well as a new pedestrian crossing which were subject to a detailed design process in order to ensure that the free flow of traffic was not impeded, as detailed in condition 16. The Committee noted that a strategy for parking was needed in order to respond to a denser settlement. The provision of additional parking would significantly affect the ability to build new homes and provide the necessary green spaces. Higher parking ratios would therefore exist in the early phases of development followed by lower parking ratios in the latter phases. To manage overspill and obstructive parking, enforcement measures had been included as part of condition 48 as well as being part of the Heads of Terms in the Legal Agreement. The Design Code would in addition have the flexibility to adjust the parking requirements to adapt to changing needs.

Blue and green infrastructure was incorporated into the masterplan and included a riverside walkway. Green fingers would run broadly east to west through the site which would bring views of the river and countryside into areas that had not been privy to that view previously. In addition to the green spaces there would be a new public realm, new public spaces as well as a range of play areas. The tallest buildings would be set back away from the riverside with the shorter buildings close to the riverside.

In response to the Council's policy G2, the requirement in the Council's Supplementary Planning Document and the comments of the Design Review Panel, the applicant had made a commitment to an exemplar Sustainability Strategy. Much of which would be achieved via the delivery of the new homes, further details of which would be secured through the reserved matters stage and condition 20 that would ensure the standards were reviewed at every stage.

The redevelopment would result in the loss of facilities that supported the existing community in Guildford and included a charity providing bicycles, the Aggie Club, and allotments. The allotments would be relocated, and a planning application had been approved to enable that to happen. A Grampian condition had also been applied to ensure that the replacement allotments were provided prior to the construction of the new houses. The existing community club would have a temporary facility onsite and when the new development was built a new community hall would be incorporated as part of that. As sustainable transport was a key element of the proposal a mobility hub would also be created including bike lockers, an E-Scooter bike share scheme, live travel information, electric vehicle charging points and access to a car club. The existing pumphouse onsite would be retained and refurbished and could also be re-purposed for other community uses.

The development would abide by a Design Code that provided a set of standards for the development as it came forward, providing a detailed framework for the buildings, its built form and how the character of the areas would be defined. Details of the elevational treatments were limited therefore a further condition had been included to prevent the construction of generic house types.

The Environmental Statement submitted as part of the Environmental Impact Assessment Regulations had been independently reviewed and was considered acceptable. It was a

mixed-use development that would provide new facilities and employment opportunities for the wider Guildford area as well as a substantial amount of new and affordable housing. The application was therefore recommended for approval subject to conditions, the legal agreement and the additional information provided on the supplementary late sheets.

The Head of Place, Dan Ledger updated the Committee regarding a late submission from National Highways that had been received late that afternoon which was as a result of them being unable to attend the meeting. The communication reflected the ongoing dialogue between the two parties. National Highways remained confident that through ongoing engagement with Guildford Borough Council that the project would be delivered successfully. The document would be put on the Council's website and hard copies were available at the meeting for members of the public or councillors in attendance to view if they wished.

The Chairman permitted Councillors George Potter and John Rigg to speak for three minutes each respectively.

The Committee noted concerns raised regarding the late submission of comments received such as by National Highways. A key issue was in relation to the formula used for parking provision which failed to provide visitor parking, equated to a massive reduction in parking beyond what was provided in the surrounding area and contradicted Guildford Council's own Parking Standards. Concerns were also raised with regard to public transport provision, given the development would have a density similar to inner London, it was questioned whether the three bus spaces for 15,150 homes sufficient and failed people with mobility issues was. The bus service ran only towards Guildford and not to other neighbouring towns such as Woking. The development would also fix in stone the key spine road and access arrangements of the site. Phases 1 and 2 could therefore be built out only to discover too late in the process that there would be insufficient parking provision and public transport links. Objections from the National Trust should be noted in relation to flooding, site access and transport. In addition, National Highways had concerns about the site access, parking provision and traffic impact and County Highways had stated that the traffic modelling was unrealistic.

The Committee also noted comments that the application represented a significant milestone for the Council in delivering a new neighbourhood for Guildford which had taken some twenty years to achieve. The application was noted to be complex with the relocation of the sewage treatment works, depot and allotments whilst delivering 15,000 homes on brownfield land. The Committee noted the financial risks involved. A potential deferral of this project could jeopardise grant funding.

The Committee discussed the application and noted that provision of additional parking would only add to the existing traffic issues. The Council was trying to adopt a modal shift towards encouraging people to use other forms of transport such as taking a bus, walking, or cycling. A sustainable application such as this should therefore be supported.

The Committee noted the support for the additional and much needed provision of housing for Guildford and the relocation of the sewage works which had previously suffered with odour issues and complaints made by local residents. In addition, the Committee welcomed the opening up of the towpath and innovative heating of homes. Concerns remained regarding the effective management of the volume of traffic, parking issues and associated noise. The Committee was very pleased to see an additional condition on page 13 of the late sheets about odour control. However, why was the distance 393 metres, as currently the existing housing backed onto the sewage treatment works?

The Senior Planning Officer – Major Applications, Andrew Linton confirmed that 393 metres had been specified as a result of the odour modelling. The Head of Place, Dan Ledger confirmed that the additional condition had been included to protect the development that

comes forward whilst that facility was still there so to protect the early units that would be delivered and would change over time.

The Committee was in support of the delivery of 15,000 homes on this site with 40% affordable on a brownfield site that would counter-balance the construction of homes on otherwise Green Belt land. The Committee noted that it was questionable about the predicted population of the development which had been estimated at 3,301 based on the 2011 census and was therefore likely to be an under-estimate of the population. The Committee noted remaining concerns about a potential over-optimism about the lack of parking required and that in reality people would have cars and look to park elsewhere if they could not do so outside their house. The public transport service was also noted to have limitations given it only went in one direction towards Guildford. A query was raised in relation to the three access routes to the site and within it and how it would work in practice, specifically how would the bus gate work for residents coming in and out, as well as the HGV's, ensuring that residents were protected.

The Committee noted further support for the scheme given it was a redevelopment of a brownfield site which was very important for Guildford and would significantly boost the local housing supply and employment land. Compliance had been achieved with the site allocation and Local Plan. 40% affordable housing was also noted to be a significant figure given the costs involved of moving the sewage plant. The more complex aspects of the scheme would be delivered through reserved matters which the Council should strive to be an exemplar sustainable development. Members were also satisfied that the application was subject to a number of pre-commencement conditions.

The Head of Place, Dan Ledger confirmed that in response to concerns regarding the parking, the Council was trying to achieve a total modal shift. It was emphasised again that the more parking provided the less space there was for housing and the delivery of green spaces. Public transport arrangements would be subject to further discussions. Condition 86 in relation to the bus gate as well as condition 10 about the spine roads detailed design should have also included reference to the bus gate and would be included subject to members agreement. With regard to access points, a number of conditions had been applied that required additional detailing and the Council would work closely with Surrey County Council to achieve that. It was also confirmed by the Senior Planning Officer – Major Applications, Andrew Lainton that if significant changes were made to the access and movement plan it would fall outside of the parameters of the application, therefore we could not change conditions to fundamentally change the access points.

The Committee noted that clarification was sought in relation to Surrey County Highways who had originally objected to the application which was then subsequently withdrawn. This was in relation to the Woking Road pedestrian crossing where sections of the internal layout had been submitted for detailed planning permission. Surrey County Council had raised several concerns with the proposed layout in their formal response dated 4 August 2021. No further response had been received and therefore Surrey County Highways had recommended that prior to any issue of planning permission those concerns must be resolved. The original recommendation did include National Highways and Surrey County Council. Despite Surrey County Council withdrawing their objection, it did appear they still had concerns.

The Senior Planning Officer – Major Applications – Andrew Lainton confirmed that he had been discussed with Surrey County Highways and that their position was ambiguous owing to the fact that the officer who was looking at the detailed design was on holiday when the main objection was withdrawn. If members had concerns about the design a Grampian condition could be included to state that a revised design should be submitted prior to commencement of any part of the site that related to the allotments and sludge lagoons. The Head of Place, Dan Ledger also confirmed that Surrey County Highways would remain an integral part of all discussions going forward on this matter.

The Committee noted concerns that from the Woking Road there was no right turn into where the Depot was located now, and that the introduction of a right turn would cause congestion on the Woking Road exacerbated by the three main access routes into Slyfield. How did the traffic modelling satisfactorily address the congestion issues that would result from the development? We need to ensure that the sustainable movement corridor worked so that it fitted in with the strategic corridor for the rest of the town safely.

The green screening along the river looked sparse from the artists impression of what the site would look like. The Committee sought assurance whether additional planting could be included. The Parks and Countryside Leader, Hendryk Jurk confirmed that the trees to be planted would grow significantly in twenty years' time and therefore the screening would become established over time.

The Head of Place, Dan Ledger responded to the query raised in regard to access points and congestion concerns along the Woking Road. It was confirmed that a number of conditions had been put in place to ensure that further details of the works proposed to the spine road would be submitted to the planning authority prior to implementation along with road safety audits. In relation to screening, the plans were only indicative at this stage, and a full landscaping design would be submitted at a later stage.

The Committee noted concerns raised again regarding Surrey County Highways objections submitted about the internal road layout. The second Surrey County Highways response submitted on 11 October 2021 was referenced which stated that whilst the location was considered appropriate for residential development raised concerns that there were a number of unresolved matters relating to the proposal that had been submitted. As a result, the County Highway Authority were not yet in a position to determine whether the proposed mitigation measures were sufficient to prevent this scale of development from having a significant impact on highway safety, capacity or to make the development suitably accessible by modes alternative to the private car. The Committee noted with reference to this paragraph of the County response that it was a strong statement in consideration of the fact that they were being asked to grant full planning permission in B and C for the development of primary and secondary access roads. Surrey County Highways had made suggestions in order to mitigate their concerns and the Committee wanted reassurance on these issues.

The Barrister instructed on behalf of the Council in its capacity as Local Planning Authority, Conor Fegan, advised the Committee that he wished to clarify what the formal recommendation set out in the officer report (as amended by the supplementary late sheets) was and to give some guidance around what members would be deciding if they agreed with that recommendation following on from the questions from members. The Committee was referred to page 3 of the supplementary late sheets which set out the updated recommendation. It was that permission was granted "subject to" the objections of the named statutory consultees being withdrawn; and National Highways was the only named statutory consultee, with Surrey County Council being struck out. It was explained, however, that it would be open to members to reinstate Surrey County Council if members were concerned that there were outstanding unresolved objections from Surrey County Council. Assuming Surrey County Council was put back in, officers would have to go back and work through the objections made by National Highways and Surrey County Council, and it is only if those objections are withdrawn that permission could lawfully be granted. No planning permission will be issued unless and until the objections have been withdrawn from National Highways and Surrey County Council. Although matters of detail remain to be resolved, the guarantee with the recommendation is that until the outstanding objections are addressed, planning permission cannot be issued.

The Head of Place, Dan Ledger agreed with this recommendation.

A motion was moved and seconded to update the recommendation in accordance with the suggestion to reinstate the bullet point - Surrey County Council from the recommendation (previously proposed to be deleted in the late sheet) put forward above, which was carried:

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Fiona White	X		
2	Ruth Brothwell	X		
3	David Bilbe	X		
4	Tony Rooth	X		
5	Angela Goodwin	X		
6	Ramsey Nagaty	X		
7	Marsha Moseley	X		
8	Pauline Searle	X		
9	Jon Askew	X		
10	Angela Gunning	X		
11	Tim Anderson	X		
12	Liz Hogger	X		
13	Paul Spooner	X		
14	Maddy Redpath	X		
15	Chris Blow	X		
	TOTALS	15	0	0

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Maddy Redpath	X		
2	Paul Spooner	X		
3	Angela Goodwin	X		
4	Chris Blow	X		
5	Angela Gunning	X		
6	Jon Askew	X		
7	Ruth Brothwell	X		
8	Fiona White	X		
9	Tony Rooth			X
10	Ramsey Nagaty	X		
11	David Bilbe	X		
12	Tim Anderson	X		
13	Marsha Moseley	X		
14	Pauline Searle	X		
15	Liz Hogger	X		
	TOTALS	14	0	1

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

RESOLVED Subject to the objections of the Statutory Consultees set out below being withdrawn:

- National Highways
- Surrey County Council^[1]

That this application be GRANTED subject to securing a planning obligation with the heads of terms as set out in Appendix 1, and subject to the conditions set out in Appendix 2, for the reasons set out in this report, with the proviso that should there be objections from the above statutory consultees that cannot be resolved, the application is returned to the Committee for redetermination.

That the Head of Place (or person with acting authority thereof) is delegated authority to make changes to the wording of the committee's decision (such as to delete, vary or add conditions and/or informatives), in consultation with the Chairman of Planning Committee, prior to a decision notice being issued, provided that those persons are satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the committee nor that such change(s) could reasonably have led to a different decision having been reached by the committee. Where any such changes to the decision are made Group Leaders, the Lead Councillor for Development Management and Ward Councillors for Stoke Ward shall be notified before the final decision is issued.

That upon completion of the planning obligation, the application be determined by the Head of Place (or person with acting authority thereof). That if negotiations on the planning obligation are not successfully concluded within six months of the date of the committee decision the Head of Place (or person with acting authority thereof) be authorised to refuse the scheme on grounds lack of provision of the matters that would have been secured in the heads of terms set out in Appendix 1.

If the application is granted, regulation 30 of the Environmental Impact Assessment Regulations 2017, which sets a duty on the local planning authority to inform the Secretary of State, consultation bodies and the public of the final decision, shall be complied with.

^[1] Note The Surrey County Council formal objection relates solely to the detailed road layout element of the hybrid application

Appendix 1 Planning Obligation (section 106) Head of Terms

Reference: 20/P/02155

Weyside Urban Village (Slyfield Regeneration Programme), Slyfield Green, Guildford, GU1

Reference	Obligation to	Requirement	Detail
1.	GBC	<p>Provision of 40% (% units not habitable rooms) affordable housing in accordance with GBC approved tenure split (70% social rent/ affordable rent (i.e. max levels are per GBC housing strategy)) and 30% intermediate (e.g. Shared Ownership).</p> <p>Tenure mix within an affordable housing plan to be approved which details how it contributes towards achieving the following indicative housing mix, unless otherwise agreed with the local planning authority in line with the latest</p>	<p>Submission and approval of an affordable housing plan.</p> <p>The plan delivery will set out tenure and unit size/mix to demonstrate how each phase will ensure delivery of 40% requirement across the site.</p> <p>Trigger for submission to be prior to commencement of development of each phase.</p> <p>Plan to contain monitoring and review processes so GBC (LPA) can see how delivery of the required amount of affordable housing will be achieved by and as part of the final reserved matters (RM) stage.</p> <p>Appropriate restrictions on occupancy of market units in each phase until the affordable housing has been delivered.</p>

Reference	Obligation to	Requirement	Detail
		SHMA. <i>Affordable Homes</i> 1-bed: 35-45% 2-bed: 30-35% 3-bed: 20-25% 4+bed: 0-5%	
2.	GBC	Provision of (5% of the total of the residential units (excluding apartments) [6] custom build plots (as defined in the Self Build and Custom Housing Building Act 2015(as amended))	Trigger for delivery of the plots to be agreed with GBC (LPA) including in a phased manner if necessary S106 to deal with plot marketing requirements.
3.	GBC	Provision of 5% of the total of the residential units [6] Gypsy and Traveller plots	GBC (landowner) to covenant to provide and retain the Gypsy and Traveller plots. S106 to define suitably occupiers. To be delivered as part of the industrial unit phase.
4	GBC	Renovation of Pump House	Commitment to renovate and for continued public use. Management and maintenance for lifetime of the development pursuant to the To be delivered prior to occupation of [100]units in this phase.
5.	GBC	Community facilities Up to 500sqm of flexible community floorspace at the local	Provision of the new permanent facility to detailed plans and specification.

Reference	Obligation to	Requirement	Detail
		centre.	Management and maintenance for lifetime of the development. To be delivered on Thames Water land (phase 4) prior to occupation of [100]units in this phase.
6	GBC	Temporary replacement of the Aggie Club	Covenant for the temporary replacement not to be removed until the new community facility has been provided and is ready for use.
7.	GBC	Local Centre Marketing Plan	Submission and approval of the marketing plan and making the spaces available for use until the end of the agreed marketing period.
8.	GBC	Provision of SANG mitigation in accordance with the Thames Basin Heaths SPA Avoidance Strategy 2017, minimum 26.4ha and 0.75 spaces per Ha, within minimum 2.4 km circular walk.	For Burpham Court: Covenant to implement the management agreement developed pursuant to 20/P/02173, or where Burpham Court is not available, requirement to submit and have approved a Management Agreement and to manage in accordance with it.
9.	GBC SANG Management Contribution	Calculated in accordance with Council's Planning Contributions Supplementary Planning Document (2017) as updated in the Annual Updating of Off-site Contributions to Special Protection Area and Open Space Tariffs (published annually).	Paid for each phase with a limit on occupations of a % of residential units provided in each phase until this has been paid (in accordance with the tariff).
10.	GBC	Calculated in	Paid for each phase with a

Reference	Obligation to	Requirement	Detail
	SAMM Monitoring Contribution	accordance with Council's Planning Contributions Supplementary Planning Document (2017).	limit on occupations of a % of residential units provided in each phase until this has been paid as per the SPD.
11.	GBC	Off-site Playing Pitch and outdoor sports provision of 5.3Ha minimum	[GBC Parks to update]
12.	GBC	Site Wide Local Employment Strategy (construction and end use occupation)	<p>Strategy to be submitted prior to submission of the first RM.</p> <p>Strategy to set out the overall aims and parameters for the whole Site including monitoring and review mechanisms.</p> <p>New versions to be submitted for each RMA with requirements for each RMA.</p>
14.	SCC	Travel Plans	Commercial and residential plans to be submitted for SCC approval prior to commencement of development which would lead to first occupation of the respective commercial and residential elements of each phase.
15	SCC	Travel Plan Monitoring fee	£12,300 to be paid before commencement of the development of each phase.
16.	SCC	On Site Parking Management Plan and related Arrangements	<p>Obligations relating to, per phase where necessary:</p> <p>paying for the management of the Sustainable Funding Model (SFM);</p> <p>car club membership details;</p> <p>car club spaces [3];</p> <p>management of parking within the site to ensure safe and</p>

Reference	Obligation to	Requirement	Detail
			<p>accessible access for all users and reduce overspill parking in surrounding roads; details of all parking restrictions; management and allocation of private parking spaces; parking surveys and report monitoring; parking mitigation scheme to remediate problems/issues through SFM; funding any necessary Traffic Regulation Orders; consultation on site and off site re impacted residents in relation to TROs; Controlled Parking Zones (within and around the site) (to be paid for by GBC as landowner/ promotor); 20MPH zone within the site the site locality to be paid for by GBC as landowner/ promotor; covenant restricting on site residents from apply for permits to park within any CPZ or future CPZ outside but in the locality the site; permit arrangements in the context of CPZ proposals; and ensuring that all site roads are to remain private estate roads, privately maintained and not to become unadopted public highway; retention of EV charging points.</p>
18.	SCC	Sustainable Movement Corridor (SMC)	<p>Obligations to enter into a s278/s38 agreement with SCC to deliver the relevant parts of the SMC prior to commencement of the development of the phase in which the SMC sits.</p>

Reference	Obligation to	Requirement	Detail
19.	SCC	<p>PROW and NMU improvements and diversions.</p> <p>Section 278 and other works as listed in table below</p>	<p>Trigger for delivery will be prior to occupation of a specified number of residential units on the whole site. Where necessary, this will include obligation to use reasonable endeavours to enter into a section 278 Agreement. SCC to confirm the appropriate trigger.</p>
20.	SCC	<p>A [public transport contribution] [core bus subsidy] of [£1.5m] [£1,541,482] towards provision of new bus route, to fund the estimated operating loss of the bus service in the period where it is not commercially self-sufficient.</p> <p>Mechanism also required that enables the subsidy to be reviewed [on an annual basis] and financial arrangements for continued operation of the service.</p>	<p>To be paid prior to First Occupation of Development on a phased basis.</p>
21	SCC	Bus Strategy	<p>To submit the bus strategy for SCC approval prior to commencement of the development with phased</p>

Reference	Obligation to	Requirement	Detail
			<p>delivery of the bus services from first occupation.</p> <p>The details for the bus strategy are to meet SCC requirements. Details re the levels of service are under discussions, members to be updated through a supplemental report.</p>
<p>21.</p>	<p>SCC</p>	<p>Off Site Highway Works</p> <ul style="list-style-type: none"> • Woodlands Road / Woking Road; • Bellfields Road / Woking Road1; • GBC Depot access; and • A3 on-slip / Woking Road • Moorfield Road / Woking Road • A3 off-slip / Woking Road; • A25 / Woking Road.; • A3 underpass improvements painting and lighting • Woodfields Road/Slyfields Green improvements • Weyfield School Access and Bellfields Road 	<p>Obligations to enter into a s278/s38 agreement with SCC to deliver the relevant works prior to commencement of the development.</p> <p>Obligation to make clear all off-site highway works shall be required to pass a road safety audit by the relevant highways authority.</p> <p>Final bullet point relates to crossing referred to in condition.</p>

Reference	Obligation to	Requirement	Detail
		improvements <ul style="list-style-type: none"> • Provision of new pedestrian crossings over Woking Road near southern n access point to the development site near Old Farm Rd. • 	
22.	SCC	Early Years Contribution	Formula approach to be used. SCC pupil yield calculator and PRR within the GBC Infrastructure Delivery Plan (2017), Early Years Contribution: £1,043,228 to be calculated at £673 per Unit. To be paid proportionate to number of units prior to Commencement of Development of each residential phase.
23.	SCC	Primary Education Contribution:	Formula approach to be used. SCC pupil yield calculator and PRR within the GBC Infrastructure Delivery Plan (2017) £3,260,400 (£2,104 per unit) To be paid proportionate to number of units prior to Commencement of Development of each residential phase.

Reference	Obligation to	Requirement	Detail
			To include a review mechanism of whether this contribution is necessary prior to each phase.
24	SCC	Secondary Education Contribution	<p>Formula approach to be used. SCC pupil yield calculator and PRR within the GBC Infrastructure Delivery Plan (2017),</p> <p>£3,260,400 (£2,104 per unit)</p> <p>To be paid proportionate to number of units prior to Commencement of Development of each residential phase.</p>
25. a & b	<p>a. GBC to transfer primary care funds to CCG.</p> <p>b. Acute care funds to Royal Surrey Hospital NHS Trust.</p>	<p>a. Primary Care Contribution towards local primary health care needs of the development's new residential population.</p> <p>b. Acute Care Contribution towards Royal Surrey Hospital health care services arising from the development's new residential population</p>	<p>a. Formula approach £2,329 per residential unit, for acute care.</p> <p>b. Formula approach for primary Care. Either on site primary Car GP surgery or alternate financial provision based on Healthy Urban Development Unit model pro rata for population, but only accounting for primary care outputs of model.</p> <p>Each to be paid prior to first occupation of the development for a relevant phase.</p>

Reference	Obligation to	Requirement	Detail
26.	GBC (to transfer funds to Police)	Police Infrastructure Contribution towards additional police infrastructure in the locality	Financial contribution (amount to be agreed) towards additional police infrastructure in the locality. Payable on occupation of the 500 th Dwelling on the Development
27.	GBC	Provision and delivery of a land ownership and management strategy for the lifetime of the development.	Strategy to deal with all management and maintenance of parking/public realm /open space/ all roads/drainage features for the entire site to be submitted for GBC(LPA) approval with scope for review as the development is built out and operated over time. Plan linked to the parameter plan /design codes provisions as set out under planning conditions. Details of the strategy triggered prior to first occupation of development per relevant phase. Strategy to include submission and approval of structure and funding mechanisms for Estate Management, maintenance and Stewardship of the Development (to be updated per phase if required).

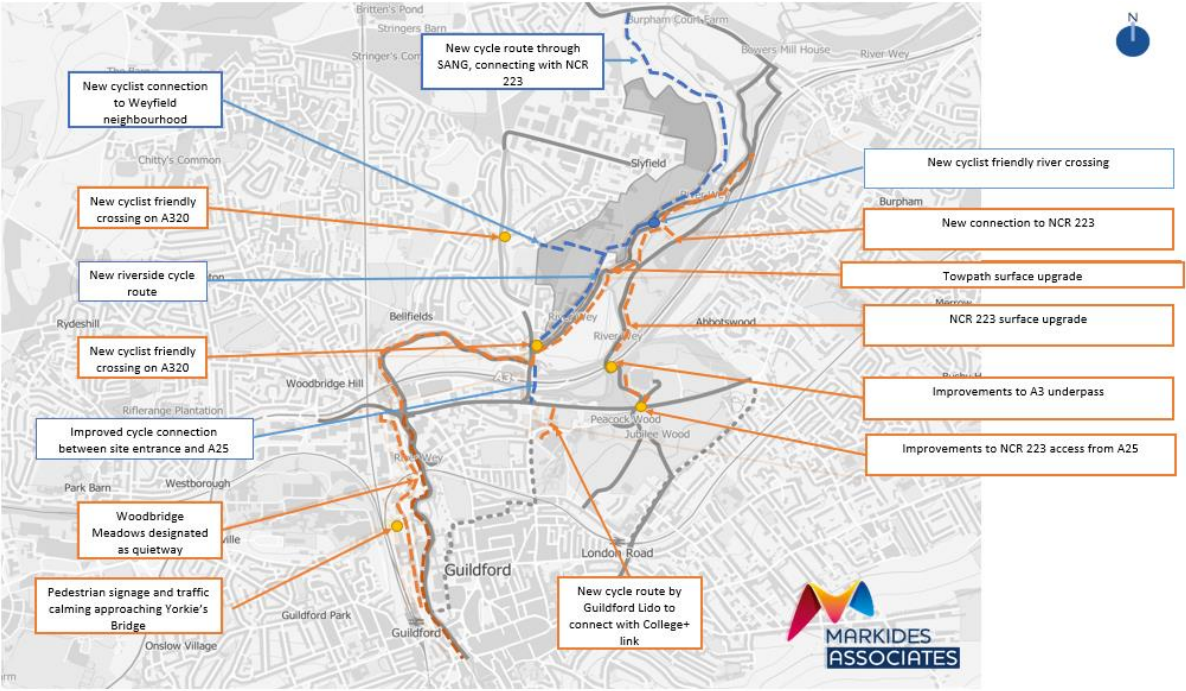
Proposed Section 278 Measures (or equivalent) - To be secured as part of planning consent

#	Location	Proposal	Additional details (Specification)	

1	National Cycle Route 223	Widen narrow section of route between Stoke Lock and Riverside Park & upgrade surface.	Hoggin Path widened to 2m	
2		Upgrade surface around Spectrum leading to A25	Asphalt 3m wide path	
3		Remove/redesign gate on north side of A25 leading to Spectrum	Remove gate, add bollard	
4		Add improved signage for NCR 223 at junction with A25 and Spectrum		
5	Riverside Park	New footway/cycleway connection from future river Wey crossing to NCR223	Likely boardwalk (dependent on ground conditions) - 3m wide	
6	A320 Woking Road Pedestrian Crossing	New crossing on Woking Road near Old Farm Road	As per RSA design	
7	Guildford Lido Link	Cycle link by Guildford Lido from the A25 south connecting to the Guildford College + link.	As per design (Asphalt surface 3m wide)	
8	River Wey	Improved River Crossing Facilities over River Wey	New Bridge or Improved existing crossing	
9	SANG	New footway/cycle connection between Weyside Urban Village and SANG		
10	Waterside Road	New traffic free cycle connection linking WUV Green Finger to Waterside Road (by numbers 30-48)	Widen existing footway to accommodate cyclists	
11	A320 Woking Road (Southern Section)	Improved Cycle Connection between Depot Road and A25	As per Depot Road, A3 on-slip and A3 off-slip junction designs	
12	Additional	x4 new pedestrian	Asphalt	

	Pedestrian Connections into WUV	only connection points from Waterside Road / Bellfields Road into site		
Proposed Section 106 Contribution Items (to SCC)				
#	Location	Proposal	Additional details (Specification)	Estimated Cost
1	Tow Path (Between Clay Lane and A25 by Woodbridge Meadows)	Upgrade surfacing to better handle ponding and drainage. Widen where possible.	Whinstone or Granite Dust Path widened to 3m	£ 532,602.00
2		Smooth kerb between A25 footway and towpath	NMU Identified Measure	£ 600.00
3	Woodbridge Meadows/Walnut Tree Close	Designated as a Quietway - as part of wider SCC proposals for traffic reduction	New cycle signage and road markings. Assumed 1 sign every 100m for 1.3km	£ 6,050.00
4	Yorkie's Bridge access from Walnut Tree Close	Introduce signage indicating Yorkies Bridge and shared use footway/cycleway	NMU Identified Measure - new signage and traffic calming measures	£ 4,800.00
5	Waterside Road	To provide continuous route to new pedestrian crossing, which provides safe access to Bellfields neighbourhood.	NMU Identified Measure - Dropped kerbs and tactile paving	£ 2,001.60
6	A3100 / Abbotswood	Add informal crossing	NMU Identified Measure - Dropped kerbs and tactile paving	£ 3,328.00
			Sub Total	£ 549,381.60
			Optimism Bias (40%)	£ 219,752.64

			GRAND TOTAL (To Surrey County Council)	£ 769,134.24
Proposed Section 106 Contribution Items (to National Highways)				
#	Location	Proposal	Additional details (Specification)	Estimated Cost
1	National Cycle Route 223	Paint/clean and install lighting on A3 underpass	Assumed x3 new lighting columns, painting and urban realm improvements	£ 13,600.00
			Sub Total	£ 13,600.00
			Optimism Bias (40%)	£ 5,440.00



Appendix 2 Planning Conditions and Informatives

CONDITIONS:

Note: Interpretation. Terms relating to outline consents. e.g. Reserved matters, parameter plans etc, are to be interpreted as per [circular 1/2006](#).

- The draft conditions are being sense and fact checked and subject to a quality control review and any amendments will be reported to members before decision.

Section One- General

1. Structure of Permission

In the following conditions, as relevant to each component of the development, the part of the site to which the various forms of permission apply shall be as follows:

- i. The whole site – extent as shown on site plan 01715_SO1_P1
- ii. The Outline application – extent as shown as outline on plan WEY-ACM-ZZZ-ZZ-DR-CE-00000
- iii. The full planning permission application – extent as shown as full on plan WEY-ACM-ZZZ-ZZ-DR-CE-00000

Reason: To clarify the nature and extent of the application and permission.

Section Two- Conditions that apply to the whole site (conditions 2 to 62)

2. Development Principles and Parameters

Development shall be carried out substantially in accordance with the vision, objectives and principles contained in the Design and Access Statement (dated 17th Dec 2020 revised 5th July 2021), as illustrated on the illustrative masterplan (01715_MP01_P2 1 Jun 202) together with the mitigation requirements contained in the Environmental Statement (dated 17th Dec 2020) and Environmental Statement addendum (dated 1st July 2021) submitted in support of outline planning application 20/P/02155 approved hereby approved, and in compliance with the development parameters plans, design code (dated 22nd dec 2020, revised dated 5th July 2021) and regulatory plans as listed below:

Plan No	Date Issued – last revision	Title
01715_RP1	1st Jun 2021	Regulatory plan_R2
01715_PP01_P2	1st Jun 2021	Land Use Parameter Plan_P2*
01715_PP02_P2	1st Jun 2021	Green Infrastructure Parameter Plan_P2
01715_PP03_P2	1st Jun 2021	Building Heights Parameter Plan_P2*
01715_PP04_P3	22nd Sept 2021	Access and Movement Parameter Plan_P3

For those strategies marked with an Asterix, revised versions of each document shall be submitted to and approved by the local planning authority prior to commencement of any development other than initial site preparation and groundwork, and those revised documents as approved shall be substituted in this table. Variation shall not deviate from the scope of the permission or lead to materially different significant environmental effects to those assessed in the Environment Statement without any fresh consent/assessment required to be secured.

Reason: For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority and in conformity to the local plan allocation, and to ensure that the development is implemented in accordance with the approved parameters upon which the hybrid application and Environment Statement are based

3. Site Wide Strategies

The following Site Wide Strategies shall be implemented as approved:

Document No	Date Issued – last revision	Title
42287_WUV_OBMEP_HEV_DEC-2020	15th December 2020	Outline Biodiversity Mitigation Plan
42287 Arborocultural Statement Final	15 th Dec 2020	Arborocultural Statement and Tree Protection Plan
42287 Waste Strategy Final	15 th Dec 2020	Site Waste Strategy
WEY_ACM-ZZZ-ZZ-RP_DR_000002_PO5	5 th Feb 2021	Surface Water Drainage Strategy
18179-MA-XX-TP-001	17 th Dec 2021	Weyside Urban Village Travel Plan
42287 Sustainability Strategy Final	15th Dec 2020	Sustainability Statement
60612873 FINAL	22 nd Dec 2020	Energy Strategy*
18179-MA-RP-D-OCLP02-P02	17 th Dec 2020	Construction Logistics Plan
18179-MA-XX-TP-001	17th Dec 2020	Demolition and Environment Management Plan
18179-MA-RP-D-PS01-P01	17 th Dec 2020	Parking Statement
42287/4005	Nov 2020	Flood Risk Assessment

*Note: For those strategies marked with an Asterix, revised versions of each shall be submitted to and approved prior to commencement of any development other than initial site preparation and groundwork, and those revised documents as approved shall be substituted in this table. Variations shall not deviate from the scope of the permission or lead to materially different significant environmental effects to those assessed in the Environment Statement. If a revised Energy Strategy requires a Water Source Heat Pump then outlets and inlets for this will require a separate planning permission and an addendum to the ES, as well as licensing approval from the Environment Agency.

Reason: To ensure the development of the site is progressed in accordance with an approved framework and related management practices, to conform with statutory requirements and national and local planning policy.

4. Extent Drawing no.s – Whole site

The development hereby permitted shall be carried out within the extent of the following list of plans and documents which apply to the whole site:

Plan No	Date Issued /last revision	Title
01715_SO1_P1	15 th Dec 2020	Site Location Plan
WEY-ACM-ZZZ-ZZ-DR-CE-00000	5 th October 2021	Outline and Detailed Elements of Application

Reason: To ensure the development is carried out within the extent of these plans.

5. Design Code and Design Code Review Mechanism

Document No	Date Issued – last revision	Title
01715_Weyside Urban Village Design Code_210514_M	5 th July 2021	Design Code

The Design Code (as listed in the table above) shall be reviewed and resubmitted prior to the submission of any reserve matters application other than for advanced highway of infrastructure works. The review shall incorporate the requirements of the National Model Design Code including enhanced sections on building and elevational design, incorporate the requirements of the Guildford Sustainable Construction SPD, and include enhanced measures relating to the design and management of parking stress incorporating the finalised version of the site Parking Plan and the revised approved version of the Site Energy Strategy.

All subsequent reserve matters applications shall include a Design Code Compliance Assessment report demonstrating compliance with the revised approved Design Code as well as fully justifying any variance.

Following a review of the design code after each phase to review the effectiveness of previous phases in meeting the objectives of the National Design Guide, the National Model Design Code and the objectives of the Slyfield Regeneration Project, changes shall be made where necessary to reflect the operation and design of the project, including, parking standards, parking strategy and parking design, based on evidence and experience including of the parking review mechanism set out in the planning obligation in consultation with the Highways Authority.

Reason: To enable the Local Planning Authority to control the development in accordance with the Design Code and Design and Access Statement as detailed applications come forward and to ensure compliance with the Local Plan throughout the phased development of the application site.

To enable to reflect on experience of the operation of the scheme and make adjustments over time to resolve any problems to better meet the scheme objectives.

6. Road Safety Audits (pre-commencement condition)

Prior to the commencement of development of any means of access to the site all off-site highway works secured in the planning obligation for this permission shall have passed a road

safety audit by the Highways Authority or National Highways (in the case of roads where the Strategic Highways Company is the highways authority).

Reason: To ensure highway safety. This is required to be a pre-commencement condition because of the importance of highway safety.

7. Master Phasing Plan (pre-commencement condition)

Prior to the commencement of development (apart from advanced works – defined as : site clearance and levelling, demolition and preparatory works to include, but not limited to contamination testing, remediation and groundworks, drainage ducting and roads), or the submission of any reserved matters application, whichever comes first, a master phasing plan shall be submitted to and approved in writing by the local planning authority, and shall be submitted alongside each subsequent reserved matters application. No development shall commence within a specific phase until the relevant details below have been approved for that phase by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved master phasing plan and reserved matters approved for that phase unless as otherwise agreed with the Local Planning Authority. This master phasing plan shall show where it is relevant to that reserved matters application:

- The redline boundary of each phase, including any advanced works;
- The numbered phasing of development of each part of the parcel;
- The open space, SUDS and Children Play provision to be provided in advance or within any individual phase;
- The quantum of development by each phase, including housing and affordable housing mix, so that the total quantum of development reaches around 1,500 units by 2033;
- Required infrastructure prior to each phase;
- The timing of demolition works within each phase;
- Provision of car club spaces by phase providing a minimum of 6 car club spaces for the whole development;
- Construction access routing by phase;
- A plan showing the phase and its relationship with other phases, including the layouts of any phases that have been developed and or have detailed planning permission
- A Sustainability Statement setting out compliance with condition 21 – sustainability targets of that phase in terms of energy, embodied energy, waste, water use and use of sustainable modes of transport.

The phasing shall be kept up to date with all revisions agreed by the local planning authority before commencement of subsequent phases.

Reason: To ensure that where the development is to be carried out in phase that the impacts can be properly controlled and monitored to ensure there is no significant impact on residential amenity or highway safety; and to ensure an orderly development and protection of amenity of existing and new residents during construction. This is required to be a pre-commencement condition because it is necessary to understand the nature and extent of any phasing overall before development, and agreement of any phase comes forward.

8. Phasing – securing of obligations (pre-commencement condition)

No development shall commence on any phase until an obligation that binds (either through becoming a direct signatory or a confirmatory deed) all of those with an interest in the land in that phase.

Reason: To ensure that all of the obligations are secured, and all landowners are bound to them. This is required to be a pre-commencement condition to ensure these obligations are secured.

9. Phasing - Community Facilities and Employment Provision (Pre-Commencement condition)

No units shall be occupied in advance of the community facilities and employment floorspace provision being completed; linked to or provided in advance of that phase as agreed in the phasing plan requirements applying to that phase as agreed under condition 6.

Reason: To ensure completion of the open space requirements in compliance with the land use parameters plan. This is required to be a pre-commencement condition to ensure completion in accordance with the masterplan.

10. Phasing - Spine Road Detailed Design (Pre-Commencement condition)

Prior to the commencement of any development on any phase requiring access from Woking Road or Moorfield Road a detailed plan for full planning consent shall be submitted to and approved by the local planning authority showing:

- a) a spine road connecting Woking Road to Moorfields Road, with a branch to Slyfield Green;
- b) A managed 20mph speed and zone;
- c) junctions to roads connecting to secondary access roads to the development off Slyfield Road and
- d) A minimum 3.5m wide cycle way not shared with the footway and segregated from the spine road carriageway;
- e) Landscaping and tree planting;
- f) Representative cross sections;
- g) Road levels and drainage;
- h) Bus Stop Spacing and Design;
- i) Bus Gate Design;
- j) Utility trenches and reservations;
- k) Links to greenways to the West and East to the Wey connecting the community and the residential area to the west to the River Wey and the proposed Wey footbridge;
- l) Traffic calming measures to give pedestrian and cycle priority;
- m) A shared surface area adjoining the proposed local centre with pedestrian and cycle priority;
- n) Junctions to side roads which maintain cycle routes across the junctions and which require cars and other motorised vehicles to give way to pedestrians and cycles in compliance with LTN 1/20 and the revised Highway Code.

Reason: To ensure the development complies with sustainable transport principles in line with local and national planning policy.

11. Phasing - Gypsy and Traveller Pitches (pre-occupation condition)

None of the units in the industrial area shall be occupied until at least six gypsy and traveller pitches and access and services to these pitches have been completed in accordance with details approved by the local planning authority.

Reason: To comply with the development plan and national policy.

12. Phasing – Replacement Allotments (pre-commencement condition)

No part of the site which is in allotment use may be development until:

- a) The replacement allotments approved under permissions 20/P/00197 and 20/P/00478 are brought into use,
- b) The loss of the allotments and replacement provision are approved by the Secretary of State.
- c) A design and location for replacement multipurpose flexible community building replacing the Bellfields Allotments and Agricultural Club building, as required in the planning obligation, has been agreed in writing by the local planning authority and developed in accordance with the approved plans. A facility may be temporary; however a permanent facility must be provided before occupancy of any units on the former Sewage Treatment Plant site.

Reason: To ensure replacement of essential utilities. This is required to be a pre-commencement condition to ensure continuity of provision.

13. Phasing – Replacement Sewage Treatment Works (pre-commencement condition)

No part of the site which is in Sewage Treatment or associated use (excluding the disused sludge lagoons) shall be developed until the Sewage Treatment Works has been fully decommissioned and a replacement facility (including means of minimising off-site sludge removal) has secured planning permission and developed in accordance with the approved plans.

All Reserved Matters applications shall include a statement confirming that proposed development will not prejudice the reservation, implementation or operation of this infrastructure

Reason: To ensure replacement of essential utilities. This is required to be a pre-commencement condition to ensure continuity of provision.

14. Phasing - New Sewage Treatment Plant Outfall (pre-commencement condition)

No development on the existing GBC depot land, other than initial ground clearance and preparation, shall commence until full details of how the design of the development on that land will not preclude inlets for the new Sewage Treatment Plant (as approved by the Waste Planning Authority) has been submitted to (including as part of a reserved matters application if appropriate) the local planning authority. No reserved matters application shall prejudice any necessary reservation for this infrastructure.

Reason: To meet the requirements of the local plan and the site's sustainable transport plan, and to promote site connectivity and sustainable modes of transportation.

15. Phasing – Replacement Community Recycling Centre and Waste Transfer Station (pre-commencement condition)

No part of the site which is in Community Recycling Centre, Waste Transfer Station or associated use shall be developed until the Community Recycling Centre has been fully decommissioned and a replacement facility has secured planning permission and developed in accordance with the approved plans.

Reason: To ensure replacement of essential utilities. This is required to be a pre-commencement condition to ensure continuity of provision and to comply with the local plan and waste local plan.

16. Phasing - Woking Road Crossing (pre-occupation condition)

No part of the authorised development contained within the existing GBC depot land may commence until an options appraisal, including a suggested preferred option, for delivery of a safe pedestrian crossing across Woking Road as close as possible to the existing Depot Access and the A3 On-slip roundabout has been submitted to and approved by the local planning authority, in consultation with and Surrey Council as Highways Authority.

In addition, no part of the authorised development contained within the existing GBC depot land may be occupied until the approved pedestrian crossing across Woking Road (shown on plans 18179-MA-IM-WOKI-DR-C-01 P02) has been provided.

Reason: To ensure safe pedestrian crossing of Woking Road.

17. Phasing – Replacement Site for Current Bicycle Hub (pre-commencement condition)

No part of the site which is currently occupied by the Bicycle Hub next to the Pump House shall be developed until a replacement Bicycle Hub facility has secured planning permission and developed in accordance with the approved plans and the project relocated to this facility.

Reason: To ensure replacement of this essential facility important to sustainable transport. This is required to be a pre-commencement condition to ensure continuity of a community asset of this scale and range of facilities. This can be a temporary location until the mobility hub is developed as part of the local centre.

18. Phasing – Development of Pump House Area (pre-commencement condition)

No part of the site occupied by the pump house, its associated outbuildings or the Surrey Bicycle project shall be developed until a comprehensive design for that location have been submitted to (including as part of a reserved matters application if appropriate) and approved by the local planning authority, showing retention and reuse for public purposes of as much of this heritage asset as possible.

Reason: To ensure protection of this heritage asset. This is required to be a pre-commencement condition to ensure this asset is protected through a comprehensive scheme and future use

19. Phasing - Local Centre and Mobility Hub (pre-commencement condition)

Prior to commencement of residential development on the part of the site occupied by the sewage treatment works and disused sludge lagoons, a reserved matters application (if not already included within the reserved matters application for the part of the site occupied by the sewage treatment works) for the local centre and associated mobility hub according to the principles set out in the design and access statement and design code shall be submitted to and approved in writing by the local planning authority. Development shall proceed in accordance with the approved details.

A Local Centre Implementation Plan shall be submitted as part of the reserved matters applications for the part of the site occupied by the sewage treatment works and disused sludge lagoons providing for commercial class E, Local facilities F1 and F2 and offices B1(a) commercial employment. This shall include the design and mix of uses of the Local Centre and associated car parking spaces, the associated mobility hub (including electric vehicle parking spaces, and cycle hire, parking and repair).

The relevant phase incorporating the local Centre shall not be commenced unless the Local Centre Implementation Plan has been approved in writing by the LPA. No more than 100

dwelling on the Sewage treatment works or the disused sludge lagoons site shall be occupied until all of the measures described in the Local Centre Implementation Plan have been delivered in full.

Reason: To meet the requirements of the local plan and the site's sustainable transport plan.

20. Sustainability Strategy by Phase (pre-commencement condition).

Prior to the commencement of development of each phase or part phase that include built development, (apart from advanced works defined as: site clearance and levelling, demolition and preparatory works to include, but not limited to contamination testing, remediation and groundworks, drainage ducting and roads), a sustainability strategy shall be submitted to and approved by the Local Planning Authority setting out how the phase/sub-phase is to be developed in accordance with the principles and objectives set out in the overarching Sustainability Statement and Energy Statement and targets for:

- Energy use
- Materials embodied energy
- Water use; and
- Waste

To be met by specified dates.

Initially the strategy shall include for the first phase a carbon emission rate that is at least 31 percent lower than the building's Target Emission Rate (TER), assessed against Part L:2013. The carbon emission reduction figures must be supported by SAP and SBEM assessment sheets (or similar) that show the TER and Building Emission Rate (BER) or Dwelling Emission Rate (DER) for Part L:2013 as applicable, or any higher standard included as part of the future homes standard.

Prior to the commencement of development of buildings above the damp proof course (dpc) level, details for each phase shall be submitted to (including as part of a reserved matters application if appropriate) and approved in writing by the Local Planning Authority that demonstrate that each new dwelling meets the requirements of the sustainability strategy in respect of carbon emissions. The carbon reduction achieved using low and zero carbon energy generating technologies may be included within the SAP and SBEM assessment. The approved details shall be implemented prior to the first occupation of that dwelling.

The sustainability strategy must provide that water management measures shall achieve a maximum water usage of 110 litres per person per day and prioritises demand reduction measures over supply measures for each dwelling.

Prior to the first occupation of each phase, a water efficiency statement shall be submitted to (including as part of a reserved matters application if appropriate) and approved in writing by the Local Planning Authority for that phase that demonstrate that each new dwelling meets the requirements of the sustainability strategy in respect of water efficiency.

This strategy shall be resubmitted at every subsequent phase to reflect local and national standards applying at the time.

The development of each phase or part phase shall be carried out in accordance with approved detailed sustainability strategies unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure sustainability targets are met in accordance with national and local policy.

21. Arborocultural Method Statement (pre-commencement condition)

No development shall take place on a phase until a finalised Arborocultural Impact Assessment and Arborocultural Method Statement (detailing all aspects of construction and staging of works) and a Tree Protection Plan, in accordance with British Standard 5837:2012 for that phase 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 both on and off -site which are to be retained in the interests of the visual amenities of the locality. It is considered necessary for this to be a pre-commencement condition because the tree protection measures need to be checked prior to the development commencing to ensure they are adequately implemented.

22. Tree Protection Meeting (pre-commencement condition)

No development excluding any temporary haul road and including levelling, demolition and preparatory works to include, but not limited to contamination testing, remediation and groundworks and drainage ducting, shall take place and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until a pre-commencement meeting has been held on site and attended by a suitable qualified arboriculturist, representative from the Local Planning Authority and the site manager/foreman, to check all tree protection measures have been installed in accordance with the approved tree protection plans and approved reports. The tree protection measures shall be maintained for the course of the development works.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality. It is considered necessary for this to be a pre-commencement condition because the tree protection measures need to be checked prior to the development commencing to ensure they are adequately installed.

23. Site Waste Management Plan (pre-commencement condition)

No development on any phase shall commence until a Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority for that phase, and the scheme shall be implemented in accordance with this approved plan. This plan shall demonstrate how waste generated from construction and excavation activities would be dealt with in accordance with the waste hierarchy. The Site Waste Management Plan will subsequently be kept up-to-date throughout the development process in accordance with established methodology.

Reason: To ensure that the development takes waste hierarchy into account to manage waste. It is considered necessary for this to be a pre-commencement condition because waste will begin to be generated as soon as any development commences on the site.

24. Contaminated Soil Material Management Plan (pre-commencement condition)

Prior to the commencement of any development on any phase a detailed plan for the management, on site processing and decontamination and re-use of all contaminated or uncontaminated soil and other material in earthworks and ground works, for that phase shall be submitted to and approved by the local planning authority and the scheme shall be implemented in accordance with this approved plan.

Reason: To ensure that contaminated material is properly processed in accordance with national and local policy.

25. Contaminated land (pre-commencement condition)

No development in a phase approved by this planning permission shall take place until a remediation strategy for that phase that includes the following components to deal with the risks associated with contamination of the relevant phase of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the relevant phase of the site indicating potential sources, pathways and receptors, including those off site.
2. The results of a site investigation based on (1), covering previously investigated areas including the allotments, and a detailed risk assessment, including a revised CSM including a detailed site investigation must be carried out of all areas not so far investigated (the allotments area) of the development by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology. The investigation shall include relevant sub-surface, soil gas and groundwater sampling together with the results of analysis and a risk assessment of the impact to receptors.
3. Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary. These remediation details may be agreed phase by phase. The long-term monitoring and maintenance plan shall be implemented as approved. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
4. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development in the relevant phase other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

The strategy shall be fully implemented as approved.

Reason: To ensure that risks from land contamination associated with current and previous land uses to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to the health of future users of the land, workers, neighbours and other offsite receptors and the natural environment or general amenity in line with National Planning Policy Framework (NPPF). This is required to be a pre-commencement condition as the nature and extent of any contamination, along with any necessary remediation measures, need to be identified before development commences, in order to ensure that risks can be managed.

26. Contamination verification (pre-occupation condition)

The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works for a phase. Following completion of measures identified in the approved remediation scheme for a relevant phase, a verification report for that phase must be produced, and is subject to the approval in writing of the Local Planning Authority.

Documentary proof shall be submitted to and approved in writing provided to by the Local Planning Authority to include:

- a) a quality assurance certificate to show that the works have been carried out in full accordance with the approved remediation strategy;
- b) details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report;
- c) the necessary documentation detailing what waste material has been removed from the site; before the development of that phase is first occupied by any person not directly involved in constructing the development. No occupation of any part of the permitted development by phase shall take place until the verification report demonstrating completion of works set out in the remediation strategy in the approved remediation strategy. Any approved remediation scheme shall be carried out as detailed.

Reason: To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

27. Reporting of Unexpected Contamination

If contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (25) clause (2), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (25) clause (3), which is subject to the approval of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

28. Contamination - Long Term Monitoring & Maintenance

Prior to the commencement of any phase a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, shall be submitted to, and approved in writing by, the local planning authority in respect of that phase. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the management of Land Contamination, CLR11'.

Reason: To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to controlled waters, property, and

ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

29. Phasing – Foul Water Drainage (Pre-Commencement Condition)

Development on land currently occupied by the Sewage Treatment works or former sludge lagoon hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reasons: Detailed foul waste plans have only been drawn up for the other parts of the site. Whilst the foul waste strategy for these other phases have been approved, further plans regarding the foul waste the Sewage Treatment works, and former sludge lagoon will need to be submitted before these two areas can go ahead. This will allow the developer to continue working to their phasing schedule for the other areas but will ensure that they complete an assessment of foul sewer capacity before phases comprising the Sewage Treatment works or and former sludge lagoon areas can proceed. The applicant will need to work with the water company to ensure that construction and habitation do not outpace infrastructure improvements in this case.

The Thames river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the impact could cause deterioration of a quality element to a lower status class to the River Wey water body because it would result in the release of raw effluent through the overwhelming of foul sewer systems.

30. Graded Topographic levels, Drainage, and SUDS details (Pre-Commencement Condition)

No development shall commence on any phase of the development, whether outline or full permission until at grade levels details including the existing and proposed graded proposed topographic levels, building foot prints, hard surfaced areas levels, and roads in relation to that phase has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with those approved levels.

No development shall commence (excluding site preparation/ earthworks/ enabling works) until drainage details of the design of a whole site surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. This strategy shall show:

- I. The rough grading and drainage of the common parts of the scheme prior to the submission of any application for an individual phase
- II. The approach to the final grading and detailed drainage of any individual phase that will be taken as part of that reserved matters submission of an individual phase.

The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. Associated discharge rates and storage volumes for all phases except for the new GBC depot site shall be provided using a maximum discharge rate of 180.22l/s for the 1 in 1 year rainfall event and 676.37l/s for the 1 in 100 year (+CC) rainfall event. Associated Network Asset Management Highways Laboratory and Information Centre Merrow Lane

Guildford Surrey GU4 7BQ 2 discharge rates and storage volumes for the new GBC depot site shall be provided using a maximum discharge rate of 12.25/s for the 1 in 1 year rainfall event and 45.95/s for the 1 in 100 year (+CC) rainfall event.

- b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.);
- c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected;
- d) Details of drainage management responsibilities and maintenance regimes for the drainage system; and details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.
- e) The development shall be built in accordance with the approved details and thereafter maintained.

The development within each phase shall not commence until such time as a maintenance schedule for that phase to ensure that the approved sustainable drainage systems (SuDS) are kept in working order for the lifetime of the development, has been submitted to, and approved in writing by, the local planning authority. The schedule shall be fully implemented in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the local planning authority.

Reason: In order to ensure the grading of the development, and its drainage is appropriate to the character of the area and has an acceptable impact on the surrounding area. In order to reduce the impact of the development on flooding, manage run-off flow rates, protect water quality and improve biodiversity and the appearance of the development. This is required to be a pre-commencement condition as the design of a surface water drainage scheme goes to the heart of the permission and must be secured before development commences.

31. Drainage verification

Prior to the first occupation of any phase of the development or enabling works, a verification report carried out by a suitably qualified drainage engineer shall be submitted to and approved in writing by the Local Planning Authority. This must demonstrate that the drainage system for that phase or the enabling works has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company engaged to manage the drainage system and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To reduce the impact of the development on flooding, manage run-off flow rates, protect water quality, and improve biodiversity and the appearance of the development.

32. Groundwater Monitoring Plan (pre-commencement condition)

Prior to the first occupation of a phase of the development, a verification report carried out by a suitably qualified drainage engineer shall be submitted to and approved in writing by the Local Planning Authority. This must demonstrate that the drainage system for that phase or the enabling works has been constructed as per the agreed scheme (or detail any minor variations) in relation to that phase, provide the details of any management company engaged to manage the drainage system and state the national

grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the proposal does not create water pollution in accordance with national and local policy.

33. Project Manager (pre-commencement condition)

A named appointed Project Manager shall be appointed prior to commencement of development and shall oversee the delivery of the works in accordance with the principles contained within the relevant Site Wide Strategies (approved under condition 3), Submissions under the Design Code (conditions 5 & 52), the mitigation requirements of the environment statement, the Demolition and Construction Environment Management Plan (condition 9) and the Construction Logistics Management Plan (condition 53) and the Contaminated Soil Material Management Plan (condition 25).

A Project Manager shall be retained thereafter for the duration of the relevant works.

Reason: To ensure effective management and delivery of the development.

34. Archaeology (pre-commencement condition)

No works below current ground levels shall take place, by phase or for general site preparation work and site grading and infrastructure, until they or their applicant, or their successors in title, has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority and has secured the implementation of a programme of archaeological work on the site in accordance with a written scheme of investigation for that phase which has been submitted to and approved in writing by the Local Planning Authority.

The programme should include measures for:

- the protection of remains or evidence of archaeological significance during any pre-archaeological investigation phases of development,
- the timely excavation, recording, removal, assessment, reporting, publication and archiving of any archaeological material recovered from the site.
- the reporting of the results of this work to the planning authority and the Historic Environment Record
- The publication of the results as appropriate and
- The archiving of all material recovered and produced during the works at an appropriate and accredited repository

Should any remains of the flowing river be found the local planning authority shall approve a scheme of retaining, restoring or celebrating appropriate parts of the flowing river within the landscaping scheme and that revised landscaping shall be implemented.

The condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the written scheme of investigation.

The development shall be carried out in accordance with the approved Written Scheme of Investigation.

Reason: To ensure archaeological investigation(s) are This is required to be a pre-commencement condition because it is necessary to understand the nature and extent of any archaeological remains on the site before development commences carried out before any archaeological remains are disturbed by the approved development.

35. Biodiversity Mitigation and Enhancement Plan (BMEP) (pre-commencement condition)

A detailed Biodiversity Mitigation and Enhancement Plan complying with BS 42020:2013 and detailing the outline plan 42287_WUV_OBMEP_HEV_DEC-2020, shall be submitted as part of each Reserved Matters Application.

The submitted plan shall identify features of biodiversity interest on site and include a mitigation method statement including monitoring, management and remediation measures

Reason: To ensure statutory procedures for species protection and biodiversity are complied with.

36. Biodiversity Net Gain (Pre-commencement condition)

Development shall not commence on any phase until a biodiversity gain plan for that phase, in accordance with the calculation shown in Weyside Urban Village: Biodiversity Metric Report – 20th July 2021, prioritising improvements at the Weyside Biodiversity Opportunity Area and Burpham Court Farm, but including an updated biodiversity impact calculator in accordance with the current policy and national metric requirements applying at the time has been submitted (including as part of a reserved matters application if appropriate) to the local planning authority, to demonstrate how that phase will contribute to the development achieving a post development biodiversity value shall be a minimum of 20% higher than site pre-development biodiversity value and the local planning authority has approved the biodiversity gain plan for that phase. The post development biodiversity value may include off-site biodiversity gain under the control of the applicant and purchased biodiversity credits. This gain shall thereafter be maintained for a minimum period of 30 years in line with the biodiversity gain plan. The development shall be carried out in full accordance with the approved biodiversity gain plan.

Reason: to ensure that biodiversity gains are delivered for enhancement and improvements of habitats. This is a pre-commencement condition to comply with the Environment Act 2021 [when granted royal assent].

37. SANG (Pre-Occupation condition)

No occupation of the development, other than development of the former allotment area, shall take place until written confirmation has been obtained from the Local Planning Authority that the Council has secured Suitable Alternative Natural Green Space (SANG) under permission 20/P/02173 or otherwise in accordance with the Natural England approved scheme under the Guildford Borough Council Thames Basin Heaths SPD (2021) and any works required to bring that land up to acceptable SANG standard have been completed; except, where such confirmation has not taken place prior to the approval of any Reserved Matters application of a phase for works that will lead to the occupation of dwellings, the applicant for that Reserved Matters application has informed the local planning authority that it has secured sufficient capacity for that phase at another existing or approved area of SANG capable of mitigating the impacts of the development in accordance with the Natural England approved scheme under the Guildford Borough Council Thames Basin Heaths SPD (2021).

Reason: This is required as a pre-commencement condition as the development is only acceptable if the impact on the Thames Basin Heaths Special Protection Area can be mitigated. This is reliant on the provision of SANG. Avoidance works associated with development need to be carried out prior to the occupation of the development so that

measures can cater for increased number of residents to avoid adverse impact on the Thames Basin Heaths Special Protection Area.

38. Vehicular Access to Stoke Lock (Pre-commencement condition)

Prior to the closure of any part of the existing right of way to Stoke Lock, a plan showing an alternative right of way to Stoke Lock shall be submitted to and approved by the local planning authority and that route shall be included in reserved matter submissions of any phase which includes land which forms part of the existing site access.

Reason: To protect access to the National Trust property at Stoke Lock.

39. Weyside Buffer Zone scheme (Pre-commencement Condition)

In order to protect the River Wey (and associated biodiversity receptors), a 10m minimum ecological buffer is required between the top of the River Wey riverbank and any development. There shall be no development within this buffer zone other than that required for access to the River Wey, for creation of flood defences, or for the creation of a riverside Walk. It shall be retained free of domestic gardens and must not be used to store or transport any materials/equipment.

As part of the reserved matters application of each phase along the riverside a detailed scheme for the layout, management and treatment of the buffer area shall be submitted to the Local Planning Authority and approved prior to the commencement of that phase and the scheme so implemented. The scheme shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved scheme.

Where construction effects are unavoidable, the scheme design will replace habitats and bank profile in order to respect, maintain and, where possible enhance, the landscape and ecological value of the River Wey corridor.

Reason: Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. Buffer zones to watercourses form a vital part of green infrastructure provision.

40. River Wey Pedestrian and Cycle Crossing (Pre-commencement Condition)

Prior to the commencement of the development of any part of the former sludge lagoon area detailed plans for a pedestrian and cycle bridge across the river Wey, to connect the local centre to the cycleways on the eastern side of the River Wey, shall be submitted to and approved by the local planning authority. The

The design must demonstrate that:

- a) It is of a minimum 3.5m carriageway width to enable cycles and pedestrians to pass safely.
- b) It provides minimum clearance for barge navigation as approved by the National Trust;
- c) it does not restrict flood flows up to the 1 in 100 year flood extent plus an appropriate allowance for climate change.
- d) There is enough space for the passage of mammals (including otters) a 1 in 100 year flood event plus an appropriate allowance for climate change. An appropriate vertical clearance will be provided between the 1 in 100 year plus climate change flood level and the bridge soffit to allow mammals (including otters) to pass under during high flows. If it is not possible to provide a gap between the bridge abutments and the edge of the watercourse (for animals to walk on solid ground) during the 1 in 100 year plus climate change flood level, a

mammal ledge must be incorporated into the design. This ledge should be designed in accordance with volume 10, section 1, part 9 of the design manual for roads and bridges (The Good Roads Guide New Roads Nature Conservation Advice in Relation to Otters, dated May 1999).

- e) incorporate mitigation measures to mitigate for any loss of open water habitat, such as habitat impacted by shading.

Reason: The use of a clear-spanning bridge would maintain the river corridor and allow the movement of both the river and associated wildlife.

41. Demolition and Construction Environmental Management Plan (DCEMP) (pre-commencement condition)

All demolition and construction on site shall be in compliance with the outline Demolition and Construction Environmental Management Plan (DCEMP) 18179-MA-XX-TP-001 and compliant with CIRIA document C532, including the recommendations outlined in the Environment Statement (as set out below), for the treatment of any environmentally sensitive areas, their aftercare and maintenance.

Prior to commencement of any phase of the development, a detailed Demolition and Construction Environmental Management Plan (DCEMP) for that phase shall be submitted to and approved by the local planning authority. The measures in the approved detailed DCEMP shall be implemented and maintained for the course of the development works.

These shall include:

- a) measures for noise and vibration mitigation during each phase of construction, together with plans to monitor noise and vibration during construction;
- b) specifying the proposed piling method and the reason for the selection of this method. This shall take into account the ground conditions of the proposed development site and the proximity of residential properties to the development site
- c) details of lighting requirements during construction;
- d) a Dust Management Plan to minimise dust and emissions including an inventory and timetable of dust generating activities, emission control methods and where appropriate air quality monitoring;
- e) a pre-construction check for badger setts;
- f) a plan showing habitat areas to be specifically protected during the works and how they shall be protected (i.e. with fencing). This should include the 10m buffer zone to the River Wey;
- g) details demonstrating how the River Wey buffer zone and watercourse will be protected during development. This should include:
- h) the measures to be used to physically protect the buffer zone during construction,
 - e.g. the use of Heras fencing; ii) any necessary pollution protection methods, particularly for light, dust, concrete, sediment and other harmful substances such as paint and oil that could pollute the watercourse;
 - i) any necessary pollution protection methods, including that any materials/equipment/spoil should be stored at least 10m from the River Wey; and
 - j) information on the persons/bodies responsible for particular activities associated with the method statement that demonstrate they are qualified for the activity they are undertaking.
- k) the appointment of an appropriately experienced soil specialist to advise on, and supervise, soil handling, including identifying when soils are dry enough to be handled and how to make the best use of the different soils on site.

A Report on soil management. Regard shall be had to the detailed Defra guidance with respect to the Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (including accompanying Toolbox Talks). The development shall be implemented in accordance with the approved Report.

Reason: In order to safeguard against the emission of noise, vibration and dust and protect the wildlife on the site. This is required to be a pre-commencement condition as these matters need to be agreed before development commences, in order to protect the amenities of the locality and by minimising impacts on habitats and biodiversity.

42. Noise Levels, Noise Sensitive Uses (pre-commencement condition)

Prior to the commencement of any development, a comprehensive scheme for protecting the proposed dwellings and other noise sensitive uses from noise, which will meet the criteria of 55dB, LAeq16 hour (day-time) in private amenity areas, 35dB LAeq, 16 hour (day-time) in living rooms and bedrooms, and 30dB, LAeq, 8 hour (night-time) and 45dB, LAmax (night-time) in bedrooms, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved scheme.

Reason: To meet minimum standards for noise protection in accordance with local and national planning policy, and to apply the mitigation required by the Environment Statement.

43. Noise Levels, Plant and Equipment (pre-installation condition)

Any plant or equipment etc, installed and operated at any time in connection with the carrying out of this demolition and construction phases of this permission shall not produce mechanical broadband or tonal noise that is in excess of the levels contained in the table below at the boundary of any noise sensitive premises. The noise specification for mechanical plant shall not cumulatively exceed these levels or generate any transient, cyclical tonal or impact noise or vibration that would significantly increase the residual continuous equivalent noise level (> +1dBA LAeq) at the nearest noise sensitive boundary. Correction factors must be included to account for any tonal characteristic and impulsivity of the noise (Ref BS4142:2014) (Note: Tonal noise shall be considered in one-third octave spectra). A regular and routine maintenance programme will be employed to ensure operational plant does not increase noise output due to mechanical wear or defect that will result in any unit failing to meet the above noise criteria.

	Daytime (0700-2300)		Night-time (2300-0700)	
	Representative background noise level dB LA90	Plant noise rating level dB LA,r	Representative background noise level dB LA90	Plant noise rating level dB LA,r
All sensitive receptor	35	35	27-30	30
Limits are for cumulative noise levels from all plant.				

Prior to installation of any such plant or equipment, full details of the plant, details of the operational plant noise levels and any appropriate mitigation measures to achieve compliance with the condition above must be submitted in writing for approval by the Guildford Borough Council.

Reason: To meet minimum standards for noise protection in accordance with local and national planning policy, and to apply the mitigation required by the Environment Statement.

44. Phasing - Green Links (pre-occupation condition)

No part of the site occupied by the allotments shall be occupied until full details of the proposed green pedestrian and cycle links to that part of the site to Waterside Road have been submitted to (including as part of a reserved matters application if appropriate) and approved by the local planning authority and fully implemented and the links formed in accordance with the approved details.

No part of the site occupied by the Sewage treatment works shall be occupied until full details of the proposed green pedestrian and cycle links to that part of the site to Waterside Road and Slyfield Green have been submitted to (including as part of a reserved matters application if appropriate) and approved by the local planning authority and fully implemented and the links formed in accordance with the approved details.

Reason: To meet the requirements of the local plan and the site’s sustainable transport plan, and to promote site connectivity and sustainable modes of transportation.

45. Phasing - Bus Service (pre-occupation condition)

No residential part of the site occupied by the sewage treatment works shall be occupied without the operation of a bus service serving the whole of the central spine road and linking to Guildford Town Centre with a minimum level of service of:

- Monday to Saturday (except bank holidays): 3 services an hour 07:00-22:00
- Sundays and Bank Holidays: 2 services an hour 08:00-22:00

Reason: To meet the requirements of the local plan and the site’s sustainable transport plan, and to promote site connectivity and sustainable modes of transportation.

46. Phasing – Self and Custom Build Plots (pre-occupation condition)

No units shall be occupied beyond the third phase to commence until a minimum of six serviced plots have been marketed for sale meeting the definition of self-build and custom build in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) as clarified in NPPG to exclude Off-plan housing,

homes purchased at the plan stage prior to construction and without input into the design and layout from the buyer.

Reason: to meet the requirements of legislation and national policy.

47. Strategic Cycle and Walking Connections (Pre-occupation Condition)

No units shall be occupied unless and until a strategy has been submitted to and approved in writing by the Local Planning Authority for the off-site pedestrian and cycle enhancements, the strategy to include:

- a) Detailed design drawings for the improvements to the routes identified in the planning report and S106 Heads of Term (to cover all routes including Lido Car Park and Crossing on Woking Road opposite Fir Tree Road) in accordance with the following specification:
- b) A programme for the phased delivery of the proposed enhancements linked to occupations of the development;
- c) A method for delivering and funding future maintenance of the enhancement works linked to the Sustainable Funding Model;
- d) Written agreement from landowners of any part of the routes identified on under a, that they are will permit the implementation of the works and maintenance methodology identified.

Thereafter the enhancement works shall be provided, retained, and maintained in accordance with the approved details.

Reason: To meet the requirements of the local plan and the site's sustainable transport plan, and to promote site connectivity and sustainable modes of transportation.

48. Private Roads Parking Enforcement (Pre-occupation Condition)

No units for each phase shall be occupied until the owner of roads (including footways) within that phase which have not been adopted by the Highways Authority has submitted (including as part of a reserved matters application if appropriate) a scheme for the programme, layout, management, maintenance and enforcement of parking and that scheme has been approved by the local planning authority, in consultation with the local highways authority and that phase must be built out in accordance with that strategy. The parking management plan shall be thereafter permanently retained and maintained, subject to any changes agreed through the agreed design code review process.

Reason: To ensure that there is no unnecessary and harmful parking stress within the scheme through lack of parking enforcement on private roads.

49. Improved Sliproads A3/Woking Road (Pre-Occupation Condition)

Prior to the occupation of units covered by the trigger points in the left hand Column the off-site highways works in the centre hand column shall be completed. be submitted to and approved by the local planning authority, County Highways Authority and the Highways Agency. Thereafter the highway works shall be delivered fully and only in accordance with the approved drawings and Phasing Strategy.

Trigger Point	Project	Plan number.
The occupation of any units on the Sewage Treatment Works or Former Sludge Lagoon Area	A3 On Slip General Arrangement	18179-MA-IM-A3ON-DR-C-01 P02
The occupation of any units on the Sewage Treatment Works or Former Sludge Lagoon Area	A3 Off Slip General Arrangement	18179-MA-IM-A3OF-DR-C-010 P02

Reason: To ensure that unacceptable levels of congestion are not created at this junction.

50. Other Off site Highway Works (Pre-Occupation Condition)

Prior to the occupation of units covered by the trigger points in the left-hand Column the off-site highways works in the centre hand column shall be completed in line with plans submitted to and approved by the local planning authority and County Highway Authority. Thereafter the highway works shall be delivered fully and only in accordance with the approved drawings and Phasing Strategy.

Trigger Point	Project	Plan number.
The occupation of any units accessed off Woking road	New Pedestrian Crossing Woking Road	18179-MA-IM-WOKI-DR-C-01 P02
The occupation of any units accessed off Moorfields Road	Bus stops on Moorfields Road	
The occupation of any units accessing or Bellsfield Road	Bellfields Roads General Arrangement	18179-MA-IM-BELL-DR-C-0 P02 and 18179-MA-IM BELL-DR-C-0 P02*
The occupation of any units accessed off Slyfield Green	Woodlands Roads General Arrangement	18179-MA-IM-WOOD-DR-C-0 P02 and 18179-MA-IM-WOOD-DR-C-0 P02 and 18179-MA-IM-WOOD-DR-C-01 P02 and 18179-MA-IM-WOOD-DR-C-01

*Note: Revised plans for the Bellfields Road Weyfield School drop off area shall be submitted to the local planning authority and Guildford County Council and approved by the local planning authority and local planning authority prior to the trigger point.

The development shall not commence unless and until any area of Common Land marked on any of these drawings has been deregistered by the Secretary of State.

No more than 300 dwellings shall be occupied unless and until a second vehicular access and a second pedestrian access to the existing highway network has been constructed.

Reason: To ensure that unacceptable levels of congestion are not created as a result of this development and surrounding areas are served by the proposed bus route, also to ensure Weyfields school has safe access.

51. Open Space Quantitative Provision (Reserved Matters)

Each reserved matters application, having regards to the description of open space typologies and tables in the revised design and access statement dated 16 Sep 2021, shall show how the whole site open space quantitative provision shall be minimum Guildford open space standards (using the calculation method in that statement) and the overall landscape strategy as shown on the Green and Blue Infrastructure parameter plan (to be revised as required by condition) and as set out in the revised design and access statement 16 Sep 2021.

Reason: To ensure minimum open space standards are met.

52. Design Code Review of Reserved Matters

Prior to making any Reserved Matters application for any part of the site the applicant shall present the design to the local community and a locally appointed Guildford design code review board who shall review the design against:

- 1) The National Model Design Code and any local modifications agreed for Guildford; and
- 2) The approved site-specific design code.

And state whether the scheme a whole and specific parts of it are code compliant.

The application should include the design code checklist (appendix to the design code), details of compliance with any non-compliant matters in the pre-application submission checklist and full and detailed justification of any matters not compliant with the code.

And in making the reserved matters application the application shall state ho the final scheme has been modified to reflect the public views and views of the Guildford Design Code Review Panel

Reason: To ensure a suitable high quality of development and to meet the national objective of beautiful development.

53. Construction Logistics Management Plan (pre-commencement Condition)

No development shall commence in any phase until a Construction Logistics Management Plan has been submitted to and approved in writing by the Local Planning Authority to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)

- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- (j) measures to prevent conflict with school drop off and pick up times
- (k) on-site turning for construction vehicles

Only the approved details shall be implemented during the construction of the development.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. This is required to be a pre-commencement condition as the details go to the heart of the planning permission as the impact on the highway will be on commencement of any construction activity.

54. Outfall and Intake details

No outfalls or intakes to the River Wey shall be constructed until a scheme detailing the location and design of any outfalls (temporary or permanent) to the River Wey within the application site have been submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority.

The outfalls should be designed to cause minimal disturbance to the river and its immediate environment and enhance it where possible.

Reason: Watercourses are important linear features within the landscape which facilitate the movement of wildlife between suitable habitats and improve the robustness of species populations.

55. Tree & Planting Retention

All existing trees, hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed and paragraphs (a) and (b) below shall have effect until the expiration of five years from the last occupation of the development.

- a) no retained tree, hedge or hedgerow shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars. Any pruning shall be carried out in accordance with British Standard 3998: 2010 (tree work) and in accordance with any approved supplied arboricultural information.
- b) if any retained tree, hedge or hedgerow is removed, uprooted or destroyed or dies, another tree, hedge or hedgerow of similar size and species shall be planted at the same place, in the next available planting season or sooner.

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

56. Hours of working

a) no demolition, construction or engineering works, (including land reclamation, stabilisation, preparation, remediation or investigation), shall take place on any Sunday, Bank Holiday or Public Holiday, and such works shall only take place between the hours of 08:00 to 20:00 weekdays and 08:00 to 13:30 Saturdays. No plant, machinery or

equipment associated with such works shall be started up or operational on the development site outside of these permitted hours.

b) delivery restrictions by HGV movements to or from the site shall take place between 08:30 to 09:15 and 15:15 to 16:00 only and (no HGVs shall be laid up, waiting, in Send Barns Lane in advance of or during these times)

Reason: To protect the amenity of adjoining properties and roads and so that the development should not prejudice highway safety nor cause inconvenience to other highway users.

57. Protection of Water Main

No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure.

58. Landscape and Ecological Management Plan (LEMP) (pre-occupation condition)

Prior to first occupation of the development of each phase hereby permitted a landscape and ecological management plan (LEMP), including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas within that phase shall be submitted to (including as part of a reserved matters application if appropriate) and approved in writing by the Local Planning Authority. The landscape and ecological management plan shall be carried out and maintained thereafter Depending on the period between the completed ecological surveys and the commencement of development activities, updated survey works may be required prior to drafting this plan. The plan shall include the measures outlined in Chapter 9 of the ES, the Woodland report, the Woodland Management plan and the Landscape and Biodiversity Management Strategy. The plan shall also include the additional elements listed below:

- a) aims and objectives of the management plan
- b) description of the ecological features of the site to be managed and habitat condition to be achieved. Specific details on the SNCI buffer management will need to be detailed.
- c) Ecological trends and constraints on site that might influence management
- d) details of maintenance regimes for each habitat type supported by a detailed map. Maintenance of the watercourse should be minimal and carried out on a rotational basis to try and achieve a mosaic of different habitats. Rotational coppicing/pollarding should aim to create approximately 60% sun and 40% shade over the watercourse.
- e) timings of maintenance activities and ecological considerations (e.g. avoiding bird nesting season when carrying out vegetation clearance/tree works) details of how public access will be restricted and disturbance minimised to the buffer zone
- f) landscape maintenance for a minimum period of 10 years, including timings, work programmes, replacements etc
- g) details of the ecological enhancements recommended in the ES.
- h) monitoring for and control of non-native invasive species, including Himalayan Balsam which has been recorded on site

- i) details of on-going ecological survey work to further shape the Management Plan details of management responsibilities
- j) all native planting is to be of local provenance.
- k) details of the legal and funding mechanism(s) by which long term implementation of the plan shall be secured by the developer with the management body responsible for its delivery
- l) The LEMP shall be implemented in accordance with the approved details and thereafter maintained.
- m) As part of the reserved matters application of each phase details of any up-date surveys (in accordance with best-practice survey guidelines) including building and tree inspections will be provided in writing to the LPA for approval for each phase of development.

Reason: to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site.

To safeguard protected species in accordance with local and national policy and duties under the NERC Act 2006 and international treaties.

Add new condition after condition 58 Outline Section

59. Odour Control from Existing STP (pre-Occupation condition)

Prior to the occupation of residential properties within 393 metres of the boundary of the existing Guildford Sewage Treatment Works (STW), alongside the reserved matters application for the part of the site currently occupied by allotments or the Council Depot or the former sludge lagoons, a written statement shall be submitted to and approved in writing by the Local Planning Authority, alongside the aforesaid reserved matters application(s) for appearance, which shall either demonstrate:

- i) that no significant adverse odour impacts from the existing Guildford Sewage Treatment Works (STW) will arise that are likely to harm future occupants of these residential properties; or
- ii) if any temporary significant odour impacts are identified which are likely to be present until such time as the odorous elements of the STW are decommissioned, or are the subject of mitigation in accordance with regulatory requirements in relation to the existing STW then:
 - a) either appropriate mitigation measures shall be secured and will be implemented for the duration of any such impacts, or
 - b) the decommissioning of the odorous elements of the existing STW have been completed or are the subject of mitigation in accordance with regulatory requirements in relation to the existing STW prior to occupancy of such residential properties.

Reason: To ensure residential amenity of future residential properties.

60. Piling

Piling, other foundation designs, investigation boreholes and tunnel shafts using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be near critical underground water utility infrastructure for Guildford. Piling has the potential to impact on local underground water utility infrastructure and cause a vector for pollution from contamination.

61. Drainage/infiltration

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: This is to ensure that the development does not contribute to, or is not put at unacceptable risk from/adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework. Opportunities for improvements to reduce the risk to controlled waters should be taken during the development.

62. Ancient Woodland Buffer

No development shall take place within the 15m ancient woodland buffer zone as shown on the constraints plan on page 61 of the revised Design and Access Statement dated 1st June 2021.

Reason: To protect the ancient woodland in accordance with local and national policy.

Section Three - Conditions that only apply to the outline application (conditions 63 to 826)

63. Time limit – Outline Application

Development of the outline planning application elements (condition 1) shall be begun either before the expiration of five years from the date of this permission, or before the expiration of three years from the date of approval of the last of the reserved matters to be approved, whichever is the later

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51(2) of the Planning and Compulsory Purchase Act 2004.

64. Time limit – Reserved Matters

Approval of the details of the siting, design and external appearance of the building[s], the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") by phase, shall be obtained from the local planning authority in writing before any development is commenced, the first phase no later than three years from the date of this permission, the last phase to be submitted and validated, no later than ten 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.

65. Drawing no.s – Outline Application

The development hereby permitted shall be carried out in accordance with the principles of development as set out in the design and access statement and in accordance with the following Parameter Plans (including any revisions necessary by other conditions):

Plan No	Date Issued /last revision	Title
WEY-ACM-ZZZ-ZZ-DR-CE-00000	5 th October 2021	Outline and Detailed Elements of Application
01715_RP1	1st Jun 2021	Regulatory plan_R2*
01715_PP01_P2	1st Jun 2021	Land Use Parameter Plan_P2
01715_PP02_P2	1st Jun 2021	Green Infrastructure Parameter Plan_P2*
01715_PP03_P2	1st Jun 2021	Building Heights Parameter Plan_P2*
01715_PP04_P2	1st Jun 2021	Access and Movement Parameter Plan_P2
01715_Weyside Urban Village Design Code_210514_M	5th July 2021	Design Code*
01715_RP1	1st Jun 2021	Regulatory plan_R2*
01715_PP01_P2	1st Jun 2021	Land Use Parameter Plan_P2
01715_PP02_P2	1st Jun 2021	Green Infrastructure Parameter Plan_P2

*Note: For those plans and documents marked with an Asterix, revised versions of each shall be submitted to and approved prior to commencement of any development other than initial site preparation and groundwork, and those revised documents as approved shall be substituted in this table.

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans and documents is achieved in practice.

66. Reserved Matters of Each Phase

Plans and particulars of the reserved matters referred to in Condition 2 above, relating to appearance, landscaping, layout and scale, shall, by phase (condition 7) or part of advanced groundworks, or access works, be submitted to and approved in writing by the Local Planning Authority in respect of any part of the development of the site before any development commences within that part of the site.

The reserved matters application shall be accompanied by a report for each phase showing how the requirements of condition 6 are dealt with and how the reserved matters comply with the requirements of the regulatory plan and the design code (condition 2).

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.

67. Waste Storage and Collection (Reserved Matters)

Each Reserved Matters Application for residential layout for a phase shall include to develop a Waste Storage and Servicing statement which will include:

- The proposed bin provision for each property, including surfacing, dimensions (to accommodate the required number of bins) and any means of enclosure
- An explanation or diagram outlining where the refuse vehicle is expected to stop to facilitate the emptying of bins
- A swept path analysis (vehicle tracking) of the refuse vehicle to provide evidence that the planned manoeuvres can be successfully completed. The agreed details shall be implemented prior to the first occupation of the associated dwelling(s) and maintained thereafter.

Reason: To ensure that the collection of refuse can be adequately managed and to ensure that adequate waste and recycling storage and access is provided for each phase.

68. Space Standards (Reserved Matters)

Each reserved matter application for residential buildings shall meet Nationally Described Space Standards (NDSS) or any subsequent replacement standard.

Reasons: To ensure compliance with Nationally Described Space Standards (NDSS).

69. Housing mix (Reserved Matters)

Each reserved matter application for a phase shall include a housing mix that results in an overall mix for the whole development that shall accord with the following range:

<i>Market Housing:</i>	<i>Affordable Homes</i>
1-bed: 5-15%	1-bed: 35-45%
2-bed: 25-30%	2-bed: 30-35%
3-bed: 35-45%	3-bed: 20-25%
4+bed: 20-25%	4+bed: 0-5%

Unless otherwise agreed by the local planning authority in line with the latest housing need evidence.

Reason: To ensure that the housing delivered meets the borough's identified housing need and offers housing choice.

70. Accessible housing (Reserved Matters)

The reserved matters submitted for each phase shall have a schedule of accommodation and accompanying plans showing:

- A) 5% of the units constructed to meet Building Regulations M4(3) 'wheelchair accessible dwelling' standards and this dwelling shall include storage space for

the storage of mobility scooters/wheelchairs and associated charging points, where practicable.

- B) In addition, 10% of the units constructed shall be designed to meet the Building Regulations 'accessible and adaptable dwellings' M4(2). Thereafter these features and accessible homes shall be retained and maintained for the life of the development.

Reason: To provide a flexible housing stock to meet a wide range of accommodation needs. This is required to be a pre-commencement condition.

71. Hard & soft landscaping (Reserved Matters, pre-occupation condition)

As part of the Reserved Matters application for each phase, details of the landscaping treatment of all parts on the site not covered by buildings shall be submitted to (including as part of a reserved matters application if appropriate) and approved in writing by the Local Planning Authority.

The site shall be laid out in accordance with drawing no. LN-LD-201 rev E, 202 rev E and 203 rev E and details shall include:

- a) a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;
- b) location, type and materials to be used for hard landscaping including specifications, where applicable for:
 - i. permeable paving
 - ii. tree pit design
 - iii. underground modular systems
 - iv. Sustainable urban drainage integration
- c) use within tree Root Protection Areas (RPAs);
- d) a schedule detailing sizes and numbers/densities of all proposed trees/plants;
- e) specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and
- f) types and dimensions of all boundary treatments There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees.
- g) The landscaping shall be strictly implemented in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner.
- h) Any new tree(s) or hedge(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced.

This scheme shall be completed prior to completion or first occupation of dwellings on that phase, whichever is sooner.

Reason: to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality.

72. Public Art (Reserved matters, pre-occupation condition)

Prior to the commencement of any residential units on the site, a Public Art Strategy for the whole site, which follows the principles set out in the Guildford Public Art Strategy 2018-2023, shall be submitted and approved in writing by the Local Planning Authority. Details of public art provision for each relevant phase in accordance with the approved overarching Public Art Strategy, including timing of its delivery, shall be submitted as

part of the Reserved Matters Application for the phase and implemented in accordance with the approved details and maintained in perpetuity.

Reason: In the interest of delivering Public Art on site to create an enhanced public realm.

73. Cycle Parking (Reserved Matters, pre-occupation condition)

As part of the Reserved Matters application for layout of each phase, details shall be provided of secure and covered storage accessible to, for apartments, or within the curtilage of, each dwelling that does not have access to a garage. The details shall be submitted to and approved in writing by the Local Planning Authority for bicycles to be parked. Thereafter the cycle parking area shall be implemented prior to occupation and retained and maintained for their designated purposes.

Such details may be submitted separately for designated custom build plots.

Reason: to support sustainable travel choices for new occupants.

74. Vehicle parking (Reserved Matters, pre-occupation condition)

No phase of the development hereby approved shall be first unless and until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for vehicles to be parked within that phase. Thereafter the parking areas shall be retained and maintained for their designated purpose.

No phase of the development hereby approved shall be occupied unless and until at least 75% of the available parking spaces within that phase are provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure orderly management and provision of parking

75. EV charging (Reserved Matters, pre-occupation condition)

Prior to the occupation of residential units within each phase EV charging points shall be provided as follows.

- One fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) per unit with one or more allocated car parking spaces
- 20% of unallocated car parking spaces, or whatever % per phase is agreed through the agreed design code mechanism, to be fitted with 1 fast charge socket
- All other unallocated parking spaces be provided with power supply to provide additional fast charge socket.
- In addition to this, car club bays require 1 fast charge socket per bay.

Such details may be submitted separately for designated custom build plots.

In addition, prior to occupation the following standards for non-residential spaces shall be met:

- 10% of available spaces to be fitted with a fast charge socket; and

- All other available spaces to be provided with power supply to provide additional fast charge sockets.

Reason: To encourage the use of electric cars to reduce carbon emissions and improve air quality.

the use of electric cars to reduce carbon emissions and improve air quality.

76. Potable Water Supply (pre-occupation condition)

There shall be no occupation beyond the 49th dwelling until confirmation has been submitted to and approved by the local planning authority that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or- a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason - The development may low / no water pressures and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. Any necessary reinforcement works will be necessary to avoid low / no water pressure issues.

77. Airtightness

Prior to the first occupation of the dwelling type, information shall be submitted to and approved in writing by the Local Planning Authority that demonstrates that each completed dwelling type or 50% of all instances of that dwelling type, whichever is less has achieved an air permeability (airtightness) of 4m³/h/m² or lower. The information provided must match the data on the relevant air permeability test certificate. The approved details shall be implemented prior to the first occupation of that dwelling and maintained as operational thereafter.

Reason: To ensure that the development applies the energy hierarchy to reduce carbon emission and respond to climate change.

78. Flood risk mitigation

The development shall be carried out in accordance with the submitted flood risk assessment (ref 42287/4005) and the associated drawing and plans included in this document with the following mitigation measures it details:

- a) Finished floor levels should be set a minimum of 150mm above the 1 in 100 yr +70% climate change modelled flood levels and/or 300mm above the 1 in 100 yr +35%CC modelled flood levels.
- b) SuDS features should be located outside of the 1 in 100 yr + 70% climate change floodplain extent.
- c) All built development should be located in Flood Zone 1 and also outside of the 1 in 100 yr + 70%CC floodplain extent.
- d) Floodplain storage compensation will be provided for any land raising in the 1 in 100 yr + 35% climate change floodplain extent (to be confirmed at reserve matters stage)
- e) Safe dry access should be provided in the 1 in 100yr +70% climate change flood event. If the southern access junction with A320 is flooded then alternative safe, dry access routes shall be available throughout the remainder of the site.

These mitigation measures shall be fully implemented prior to occupation of the phase to which they relate and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants. To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

79. FTTP broadband (pre-commencement condition)

No development shall take place above slab level of each phase, other than site clearance and levelling, demolition and preparatory works to include, but not limited to contamination testing, remediation and groundworks and drainage ducting) until details have been submitted to and approved in writing by the Local Planning Authority for the installation of a High Speed wholly Fibre broadband To The Premises (FTTP) connection to each dwelling/building hereby approved in relation to each phase. Thereafter, the infrastructure shall be laid out in accordance with the approved details at the same time as other services during the construction process and be available for use on the first occupation of each dwelling where practicable or supported by evidence detailing reasonable endeavours to secure the provision of FTTP and alternative provisions that been made in the absence of FTTP.

Reason: To ensure that the new development in Guildford is provided with high quality broadband services and digital connectivity. It is considered necessary for this to be a pre-commencement condition because utility services need to be agreed at the groundworks stage of construction.

80. Travel plan (by phase, pre-occupation condition)

Prior to first occupation of any phase of the development of the development, a detailed phase specific Travel Plan shall be submitted and approved in writing by the Local Planning Authority in accordance with the sitewide Weyside Urban Village Travel Plan (18179-MA-XX-TP-001) and objectives of the National Planning Policy Framework and Surrey County Council's "Travel Plans Good Practice Guide". The approved Travel Plan shall be implemented prior to first occupation, including provision of the City Car Club, and thereafter maintain and develop the Travel Plan.

Reason: To support sustainable transport choices.

81. Detailed utilities connection strategy, including electricity sub-stations

As part of the reserved matters application for each sub-phase of the development, a Detailed Utilities Strategy for that sub-phase which shall have regard to the whole site shall be submitted to the Local Planning Authority to be approved in writing. The Detailed Utilities Strategy shall outline the required utilities infrastructure and guide the location of gas and electricity facilities for that phase. Any communication and broadband connections for each sub-phase approved in writing by the Local Planning Authority pursuant to this condition shall be provided to serve the dwellings of phase prior to the occupation of any dwellings within that phase.

Reason: To ensure orderly provision of utilities infrastructure.

82. Lighting – Outline Application (reserved matters, pre-installation condition)

Within each reserved matters application which includes the provision of any form of external illumination in relation to any phase pursuant to this outline permission the reserved matters details for that phase shall include details of type, position and angle of glare of any final site lighting / floodlights, the intensity of illumination and predicted horizontal and vertical isolux lighting contours and an assessment of artificial lighting impact on any sensitive residential premises on and off site. The details and measures so approved shall be carried out and maintained in accordance with the approved details.

Details shall comply with BCT & ILP (2018) Guidance Note 08/18. Bats and artificial lighting in the UK. Bats and the Built Environment. Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby.

Reason: To protect the character and appearance of the area and the amenity of existing and future residential properties in accordance with National Planning Policy Framework (NPPF) paragraphs 120, 125.

To prevent adverse impacts on protected species, in particular bats, resulting from the proposed development works.

Section 4 -Conditions that only apply to the Full Planning Permission (conditions 83 to 89)

83. Time limit – Full Application

Development of the full planning application elements (condition 1) 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.

84. Drawing no.s – Full Application (pre-commencement condition)

The development hereby permitted shall be carried out in strict accordance with the principles of development as set out the design and access statement and in accordance with the following plans and documents.

Plan No	Date Issued /last revision	Title
WEY-ACM-ZZZ-ZZ-DR-CE-00000	1 st October 2021	Outline and Detailed Elements of Application
WEY-ACM-PH1-ZZ-DR-CE-010101 Rev P03 PHASE 1	29 th Sept 2021	General arrangement for full planning sheet 1
WEY-ACM-PH2-ZZ-DR-CE-010101 Rev P03 PHASE 2 .	29 th Sept 2021	General arrangement for full planning sheet 1
WEY-ACM-PH2-ZZ-DR-CE-010102 Rev P03 PHASE 2	29 th Sept 2021	General arrangement for full planning sheet 2
WEY-ACM-PH1-ZZ-DR-CE-010102 Rev P02 PHASE 1	21 May 2021	General arrangement for full planning sheet 2
18179-ma-im-moor-dr-c-0105_p02	21 May 2021	Moorfield road site access - general arrangement
18179-ma-im-depo-dr-c-0100 rev p03	21 May 2021	Depot access general arrangement
18179-MA-IM-DEPO-DR-C-01 P02	16 Dec 2020	Woking Road Ingress Arrangements
BMD.19.043.DR.P201	15 th Dec 2020	Detailed Sections
BMD.19.043.DR_SK010	15 th Dec 2020	Detailed Planning Matters
Bmd.19.043.dr.p111	30 9 th 2021	Landscape detailed arrangement plan (1 of 2)
Bmd.19.043.dr.p112	30 9 th 2021	Landscape detailed arrangement plan (2 of 2)

BMD.19.043.DR.P401	15 th Dec 2020	Tree Pit Details Typical (1-3)
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Prior to commencement each of these drawings shall be reviewed and revised in accordance with the revised access and movement plan and regulatory plan as required in section to of these conditions and submitted to the local planning authority for approval. The scheme shall be implemented in accordance with the revised plans.

Reason: To ensure the development is carried out in accordance with the approval and to ensure the quality of development indicated on the approved plans and documents is achieved in practice. This is a pre-commencement condition to ensure that certain details are revised in accordance with the requirements of the Highways Authority.

85. Landscape Works Implementation

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority.

Reason: To ensure the landscape details are fully implemented.

86. Woking Road Turn Restriction (pre-occupation condition)

The proposed Woking Road access shall be right turn in only with no egress, and right turn in only for buses, as shown on drawing 18179-ma-im-depo-dr-c-0100 rev p03. The revised access shall be fully implemented before occupation of any part of the former Sewage Treatment Works site.

Reason: To prevent movements which might cause safety and congestion issues on Woking Road.

87. Industrial Area Bus Gate (pre-occupation condition)

Details of the bus gate (which shall allow for the passage of buses, pedestrians and cyclists), including its position in relation to access to adjacent uses shall be submitted to and approved in writing by the local planning authority prior to occupation of the new industrial area off Moorfields Road or the residential areas accessed off Slyfield Green. The bus gate shall be implemented in accordance with the approved details before any part of the new industrial area or Gypsy and Travellers site is occupied.

Reason: To protect residential amenity.

88. Lighting, Full Application (pre-installation condition)

External artificial lighting shall be installed in accordance with a scheme that has been submitted to and agreed in writing by the local planning authority. The lighting scheme shall include details of the height, type, position and angle of glare of any final site lighting / floodlights, the intensity of illumination and predicted horizontal and vertical isolux lighting contours and an assessment of artificial lighting impact on any sensitive residential premises on and off site.

Details shall comply with BCT & ILP (2018) Guidance Note 08/18. Bats and artificial lighting in the UK. Bats and the Built Environment. Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby.

Reason: To protect the character and appearance of the area and the amenity of existing and future residential properties in accordance with National Planning Policy Framework (NPPF) paragraphs 120, 125

To prevent adverse impacts on protected species, in particular bats, resulting from the proposed development works.

89. Tree protection measures

No development shall be undertaken other than in accordance with finalised Arboricultural Method Statement (AMS) (detailing all aspects of construction and staging of works relating to the full application) and the finalised Tree Protection Plan (TPP), submitted with and approved as part of this planning application, including both trees affected by the full application works, and needing to be protected where part of future phases, in accordance with British Standard 5837:2012.

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. The fencing shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

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. 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 and enhance the appearance and character of the site and locality and reduce the risk to protected and retained trees. This is required to be a pre-commencement condition as details relating to the protection of trees during and after construction goes to the heart of the permission.

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 initial issues, the application has been submitted in accordance with that advice, however, further issues were identified during the consultation stage of the application. Officers have worked with the applicant to overcome these issues.

2. Thames Water Informatives:

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.

The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

3. Lead Local Flood Authority Informatives:

If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.

If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

As part of the submission of information to discharge the surface water drainage planning conditions the Applicant should provide pond liner details and depths in accordance with the manufacture's recommendations, this should include evidence

that a hydrogeologist has reviewed the pond liner design to take account of ground conditions.

4. County Highway Authority 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/vehiclegrossovers-or-dropped-kerbs

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

www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-trafficmanagement-permit-scheme

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-planningandcommunitysafety/flooding-advice

The developer is advised that as part of the detailed design of the highway works required by the above condition(s), 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.

The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.

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.

For guidance and further information on charging modes and connector types please refer to: www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicleinfrastructure.html

5. Ecology Informative:

Should Bats be identified as present or their roosts, the applicant should contact Natural England to establish if a Protected Species licence is required in order to allow the development to proceed lawfully.

6. Environment Agency Informatives:

This development may require an Environmental Permit from the Environment Agency under the terms of the Environmental Permitting (England and Wales) (Amendment) (No.Regulations 2016 for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of designated 'main rivers'. Some activities are also now excluded or exempt. An environmental permit is in addition to and a separate process from obtaining planning permission. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

Advice to LPA on controlled waters and regimes we regulate

In relation to land contamination at the proposed development, please note that we only consider issues relating to controlled waters and the relevance of regulatory regimes where we are the enforcing authority, such as environmental permitting.

Advice to applicant - waste on-site

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/ or land development works are waste or have ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommends that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on GOV.UK

Advice to applicant - waste to be taken off-site

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12 month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

Advice to applicant - use of waste on site - authorisation or permit required If waste is to be used on site, the applicant will need to ensure they can comply with the exclusion from the Waste Framework Directive (WFD) (article 2(1) (c)) for the use of, 'uncontaminated soil and other naturally occurring material excavated in the course of construction activities, etc...'. Meeting these criteria means the material is not waste and

permitting requirements do not apply. Where the applicant cannot meet the criteria, they will be required to obtain the appropriate waste permit or exemption from us.

A deposit of waste to land will either be a disposal or a recovery activity. The legal test for recovery is set out in Article 3(15) of WFD as:

any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.

We have produced guidance on the recovery test which can be viewed as ([insert https://www.gov.uk/guidance/waste-recovery-plans-and-permits#waste-recovery-activities](https://www.gov.uk/guidance/waste-recovery-plans-and-permits#waste-recovery-activities))

You can find more information on the Waste Framework Directive here:

<https://www.gov.uk/government/publications/environmental-permitting-guidance-the-waste-framework-directive>

More information on the definition of waste can be found here:

<https://www.gov.uk/government/publications/legal-definition-of-waste-guidance>

More information on the use of waste in exempt activities can be found here:

<https://www.gov.uk/government/collections/waste-exemptions-using-waste>

Non-waste activities are not regulated by us (i.e. activities carried out under the CL:AIRE Code of Practice), however you will need to decide if materials meet End of Waste or By-products criteria (as defined by the Waste Framework Directive). The 'Is it waste' tool, allows you to make an assessment and can be found here:

<https://www.gov.uk/government/publications/isitwaste-tool-for-advice-on-the-by-products-and-end-of-waste-tests>

Noise Informatives

- I. The applicant and any associated contractor is recommended to seek Prior Consent (section 61 Control of Pollution Act 1974) approvals to control noise/vibration levels and hours noisy construction for the various phases of the development. This matter will be dealt with outside of the planning process and currently exists with the Head of Environment and Regulatory Services.
- II. Construction Environmental Management Plan (1) You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:
 - a) A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;
 - b) Site perimeter automated noise and dust monitoring;
 - c) Engineering measures to eliminate or mitigate identified environmental impacts e.g. hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.;
 - d) Arrangements for a direct and responsive site management contact for nearby occupiers during demolition and/or construction (signage on hoardings, newsletters, residents liaison meetings, etc.)
 - e) A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme;
 - f) To follow current best construction practice BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites',
 - g) BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground borne vibration,
 - h) BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting,
 - i) Relevant EURO emission standards to comply with Non-Road Mobile Machinery

(Emission of Gaseous and Particulate Pollutants) Regulations 1999, j) Relevant CIRIA practice notes, and k) Noise mitigation measures employed must be sufficient to ensure that the noise level criteria as outlined in BS8233:2014 and WHO guidelines is achieved.

- III. In the event that piling works are necessary, a scheme for limiting the noise shall be submitted to the Local Planning Authority and shall be in accordance with BS 5228 (Parts 1 & 4) for noise control. The scheme shall specify the proposed piling method and the reason for its selection. This shall take into account the ground conditions of the proposed development site and the proximity of residential properties. Piling shall not commence until written approval has been obtained from the Local Planning Authority. Please Note : Silent piling is the preferred option and only in extreme cases will noisy methods, such as driven piles, be permitted.

The meeting finished at 9.05 pm

Signed

Chairman

Date

Agenda item number: 5

GUILDFORD BOROUGH COUNCIL
PLANNING COMMITTEE INDEX
01/12/2021

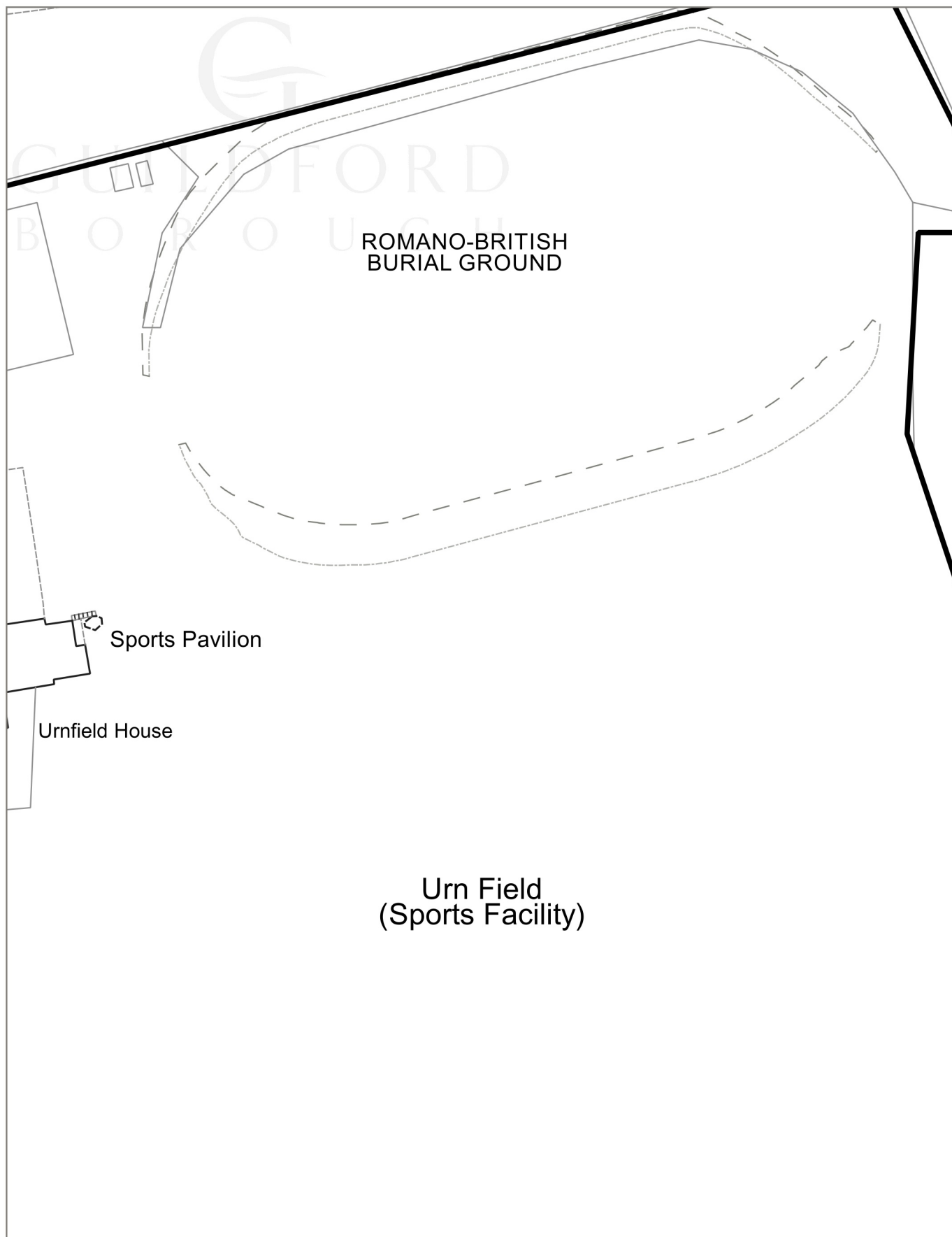
Item No.	Parish	Applicant	Location	App.No.	Rec.	Page
5.1	Holy Trinity	Mr Dylan Kerai, Second Home Spitalfields	Urn Field, Downside Road, Guildford, GU4 8PH	20/P/00825	APPC	93.
5.2	Lovelace	Taylor Wimpey UK Limited	Land at Wisley Airfield, Hatch Lane, Ockham, GU23 6NU	20/P/01708	APPC	123.
5.3	Send	Concept Developments (Land) Limited, Ground Floor	Waterside Farm Cottage, Wharf Lane, Send, Woking, GU23 7EJ	21/P/01581	S106	167.
5.4	Lovelace	Taylor Wimpey UK Limited	Land at Wisley Airfield, Hatch Lane, Ockham, GU23 6NU	21/P/01582	APPC	195.
5.5	Send	Mr C. White, Antler Homes PLC	Pine Cottage, Send Hill, Send, Woking, GU23 7HR	21/P/01658	S106	237.
5.6	East Horsley	Larter	High Brambles, Park Corner Drive, East Horsley, Leatherhead, KT24 6SE	21/P/01683	APPC	259.

Total Applications for Committee

6

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20/P/00825 - Urn Field, Downside Road



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Print Date: 17/11/2021



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GUILDFORD
BOROUGH

20/P/00825 Urn Field,Downside Road, Guildford.



Not to scale



App No: 20/P/00825
Appn Type: Full Application
Case Officer: Paul Sherman
Parish: Holy Trinity
Agent : Mr Matt Hill
Maddox Planning
68 Hanbury Street
London
E1 5JL

8 Wk Deadline: 17/08/2020

Ward: Holy Trinity
Applicant: Mr Dylan Kerai
Second Home Spitalfields
68 Hanbury Street
London
E1 5JL

Location: Urn Field, Downside Road, Guildford
Proposal: Full planning application for the creation of a floodlit artificial hockey pitch with a 6-lane all weather running track, a football pitch, relocation of cricket nets, extension to sports pavilion balcony and new javelin, discuss, shot put and long jump area alongside the creation of a new store building and additional on-site car parking. (Additional information received 04.01.21 & 07.01.21 landscape visual impact, archaeology, drainage and planning statement addendum).

Executive Summary

Reason for referral

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

Key information

The application involves the development of the existing recreation ground to provide improved facilities for schools and community use. As part of the development the following facilities would be provided:

- New all weather 400m 6 lane track, including a 110m linear track.
- New all weather hockey pitch with 1.8m high perimeter fencing and lighting
- Spectator viewing area
- High jump, long jump, discus, javelin and shotput facilities.
- Relocated rugby pitch to existing dimensions
- New artificial cricket wicket
- Retention of existing firsts cricket pitch
- 1 x new/upgraded relocated first team football pitch
- Retention of 1 x existing football pitch
- Relocation of existing cricket nets
- New sports equipment store
- Extension of existing hardstanding to parking area to allow parking for coaches, as required for school use
- Provision of a new turning head and access road to the existing hardstanding, where parking is to be rationalised and formalised. Small extension to existing hardstanding, to increase parking provision.
- New cycle parking
- Extension to existing balcony on the sports pavilion.

The site has the following designations:

- Green Belt
- Surrey Hills Area of Outstanding Natural Beauty
- Area of Great Landscape Value
- Area of High Archaeological Importance

Summary of considerations and constraints

The proposal represents an appropriate form of development in the Green Belt.

For the purposes of development within an AONB the proposals are NOT considered to represent a major development. Harm is identified to the special landscape character of the Surrey Hills AONB and the AGLV, following amendments to the application the level of harm is considered to be moderate. In line with the NPPF great weight is afforded to this harm.

No other harm from the development is identified.

There are benefits from the development, notably the provision of new school facilities which must carry great weight in any assessment and further benefits to healthy lifestyles from the associated community use that will be facilitated by the development.

Therefore following the balancing exercise set out in the report the application is recommended for approval subject to conditions. The conditions include matters relating to highways; use of the floodlights; ecological survey requirements; archaeology; drainage and community use agreements for the site.

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:
1908_001; 1908_030; 1908_008; 06; 1908_025; 1908_026; 1908_040; 09 003 REV A; 198_004 REV B; 1908_007 REV A; 1908_002 REV E

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 commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials

- (c) storage of plant and materials
- (d) measures to prevent the deposit of materials on the highway
- (e) before and after construction condition surveys of the highway on Downside Road and a commitment to fund the repair of any damage caused has been submitted to and approved in writing by the Local Planning Authority.
- (f) a specific plan for HGV movements to and from the site, including site layout to segregate areas for pupils and other site users from HGV traffic, times of movements (including any times where HGV movements shall not take place) and ensuring contractors do not permit any HGVs associated with the development at the site to be laid up, waiting, in Downside Avenue during these times.

Reason: In order that the development does not prejudice highway safety nor inconvenience other highway users. This condition is required to be a pre-commencement condition to ensure that the measures above have been carefully considered at an appropriate time.

4. The development hereby permitted shall not be occupied unless and until an updated travel plan has been submitted for the written approval of the Local Planning Authority. The submitted details shall include details of measures to promote sustainable modes of transport and provisions for the maintenance, monitoring and review of the impact of the Plan and its further development.

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

5. The proposed vehicular access to Downside Road shall be constructed in accordance with the approved plans, Drawing No.1908 040, and thereafter shall be permanently maintained.

Reason: In order that the development does not prejudice highway safety.

6. Space shall be laid out within the site in accordance with the approved plans, Drawing No. 1908_SK03, for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: In order that the development does not prejudice highway safety.

7. Spaces shall be laid out within the site in accordance with the approved plan, Drawing No. 1908_SK03, for the facilities secure parking of bicycles within the development site. Thereafter, the parking for bicycles shall be retained and maintained for their designated purposes.

Reason: In order that the development provides an appropriate level of cycle parking

8. The development should be carried out in strict accordance with the submitted Edward Pearce lighting report dated September 2021 and shall not be altered without the prior written approval of the Local Planning Authority. The floodlighting shall be installed, maintained and operated in accordance with the approved details.

Reason: To ensure that the floodlights do not result in any material harm to neighbouring residents and to limit the impact on the Surrey Hills AONB.

9. The floodlights serving the hockey pitch shall only operate between the hours of 07:30 to 20:00 Mondays to Saturdays (inclusive) and shall not operate at all on Sundays or Bank or National Holidays. Furthermore, when not in operation the floodlights shall be fully retracted.

Reason: To safeguard the residential amenities of neighbouring properties and the impact on the Surrey Hills AONB.

10. The development shall be carried out in strict accordance with the Dryad Arboricultural Impact Assessment and Method Statement Ref No: D2670.AIA.AMS. 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.

11. The development hereby approved shall be carried out in accordance with the mitigation measures and enhancements sections detailed in the submitted Greengage Bat Survey Report.

Reason: To mitigate against the impact of bats and to increase the biodiversity on the site.

12. The facilities hereby approved shall not be first used until the sustainable drainage scheme for the site has been completed in accordance with the submitted details in Pitman Associates Report Project number 0436 and shall be maintained in accordance with the details contained within the report.

Reason: To prevent an increased risk of flooding and to prevent pollution of the water environment.

13. The development hereby approved shall be carried out in accordance with the Discussion and Recommendations and the Enhancements and Recommendations sections within the Greengage Preliminary Ecological

Appraisal dated December 2019; Bat Survey Report December 2019 and Badger Survey Report dated January 2020.

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

14. Prior to the commencement of any development a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include:
- a) description and evaluation of features to be managed;
 - b) ecological trends and constraints on site that might influence management;
 - c) aims and objectives of management;
 - d) appropriate management options for achieving aims and objectives;
 - e) prescriptions for management actions, together with a plan of management compartments;
 - f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - g) details of the body or organisation responsible for implementation of the plan;
 - h) ongoing monitoring and remedial measures.

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

Reason: To ensure that the development has an acceptable ecological impact on secure biodiversity improvements

15. Prior to the commencement of development a Sensitive Lighting Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of ensuring low levels of lighting close to woodland edges and setting out periods when no external lighting would be in use to protect bat roosts. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure protected species are not adversely affected by the proposed development.

16. Prior to commencement of development, precise details of a hard and soft landscape scheme shall be submitted to and approved in writing by the local planning authority, which shall include details relating to:-
- a) Proposed earthworks, showing existing and proposed finished levels or contours;

- b) The proposed tree and hedgerow / shrub planting including their species, numbers, sizes (age and form) and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e., depth of topsoil, mulch etc);
- c) The existing trees and hedgerows to be retained as well as those to be felled;
- d) The hard landscaping, including hard surface areas for vehicles, surface treatment of the proposed all weather pitch, means of enclosure/boundary treatments and proposed lighting structures.

The approved scheme shall be implemented by the end of the first planting season following completion of the proposed development and shall thereafter be maintained. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent for any variation.

Reason: To ensure the development has an acceptable landscaped finish.

17. The approved scheme shall be implemented by the end of the first planting season following completion of the proposed development and shall thereafter be maintained. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent for any variation.

Reason: To ensure the development has an acceptable landscaped finish.

18. Before the development is first brought into use a schedule of landscape maintenance for a period of 10 years shall be submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

Reason: To ensure the long term landscape maintenance.

19. Prior to the commencement of development a written scheme of investigation for a programme of detailed archaeological monitoring shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that any archaeological evidence discovered during ground works is adequately recorded.

20. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. Associated storage volumes shall be provided using an infiltration-based strategy.
- b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
- c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.
- d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

21. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.

22. Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities.

The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport.

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 initial issues, the application has been submitted in accordance with that advice, however, further issues were identified during the consultation stage of the application. Officers have worked with the applicant to overcome these issues.

2. 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>.

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/floodingadvice

The developer is advised that as part of the detailed design of the highway works required by the above condition(s), 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.

3. The applicant should note that under the terms of the Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds or roosting bats which are also European Protected Species. You should note that the work hereby granted consent does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that the demolition would disturb any protected species. Please note that a European Protected Species Licence will be required to allow the proposed development to proceed lawfully. Contact Natural England for further details: <http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/europeanprotectedspecies.aspx>
4. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.

If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

Officer's Report

Site description

The site is located in the Green Belt, within the Surrey Hills Area of Outstanding Natural Beauty (AONB), an Area of Great Landscape Value (AGLV), and an Area of High Archaeological Potential (AHAP). The site is also located in the Merrow Downs Rural Urban Fringe and Merrow and Clandon Wooded Downs landscape character areas and within the 400m to 5km Thames Basin Heaths Special Protection Area (TBHSPA).

The surrounding area is predominantly residential to the west of the playing field, with Downside Road and Little Warren Close immediately adjoining the site. Merrow Downs and Guildford Golf Club lie immediately north of the site, whilst the Conroy Polo Horse Riding School lies to the south. Newlands Corner a nature reserve and beauty spot lies further to the east of the site.

The application site is situated at the eastern end of Downside Road with a gated vehicular and pedestrian access, to the east of Guildford. It is 7ha in area. The site is a sports field, with marked pitches and a number of athletic facilities available to use. The sports ground is currently used by two local schools (Tormead School and Guildford County School), as well as external sports clubs and the general public for pre-planned organised events.

The existing site comprises;

- Two storey, brick and timber clad sports pavilion.
- Car parking, including hardstanding used for temporary parking
- 400m grass running track
- Senior cricket pitch with fine turf square
- Second cricket pitch with windball cricket square (not fine turf)
- 2 x existing football pitches
- 1 x existing rugby pitch
- Practice cricket nets
- Long jump, shotput, discus and javelin.

The car park is located on the eastern side of the site, immediately after entering through the gated access. There is an overflow parking area to the north only accessible over the grass.

Proposal

The application seeks full planning application for the creation of a floodlit artificial hockey pitch and 6-lane all weather running track, a football pitch, relocation of the cricket nets, new javelin, discus, shot put areas, a new long jump pit, and the extension to sports pavilion balcony. The application also seeks consent for the erection of a new store building and additional on-site car parking.

In particular, the application includes;

- New all weather 400m 6 lane track, including a 110m linear track.
- New all weather hockey pitch with 1.8m high perimeter fencing and lighting
- Spectator viewing area
- High jump, long jump, discus, javelin and shotput facilities.
- Relocated rugby pitch to existing dimensions

- New artificial cricket wicket
- Retention of existing firsts cricket pitch
- 1 x new/upgraded relocated first team football pitch
- Retention of 1 x existing football pitch
- Relocation of existing cricket nets
- New sports equipment store
- Extension of existing hardstanding to parking area to allow parking for coaches, as required for school use
- Provision of a new turning head and access road to the existing hardstanding, where parking is to be rationalised and formalised. Small extension to existing hardstanding, to increase parking provision.
- New cycle parking
- Extension to existing balcony on the sports pavilion.

Relevant planning history

The application site has historically been used for sports pitches in association with schools in the local area however there is no planning history for this site directly relevant to the current application.

Consultations

Statutory consultees:

County Highway Authority: No objection raised with regard to highway safety, capacity or on policy grounds, subject to the imposition of conditions requiring the submission of a construction management plan and compliance with the submitted Schools Travel Plan.

Lead Local Flood Authority: No objections raised, subject to conditions.

Sports England: Sport England would like to reiterate the importance of ensuring good quality community access and use to the sports facilities and playing field as proposed. Sport England also notes that community use of the site is well-established. Our support is therefore conditional on ensuring that the proposal maintains strong, formal arrangements for community use of the site. We would not be able to support an application which includes a section 106 agreement which seeks to restrict use of the sites and the sports facilities to the school only. In this case, we would not consider our E5 exception policy is met and we would object to the application.

Internal consultees:

Head of Environmental Health and Licensing: have made the following comments:

- Floodlighting to meet Hockey England recommendations
- Noise levels similar to existing use
- Location of cricket nets
- Measures to improve air quality

Non-statutory consultees:

Natural England: no comments refer to standing advice

Surrey Wildlife Trust: has made the following comments:

- undertake mitigation and enhancement measure
- suggest a condition for a Landscape and Ecological Management Plan (LEMP)
- species protection from tree/scrub removal
- floodlighting - bat activity

Surrey Hills AONB Director: has made the following comments:

- parking would be in a lower part of the site
- sight of parked vehicles would be more visually intrusive than the surfacing itself, therefore the landscaping of the car park should be considered
- coach parking would have a greater visual impact
- no AONB concern can reasonably be expressed to the proposed vehicle parking
- no AONB concern for the artificial surfacing
- major AONB concern about floodlighting as an open, elevated site, would still be a glare
- a dark area adjacent to the town - light pollution in a more concentrated and likely visually more intrusive form where it would not be expected to
- eight columns being as high 15m visible towards the hilltop location - breaking the skyline
- Use of floodlights to 20:00 would attract other sporting organisations
- balance the benefits of the floodlighting with the degree of harm it would cause to the AONB dark landscape. The AONB submission is that the AONB concern is of such weight that those benefits may not do so. (Officer note - it is for the Local Planning Authority to carry out the balancing exercise of all relevant material considerations)
- If the Planning Authority is minded to grant permission it should be on the basis that it is satisfied that the proposed floodlighting would be designed to minimise light pollution as far as possible and it use should not continue possibly beyond 7pm.

Additional comments from the AONB Director were received in respect of additional information submitted:

- Strong concern over the permanent visual impact on the AONB skyline
- concern over light pollution
- some impact of formalisation of other facilities
- comments about the balance of harm against benefits (Officer note - it is for the Local Planning Authority to carry out the balancing exercise)

Surrey County Council, Archaeological Officer: within an Area of High Archaeological (AHAP) priority due to the discovery of an extensive Romano British cremation cemetery, remains may be encountered on the site within areas where ground disturbance or landscaping is proposed and so the application should be supported by an archaeological assessment in compliance with Local Plan Policy - not submitted a desk based assessment

Surrey Police, Designing Out Crime Officer: no objection and suggests conditions to achieve Secure By Design accreditation, entrance gate system and relocation of cycle store.

Campaign to Protect Rural England (CPRE): object and have made the following comments:

- Harm to AONB from floodlights - light pollution and visual intrusion from columns
- Increase in traffic congestion
- Noise and disturbance - HGVs and coaches

Parish Councils & Amenity Groups:

Holy Trinity Amenity Group: object and have made the following comments:

- harm to the AONB
- development no necessary
- no very special circumstances
- floodlighting and spectator seating intrusive [officer comment: no stands for seating are proposed]
- no public benefits

Merrow Residents' Association: object and have made the following comments:

- Harm to AONB from floodlights - light pollution and visual intrusion from columns
- Impact on highway safety and capacity along Downside Road

Guildford Society: object and have made the following comments:

- Increase in traffic congestion
- Harm to AONB from floodlights - light pollution and visual intrusion from columns
- No very special circumstances
- Evening use of floodlights
- No need for development - alternative facilities
- Unsustainable location

Downsedge Residents' Association: object and have made the following comments:

- Inappropriate in the Green Belt
- Harm to AONB from floodlights - light pollution and visual intrusion from columns
- Restrict hours of use - to manage traffic movements
- Wear and tear of surrounding roads [officer comment: the surrounding roads are maintained by the County Highways Authority]
- Alternative surfacing - cellular grassed paving
- Noise and disturbance
- Loss of privacy - cricket nets

Save Surrey Countryside & Save Newlands Corner: object and have made the following comments:

- Harm to the AONB
- Inappropriate in the Green Belt
- Alternative scheme preferred - develop onsite facilities
- Light pollution
- Harm to wildlife
- Noise and disturbance
- Restrict hours of use
- Harm to woodland/trees
- Not a response to climate change
- Increase in traffic congestion
- Air quality
- Lack of public consultation
- harm to archaeology

Third party comments

A total of 209 letters of representation have been received raising the following principle objections and concerns:

- harm to AONB
- harm to the Green Belt
- harm to archaeology
- harm to wildlife / biodiversity
- impact on the landscape / lack of screening
- out of character with the area
- harm to woodland/trees
- increased noise and disturbance during operation
- noise and disturbance during construction impact on surface water flood risk
- lack of sustainable design for climate change
- requires an Environmental Impact Assessment [officer comment: the proposed development does not meet the threshold EIA assessment]
- increased traffic congestion
- insufficient parking
- impact on pedestrian safety
- overdevelopment of the site
- public benefits do not outweigh harm
- alternative sites are preferred
- existing facilities are sufficient to meet need
- no identified economic benefit

There have also been 376 letters of support have been received outlining the following principle positive comments:

- needs cannot be met onsite of schools
- need for modern facilities
- supports healthy communities and child and young people's health
- meet requirements in curriculum for physical education
- access to sports not usually available at state schools
- improved security
- improve existing onsite parking
- reduced traffic congestion
- ability to participate in more sports
- reduce travelling times
- benefits a wide range of community users
- site currently underutilised
- enhanced community facility

Planning policies

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be taken in accordance with the Development Plan unless material considerations indicate otherwise. This introduces a presumption in favour of development that accords with the development plan, and a presumption against development that does not.

The Development Plan

The Development Plan comprises,

- Guildford Borough Local Plan: strategy and sites 2015-2034 (LPSS)
- Guildford Local Plan 2003 (LP2003)
- South East Plan 2009 (SEP)

Guildford Borough Local Plan: strategy and sites 2015-2034

Policy S1: Presumption in favour of sustainable development
Policy P1: Surrey Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value
Policy P2: Green Belt
Policy P4: Flooding, flood risk and groundwater protection zones
Policy D1: Place Shaping
Policy D2: Climate change, sustainable design, construction and energy
Policy D3: Historic environment
Policy ID4: Green and blue infrastructure

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

Policy G1: General Standards of Development
Policy G5: Design Principles
Policy NE4: Species protection
Policy NE5: Development affecting trees, hedges and woodlands
Policy NE6: Undesignated features of nature conservation interest
Policy R6: Intensification of recreational use
Policy CF4: Expansion of schools

South East Plan 2009

Policy NRM6: Thames Basin Heaths Special Protection Area

Material Considerations

While the Development Plan is the starting point for decision making, there are a number of other documents that are material considerations when exercising a planning decision. The weight to be attributed to these documents will be a matter for the decision maker but national planning policy statements should be afforded the highest level of weight, followed by locally made documents that have been adopted for decision making. Other documents should normally be afforded lesser weight but can play a significant part in decision making, especially where they have been subject to significant public consultation.

The National Planning Policy Framework

Chapter 2: Achieving sustainable development
Chapter 4: Decision-making
Chapter 6: Building a strong, competitive economy
Chapter 8: Promoting healthy and safe communities
Chapter 11: Making effective use of land
Chapter 11: 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

Chapter 16: Conserving and enhancing the historic environment

National Planning Practice Guidance

Climate Change

Design: Process and tools

Green Belt

Natural Environment

Open space, sports and recreation facilities

Travel Plans, Transport Assessments and Statements

Other National Planning Guidance Documents

Policy statement - planning for schools development (August 2011)

Supplementary Planning Documents

Climate Change, Sustainable Design, Construction and Energy SPD (2020)

Planning Contributions SPD (2017)

Vehicle Parking Standards SPD(2011)

Other Planning Documents

GBC Landscape Character Assessment & Guidance

Surrey Hills AONB Management Plan 2020-2025

Planning considerations

The main planning considerations in this case are:

- The principal of the development
- The impact of the development on the AONB and AGLV
- The impact of the development on Heritage Assets
- Impact on the character of the area
- Impact on neighbouring amenity
- The impact of the development on highway safety, parking and sustainable transport
- Impact on protected species and biodiversity
- Impact on trees
- Impact on flood risk
- Planning balance

The principal of the development

The application site is located in the Surrey Hills Area of Outstanding Natural Beauty and is with the Metropolitan Green Belt. Both these policy designations seek to restrict development and it is appropriate that the principle of the development in these designated areas be considered in turn.

The principle of development in the AONB

Both Policy P1 of the LPSS and the NPPF makes clear that development within the AONB should be limited and that development within its setting should be sensitively located and designed to avoid or minimise adverse impacts on the AONB. It also requires that planning decisions should ensure that they protect and enhance valued landscapes of the AONB and that great weight should be given to conserving and enhancing landscape and scenic beauty of these areas. Policy P1 also sets out that development proposals will be assessed against the provisions of the Surrey Hills AONB Management Plan

The NPPF also requires that when considering applications for development within AONBs, permission should be refused for major development, other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. For the purposes of this section of the NPPF, the term 'major development', is stated to be a matter for the decision maker but it should take into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

Whether a major development

The most commonly referred to definition of 'major development' is that which is set out in the Town and Country Planning (Development Management Procedure) Order 2015. This defines 'major development' as being any proposal for the provision of a building (or buildings) where the floor space to be created by the development is 1,000 square metres, or, any development being carried out on a site having with an area of 1 hectare or more. While this proposal would meet this definition of 'major development' it must be acknowledged that this is not equivalent to the considering what is a major development in terms of the application of AONB policy.

The NPPF does not provide a definition for major development in AONBs, however, footnote 55 of the NPPF is clear that consideration as to whether the proposal is a major development is a matter for the decision maker and that the nature, scale and setting of the proposed development should be taken into account, as well as whether it would cause a significant adverse impact on the purposes for which the area has been designated or defined. This advice is reflected in supporting text to Policy P1 of the LPSS which states whether or not a proposal constitutes 'major development' will be considered on a case-by-case basis, taking into account relevant factors such as the nature, scale and setting of the proposed development.

In this case, the proposal amounts to the redevelopment of an existing sports field and playing pitches which would include the provision of improved facilities associated with the existing use of the land. The site is located adjacent to the boundary with the urban area and would not conflict with the wider strategic impacts of the AONB. For all of these reasons the development is not considered to be a major application for the application of AONB policy and accordingly there is no objection to the principle of this development taking place within this part of the AONB.

Policy Statement - planning for schools development

Para 95 of the NPPF sets out that an LPA should 'give great weight to the need to create, expand or alter schools' The policy statement goes on to state: 'The Government is firmly committed to ensuring there is sufficient provision to meet growing demand for state-funded school places, increasing choice and opportunity in state-funded education and raising educational standards.'

State-funded schools - which include Academies and free schools, as well as local authority maintained schools (community, foundation and voluntary aided and controlled schools) - educate the vast majority of children in England. The Government wants to enable new schools to open, good schools to expand and all schools to adapt and improve their facilities.'

It goes on to state that refusals of such development will be considered unreasonable conduct unless it is supported by clear and cogent evidence.

The principle of the development in the Green Belt

Policy P2 of the LPSS and the NPPF makes clear that with the Green Belt there is a general presumption against development. Development is defined as inappropriate development unless it falls within the limited range of circumstances as set out in paragraph 149 or 150 of the NPPF. While new development in the Green Belt is generally inappropriate, exceptions include development which is for appropriate facilities for outdoor sport and outdoor recreation.

The development proposes the redevelopment of this existing sports field to allow for a more intensive use of the site. The objective of the development is to create a better use of the facilities that currently exist on this site for the benefit of the schools that currently use the site. While the proposal includes new operational development, these facilities are, in principle, considered to be appropriate facilities for sport and recreation.

The development is therefore considered to be appropriate facilities for the purposes of sport and outdoor recreation. In such circumstances it is still necessary for the decision maker to consider whether the proposed development would preserve the openness of the Green Belt and whether the development would conflict with the purposes of including land within the Green Belt.

The impact on the purposes of including land within the Green Belt and the impact on openness

Paragraph 138 of the NPPF sets out that the purposes of including land within the Green Belt are:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The development seeks consent of the redevelopment of an existing sports field and would clearly not conflict with the objectives of restricting urban sprawl or preventing neighbouring towns merging. This part of the Green Belt does not assist in safeguarding the setting or special character of a historic town and it is unlikely that allowing this proposal would undermine the objective to direct development to derelict or other urban land. While the proposal would include additional physical development on the site the proposal would not amount to a significant encroachment of the urban area into the Green Belt. Accordingly, it is considered that the development would not conflict with the purposes of including land within the Green Belt.

The impact on openness of the Green Belt

The principle defining character of the Green Belt is its Openness; this is generally identified by the absence of development. The introduction of development into Green Belt is likely to be harmful to openness.

The issue of openness was considered in *Turner v Secretary of State for Communities and Local Government & Anor* [2016] EWCA Civ 466 with the Court of Appeal finding that:

"The concept of "openness of the Green Belt" is not narrowly limited to the volumetric approach"...openness is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case. Prominent among these will be factors relevant to how built up the Green Belt is now and how built up it would be if redevelopment occurs (in the context of which, volumetric matters may be a material concern, but are by no means the only one) and factors relevant to the visual impact on the aspect of openness which the Green Belt presents."

The existing land is open grass land and whilst the car park, new hard landscaping features, fencing and lighting, would result in an increase artificial development on the site, the large majority of the land would remain free of any development as is the existing situation. When viewed in the context of the openness of the site as it currently exists as well as the proposed development, it is concluded that the development would not materially impact on the openness of the Green Belt.

Conclusions on the principle of development

The application site is located within the Surrey Hills Area of Outstanding Natural Beauty and is within the Green Belt. The development is not considered to be a major development for the purposes of AONB development and accordingly there is no 'in principle' objection to the development on AONB grounds. The development would also amount to an appropriate form of development in the Green Belt in that it would be a development for outdoor sport and recreation that would not impact on the openness of the Green Belt. For these reasons it is considered that the principle of the development is acceptable on both AONB and Green Belt grounds.

The impact of the development on the AONB and AGLV

The application site is located in the Surrey Hills Area of Outstanding Natural Beauty (AONB) and the Area of Great Landscape Value (AGLV), both the Local Plan and the NPPF requires that great weight will be given to the conservation and enhancement of the natural beauty of the AONB and development proposals. The NPPF makes clear that these areas should benefit from the highest level of protection and that is reflected by the Surrey Hills AONB Management Plan which acknowledges that the Surrey Hills AONB is one of England's finest landscapes. The intention of the AONB designation is to conserve the natural beauty of the landscape while acknowledging that the landscape is constantly evolving as a result of the social and economic forces placed upon it. The vision of the Surrey Hills AONB Management Plan is to ensure that change can take place in a way that conserves and enhances its special qualities.

The application site currently comprises existing grass playing pitches with a pavilion, vehicular access and car parking, located adjacent to the western boundary with Downside Road. A tarmac tennis court is located to the north-west of the site and is used as informal parking. The northern pitch is located within a sunken area on the edge of a north-facing slope.

The remainder of the site is generally level. There is currently limited floodlighting on the site associated with the existing pavilion building although the majority of the site is not illuminated in hours of darkness. The existing site is generally well screened from most publicly accessible viewpoints and views from Merrow Downs, located to the north, are screened by the existing trees which lie between the site and the common land.

The application seeks consent for the redevelopment of the existing school sports facility on the site which would include the creation of a floodlit artificial hockey pitch, a 6-lane all weather running track, a football pitch, relocation of cricket nets, extension to sports pavilion balcony and new javelin, discus, shot put and long jump area alongside the creation of a new store building and additional on-site car parking. Given that the site is located in a sensitive landscape location within the Surrey Hills AONB the application is supported by a detailed Landscape and Visual Appraisal (LVA) which assesses the impact of the proposed development against the current baseline situation.

Landscape and Visual Appraisal

The LVA has been considered by a landscape specialist who has provided details, comments and assessment along with recommendations. In brief, the conclusions of this assessment are that the overall impact of the development is of medium sensitivity rather than the low sensitivity presented in the LVA. The assessment notes that the existing pitches and pavilion are well screened from publicly accessible viewpoints and that middle distance views are seen in the context of existing housing on Downside Road with Guildford beyond. It is satisfied with the baseline used in the LVA and the assessment itself accords with the professional judgements of the specialist reviewing on behalf of the Council. There is a differing view on the sensitivity of the site concluding it is of medium sensitivity rather than the low sensitivity presented in the LVA.

The assessment of the LVA concludes that there would be no longer term significant adverse landscape or visual impact from the majority of the proposals. The exception is the proposed floodlights. Nighttime effects are limited to 6 months of the year between sundown and 8pm in an urban edge location. Nevertheless, there is potential for harm especially from Merrow Down. The report also considers that daytime views are important and the lighting columns themselves would have an effect in this respect.

It is noted that several changes have resulted from the original submission. Reduction in height of floodlight columns from 15 metres to 13 metres. There has also been a further change by the use of retractable floodlight columns (a specific suggestion in the report assessing the LVA). This will help minimise daytime views when the columns are not in use.

The conclusions suggest conditions around landscape mitigation; information regarding light spillage (which has been provided in a lighting report) along with restrictions on the hours of operation.

Surrey Hills AONB Officer

The Surrey Hills AONB Officer has been consulted as part of this application with two responses received during the course of the application. The main response acknowledges that this involves the development of an existing recreation ground and sporting facilities adjacent to a residential area. The AONB officer concludes that there can be no reasonable concern expressed to vehicle parking. Nor would there be a concern with the surfacing of the hockey pitch and running track.

However, there is major concern with the floodlighting. The concern with the elevated location of the site and there would be some glare visible from views out of the urban area into the AONB. The officer acknowledges the location adjacent to Guildford where there is already considerable light pollution, but this does not overcome all the concerns over the effect from the additional floodlighting and on the skyline.

The AONB officer references the AONB Management Plan (which carries significant weight under policy P1 of the Adopted Local Plan), it is acknowledged that this is not one of the darkest parts of the AONB, but its high ground and exposed location with an intensive light source proposed. Therefore policy P2 of the management plan is engaged.

The supplementary comments from the AONB officer reinforces these concerns.

Conclusions on AONB/AGLV impact

The proposals for the new football and rugby pitches to the southern end of the site would not be floodlit and involve minimal amounts of built development to support those. Therefore, these matters would have limited impact on the wider landscape and the AONB. Likewise, the formalising of the hockey pitch and running track would not cause a significant effect on the AONB. The main impact is around the new floodlighting columns and the lighting itself.

The applicant has agreed to several changes since submission, the overall height of the columns has been reduced to from 15 metres to 13 metres and the use of retractable columns has also been agreed. This would reduce the long term visual effect with the columns retracted when not in use. However, this would not remove the potential impact of the lighting itself.

It is acknowledged that the site is not in an isolated and wholly dark location within the AONB, instead it is on the urban edge with nearby residential properties, therefore views from the AONB towards the site will be viewed on that background. However, the introduction of the lighting columns would still result in an intensive light source affecting views towards the AONB and in particular of Merrow Downs. There is conflict with Policy P2 of the AONB management plan in this respect.

Information submitted alongside the application confirms that the installation of the lighting will be done to minimise light spillage and the Council's Environmental Health Officer has confirmed that the lighting intensity is limited to that required for the usage. Furthermore, hours of operation are proposed to be limited to 8pm and as such the resulting effect would be mostly limited to autumn and winter months. With these restrictions in mind the overall effect would be mitigated to a degree and would not be a permanent effect. That said it is unlikely to be possible to entirely eliminate any such effect and therefore it must be concluded that some harm would result to the special landscape character of the AONB and the AGLV and conflict with policy P1 parts 3 and 4, in line with para 176 of the NPPF Great weight should be afforded this matter.

The impact of the development on Heritage Assets

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16 of the National Planning Policy Framework addresses proposals affecting heritage assets. Para 193 sets out that 'great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.

The NPPF sets out that the local planning authority should identify and assess the particular significance of any heritage asset...They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Paras 195-199 set out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs.

Policy D3 of the LPSS makes clear that Heritage Assets include buildings, monuments, sites, places, areas or landscapes having a degree of significance because of their heritage interest within the historic environment. This includes designated Heritage assets, such as those identified through national legislation such as scheduled ancient monuments, listed buildings, registered parks and gardens, or conservation areas. Non-designated heritage assets are those that are identified by the Local Planning Authority and this includes locally listed buildings and sites which are identified as being of high archaeological importance.

Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.' The site does not include any Listed Buildings, or any designated heritage assets and these are none within close proximity of the site that are likely to be affected by the proposed development. Accordingly, the requirements of the Section 66(1) are not engaged in this application.

The application site is located within an Area of High Archaeological which was designated due to the discovery of an extensive Romano British cremation cemetery, which gives its name to the site. The application is supported by an Archaeological Assessment which includes the reports of a test pit evaluation of the site. This work provides significant information which helps inform the potential impact that the proposed development.

The County Archaeological Officer has reviewed the proposals and the Archaeological Assessment provided and has concluded that while the work does not amount to a comprehensive archaeological evaluation of the site it provides sufficient information to allow an informed decision to be made regarding the nature and scale of further archaeological mitigation works. Accordingly, they have raised no objection to the development subject to a planning condition to secure a suitable methodology for the work which would be set out in a Written Scheme of Investigation.

Accordingly, it is concluded that the development would have no adverse impact on either designated or non-designated heritage assets. For this reason, the development is considered to comply with the objectives of Policy D3 of the Local Plan and the guidance set out in the NPPF in respect of heritage assets.

Impact on the character of the area

In addition to considering the impact on the wider landscape and the AONB it is necessary to consider the impact of the development on the character of the local area. Policy D1 of the Local Plan requires a high quality design approach and that development should reflect distinct local character

The development proposed seeks to improve facilities at a site that is currently used for sport and recreation. Other than the impact on the AONB, discussed above, the development would only have a potential impact on the character and appearance of Downside Road and Little Warren Close. Both these roads currently terminate at the boundary with the existing sports ground which also marks the edge of the current urban area.

The proposed development seeks to redevelop the existing sports ground to provide improved facilities, primarily for the use of the schools who currently use the site. While the proposed development would include additional built facilities, artificial surfaces and floodlighting, this would not materially change the character of either street in that a sports ground is located at the terminus of the street. As is discussed elsewhere in this report the hours of use of the ground and the floodlights will be controlled by condition and therefore the site will have limited use in hours of darkness when the effects of floodlighting would be most significant. The built facilities, parking areas and other operational development would have a very limited impact on the character and appearance of Downside Road and Little Warren Close.

For these reasons the development is considered to comply with the requirements of Policy D1 of the Local Plan and the objectives of chapter 12 of the NPPF.

The impact on neighbouring amenity

The application site is located at the western end of Downside Road, with the nearest neighbouring dwellings to the proposed development are those at the western end of Downside Road and Little Warren Close. In total, 4 residential properties share a common boundary with the application site. While there are many other residential properties in the local area, these properties are those most likely to be impacted by the proposed development.

The development proposed does not include a change of use of the land but seeks operational development which is likely to result in the land being more intensively used. The existing site comprises a sports ground that is currently used by the two schools who are seeking to use the improved facilities. This is a significant factor as there is already activity taking place at the site of a similar nature to that proposed.

Whilst more effective use of the site might increase some noise associated with the activities it is important to note that these would nevertheless remain recreational in nature primarily involving school activities with other community users also likely. The timeframes for use are likely to be focussed during the day time, although other users are likely in the evening this is unlikely to result in undue disturbance. Only the floodlight pitch can be used in hours of darkness and those times will be limited by condition for the operation of the floodlights.

Concern has been expressed at the impact of the floodlighting. The Council's Environmental Health Officer has not objected to the proposal and technical information has been submitted to demonstrate that light spillage will be limited. It is important to note that the effect on amenity is different to that of landscape character assessed as part of the AONB effect. In this case the restrictions on light spillage and hours of use will be sufficient to ensure that the effect on amenity would not be harmful.

Car parking is proposed to be accommodated on site, therefore although there will be some comings and goings this would not be to a degree to harm the amenities of occupiers.

Overall it is considered that the development would not be harmful to residential amenity and therefore accords with policy G1(3) of the 2003 local plan,

The impact of the development on highway safety, parking and sustainable transport

The application site is located at the eastern end of Downside Road which gives access to the application site. Downside Road is a residential street which includes areas of parked cars in controlled bays on both sides of the road. While the site is not located within the centre of the urban area, it adjoins the urban area and is not in an area which is inherently unsustainable from a transport perspective. Additionally the site is currently in use for recreational purposes and therefore does not propose the introduction of an entirely new use.

The application site is currently used by the same schools who would be the primary users of the new facility. While the development would improve the facilities on this site, primarily in terms of the quality of the provision, it is not expected that the proposed development would result in a significant increase in the number of people who may be expected to use the site at any one time.

Parking provision is proposed to be provided which the applicant states will accommodate the demand from the uses, this includes a significant level of car parking and space for mini-bus and coach parking.

Surrey County Council as the highway authority has not objected to the application and suggested conditions, which includes the provision of an updated travel plan which the applicant has agreed to.

Overall it is therefore considered that there are no objections to the development in these respects.

Impact on protected species and biodiversity

A Preliminary Ecological Appraisal was submitted with the application and found that the site had potential to provide habitat for bats, nesting birds and hedgehogs. To avoid impact on nesting birds and hedgehogs the report details mitigation measures such as works being carried out outside of bird nesting season and to carry out hand searches and phased clearance of shrubs and dense vegetation with compensation through species-rich, wildlife friendly landscaping. A condition is therefore recommended to ensure the works on site are carried out in accordance with the mitigation measures and the enhancements to the site outlined with the report.

Following the findings of the Preliminary Ecological Appraisal, a Bat Survey Report was submitted and confirms the presence of roosting bats in the eastern elevation of the sports hall. It goes on to state that due to the proposed increased artificial lighting, the light spill would result in direct and indirect disturbance to bats and / or their resting place and that without mitigation the proposals would disturb and modify the characteristics of the existing roosts. The report goes on to say that the external construction works would not result in any direct or indirect disturbance. A sensitive lighting strategy is suggested to mitigate effects on bats.

Surrey Wildlife Trust has been consulted as part of the application process with further comments provided by the applicant. The latest comments suggest the provision of a detailed Landscape and Ecological Management Plan which should also address biodiversity compliance and also suggests the requirement of a sensitive lighting plan as suggested by the application. These

matters will be required by condition.

Conditions are also recommended to ensure the development proceeds in accordance with the ecological survey undertaken.

Subject to these matters officers are satisfied that the development is appropriate in these regards.

Impact on trees

The application site currently comprises sports fields and as such is generally clear of trees and significant landscape features. There are however a number of groups of established trees, principally located on the boundaries of the site.

The application is supported by an Arboricultural Impact Report and Method Statement which identifies the trees that would potentially be impacted by the development and the measures necessary to mitigate the impact of the development on these trees. The report also confirms that two tree groups would need to be partially removed along with some minor pruning of trees to be retained to facilitate the development. The remainder of the trees on the site, and those on the site boundaries, would be retained with measures identified in the report for their protection during the construction process. The trees to be removed are of relatively low quality (Grade C) and are those bounding the northern boundary of the sites and those bounding the existing running track. Even with the works proposed these groups will in the large part be retained and the Councils Arboricultural Officer has raised no objection to the development. The have recommended that conditions be attached to any development to secure compliance with the Arboricultural Impact Report and Method Statement submitted.

Accordingly it is considered that, subject to suitable planning conditions, the proposed development would have minimal impact on the trees on site. For these reasons the development is considered to comply with the relevant objectives of Policy ID4 of the Local Plan.

Impact on flood risk

The application site is located within Flood Zone 1 as identified by the Environment Agency which is identified as having a low risk of flooding. The application seeks the redevelopment of the existing sports pitches and does not introduce any new land uses to the site; accordingly the development would not result in the creation of a more vulnerable use on the site.

A Flood Risk Assessment and Surface Water Drainage Strategy has been submitted with the application and confirms that the site is at risk of flooding from surface water runoff and groundwater flooding at surface level. The report concludes that any surface water flooding caused by short duration-high intensity rainfall events would only be likely to result in flooding at the site for short periods time and that safe egress could be maintained during these heavy rainfall events. The development proposed would not increase the risk of surface water flooding or the risk to people using the site where flooding to occur.

The proposed drainage strategy for the site would ensure that off-site discharge is limited as close as practicable to greenfield rates by means of infiltration or the use of an attenuation tank as necessary. The Lead Local Flood Authority has reviewed the Surface Water Drainage Strategy and has raised no objection to the development subject to conditions.

Accordingly it is considered that the development would not result in an increase risk of flooding on the site and would not give rise to an increase to the risk of flooding at adjoining properties. For these reasons the development is considered to comply with the objectives of Policy ID4 of the Local Plan and relevant guidance set out in the NPPF.

Planning Balance

Planning decisions are to be taken in accordance with the development plan unless material considerations indicate otherwise.

The proposal would be contrary to Policy P1 of the LPSS in that it fails to conserve or enhance the natural beauty of the AONB. Given that the proposal conflicts with the development plan, there is no presumption in favour of the development. Accordingly, it is necessary to balance the benefits of the proposal against the harm caused and the conflict with the development plan.

Planning Harm

The proposed development would fail to conserve or enhance the natural beauty of the AONB and AGLV. While the applicant has made reasonable steps to limit the impact on the AONB, such as introducing retractable lighting, there would remain moderate harm to the special landscape character of the AONB/AGLV. The harm is reduced from that originally proposed and conditions limiting hours of use of the floodlighting provides additional mitigation. Nevertheless the NPPF requires that great weight is given to the protection of these nationally important landscapes and as such this harm should be given considerable weight in the determination of this planning application.

Planning Benefits

While the applicant does not agree that the proposal would result in harm to the AONB they have set out a number of benefits which they consider should be considered as weighing in support of the proposed development. While they also point out that the proposal does not seek to provide a significant uplift in facilities on site but seeks to reasonably enhance the existing facilities, they consider the following matters should be seen as benefits of the scheme:

- The opportunity to enhance an existing school facility site, for the benefit of local schools
- Enhanced sport recreation and facilities for potential use by the local community
- Provide greater opportunities for children to become involved in outdoor sport and live healthier lifestyles
- Provide improved car parking areas on site and reduce existing impacts on Downside Road
- Assist in contributing to the objectives to create, expand or alter schools.

The development proposed would undoubtedly deliver benefits in terms of the matters set out above. These would include benefits to the schools, who would primarily use the facilities, but also to the wider public.

Chapter 8 of the NPPF makes clear that planning decision should support development which enables and supports healthy lifestyles, including those which seek to provide new sports facilities and that great weight should be given to the need to create, expand or alter schools.

The Planning Policy Statement - Planning for Schools Development (August 2011) sets out the Government's commitment to supporting the development of state-funded schools and their delivery through the planning system. This statement applies to both the change of use of land and operational development necessary to the operational needs of schools. This national policy document is a significant material consideration which must be taken into account in any planning decision relating to state-funded schools.

The Planning for Schools Development Policy Statement requires that there should be a presumption in favour of the development of state-funded schools and that local authorities should give weight to the importance of enabling the development of state-funded schools in their planning decisions. It also makes clear that it is the Government's view that the development of state-funded schools is strongly in the national interest and that planning decisions should support that objective.

The proposed development would provide improved sporting facilities for a state funded school, and would also be used by an independent school, as well as members of the public. There is a clear support from national planning policy and guidance that development for schools should be supported and that this must be afforded considerable weight in making planning decisions in line with national material considerations.

The applicant has clearly demonstrated that the proposed development would be of significant benefit to the schools who would use the facility and this benefit should be afforded considerable weight. While the hours of use of the facility are to be limited by condition, as discussed above, the development would also have the potential to be used by other groups, visiting schools and the general public and all of these would support the NPPF's objective to improve access to sporting facilities and to improve the health and wellbeing of the local population. This is a further benefit from the scheme which should also be afforded significant weight.

Planning Balance

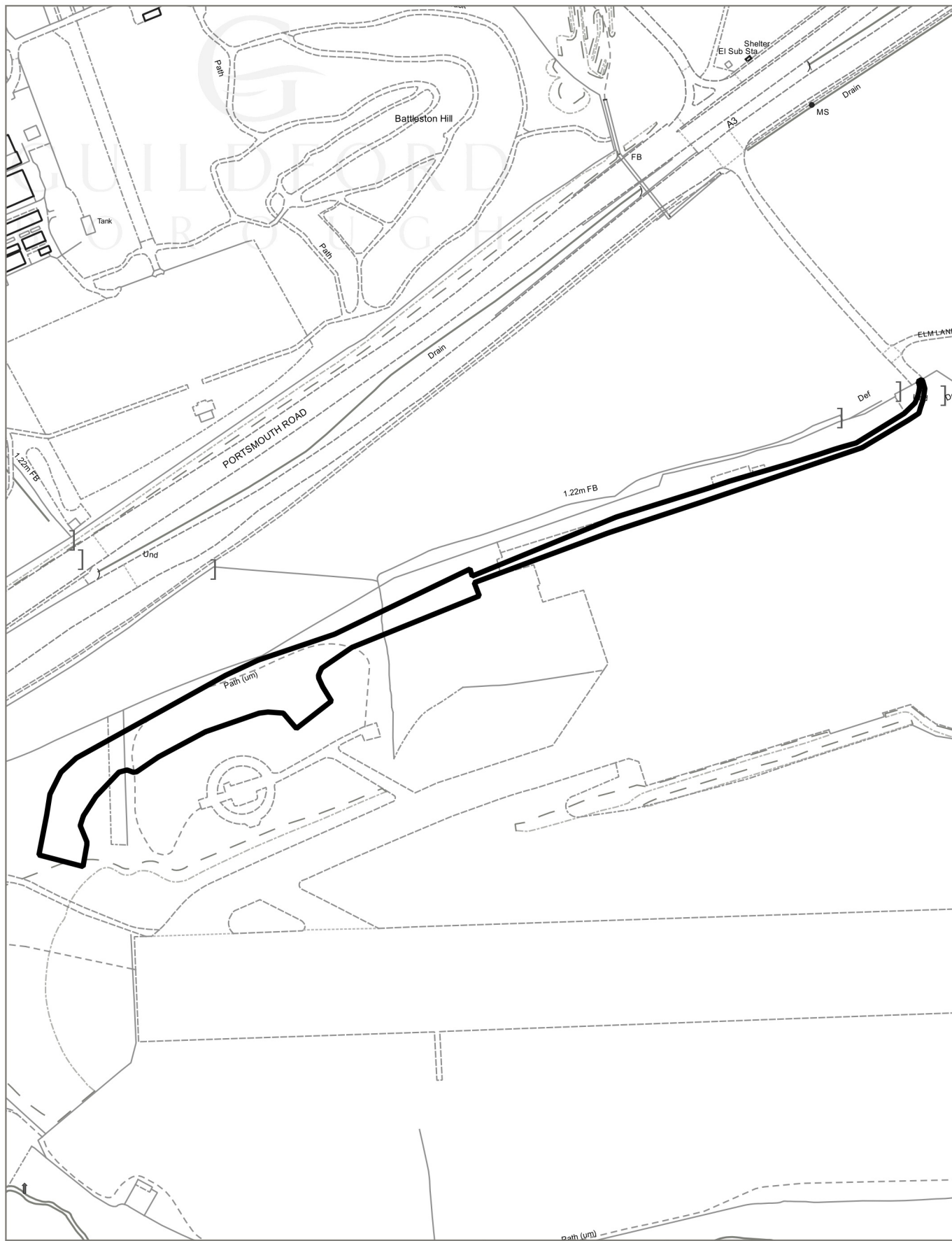
While the harm to the AONB/AGLV is considered to be moderate and it is acknowledged that the applicant has amended the proposals and agreed to conditions to limit the impacts, it must still be afforded considerable weight and importance in any planning balance. Weighed against this is the need to support the development of schools and the need to provide enhanced sport and recreation facilities in the interests of supporting healthy lifestyles. Having regard to all of the above, it is considered that the benefits of the proposal clearly outweigh the harm that would be caused to the AONB/AGLV and accordingly the development should be supported.

Conclusion

There is no in principle objection to the proposed development which would provide improved sporting facilities at the school in line with one of the aims of the NPPF. The proposed development would not be out of character in this educational setting, and subject to compliance with conditions would not result in any adverse impact on protected species and result in some enhancements to the biodiversity value of the site. The proposal would also not result in any adverse impact on trees or have any material impact on highway / parking considerations.

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20/P/01708 - Land At Wisley Airfield, Hatch Lane, Ockham



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Print Date: 17/11/2021

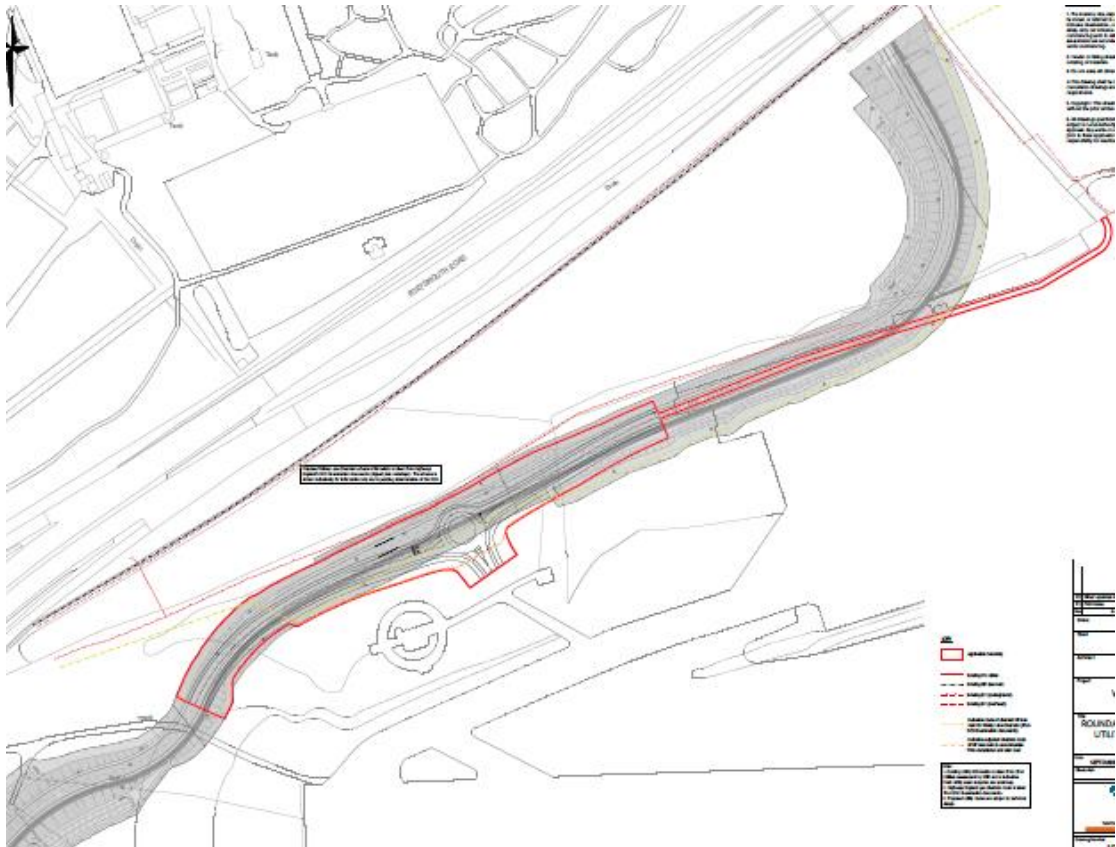


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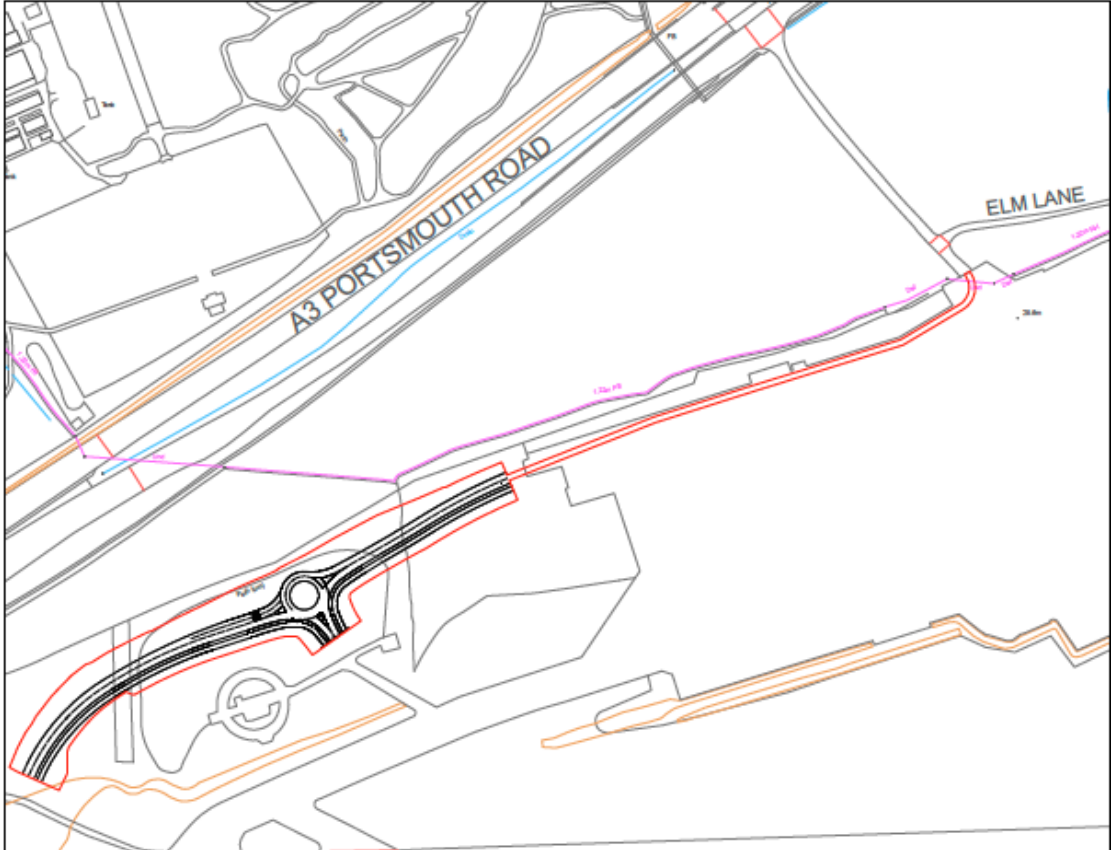
21P01708 Land at Wisley Airfield Hatch Lane GU23 6NU



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20/P/01708 Land at Wisley Airfield Hatch Lane, Ockham GU23 6NU



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App No:	20/P/01708	8 Wk Deadline:	18/06/2021
Appn Type:	Full Application		
Case Officer:	Hannah Yates		
Parish:	Wisley	Ward:	Lovelace
Agent :	Miss Beckett	Applicant:	Camille Soor
	Savills		Taylor Wimpey UK Limited
	244-246 High Street		20 Air Street
	Guildford		London
	GU1 3JF		W1B 5AN

Location: Land at Wisley Airfield, Hatch Lane, Ockham, GU23 6NU
Proposal: Detailed application for engineering operations to form a new roundabout and stub road.

Update following deferral

Members may recall that this application was heard at planning committee in May this year where it was resolved to defer the application until after 12 November 2021, until a decision had been made on the M25 /A3 Junction 10 works Development Consent Order (DCO). Since that deferral by Members, the applicant has followed two strategies, namely lodging an appeal against non-determination on this application, and also by submitting a new application for a very similar, near duplicate development, which appears as a separate item on this agenda. Should the duplicate application be approved the applicant has advised that they would be minded to withdraw the current appeal.

On 21 October 2021, a Ministerial Statement was laid in Parliament which stated the deadline for the DCO decision is now extended until 12 May 2022 to allow for further consideration of environmental matters. This is the third delay to this decision, and the DCO remains undetermined at the time this appeal scheme is being brought back to committee.

Whilst there has been a further delay on the DCO decision, the application needs to be referred back to Committee as an appeal against non-determination has been submitted by the applicant. The Planning Inspectorate confirmed the appeal was valid on 20 August 2021, however a start date is yet to be issued as the Inspectorate are waiting for a suitable Planning Inspector to become available. The start letter could be issued at any time, and therefore Members need to confirm what their decision would have been on the proposal (had it not been appealed for non-determination) as soon as possible, to ensure the Council's Statement of Case can be prepared in line with the timescales dictated by the Planning Inspectorate.

Although the DCO decision has been delayed again by the Government, Officers remain of the view (as expressed in the May Committee Report) that the proposal is capable of support subject to a Grampian condition. As such, had the Council retained the right to determine this application, the recommendation would have remained as an approval subject to conditions.

The original officer report as sent to committee in May is found below in the Officer report section.

Updates contained on the late sheets for the May committee meeting - all as written on 20/05/2021

Minor amendments to the wording of conditions 2, 4, 7, 9, 18, 19 and 20 as follows:

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Stub Road Location Plan ref.1350-2-153 and Stub Road Red Line plan- Elm Lane One Way-Southern Roundabout ref. 1350-2-152 Rev D received on 08/10/2020 and Wider Site Location Plan ref. 1350-2-186 Rev A received on 13/05/2021.

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

Reason for change: Additional plan containing a blue line highlighting other land in the applicant's ownership.

4. No development shall take place until (a) the Highways England Investment Strategy (RIS) improvement to M25 Junction 10/A3 Wisley Interchange Development Consent Order (DCO) has been granted and (b) written confirmation has been obtained from the Local Planning Authority (in consultation with Highways England and Surrey County Council) that the relevant part of the DCO, being the Wisley Lane Diversion, has been implemented/commenced on site.

Reason: The proposed development is only acceptable as part of the diverted Wisley Lane.

Reason for change: Tightening of the wording to provide better clarity.

7. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority. This should include further investigation regarding the significance of the historic Wisley and Ockham Parish Boundary. Development shall then take place in accordance with the approved Written Scheme of Investigation.

Reason: To allow adequate archaeological investigation. It is considered necessary for this to be a pre-commencement condition to allow the investigation to take place before any archaeological remains are disturbed by the approved development.

Reason for change: To make clear the works required for the historic boundary.

9. Prior to the first use of the development hereby approved, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is designed to the National Non Statutory Technical Standards for SuDS.

Reason for change: Correction of error relating to occupation of development.

18. Prior to commencement of development, the applicant must submit the following to the Local Planning Authority for its written approval:

(a) a method statement for identification of land contamination including removal of material containing asbestos from site, quantification of loose fibres in soil and a detailed remediation scheme

(b) the approved remediation scheme must be carried out in accordance with its terms unless otherwise agreed in writing by the Local Planning Authority. Following the completion of approved remediation measures identified in the scheme, a verification report must be submitted to the Local Planning Authority for approval in writing. This verification report must provide documented evidence of the remediation work carried out on site.

If monitoring of air borne asbestos fibres during the earthworks is identified as one of the control measures, this must be appended to the verification report on completion along with monitoring data and measures employed to control air borne asbestos fibres on site/at site boundaries.

Reason: To ensure that risks from land contamination to neighbouring land and future users of the land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. It is considered necessary for this to be a pre-commencement condition because the how asbestos is dealt with needs to be agreed prior to development commencing.

Reason for change: To make clear the scope of the method statement and to address a typo.

19. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation must be carried out to identify the extent, scale and nature of contamination, and where necessary a remediation scheme must be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, and other sensitive receptors and is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 18.

Reason: To ensure that risks from land contamination to neighbouring land and future users of the land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Reason for change: To address typo and link to condition 18, rather than 17.

Update in relation to the Highways England Investment Strategy relating to the M25 Junction 10 and the A3 Wisley Interchange Development Consent Order:

A Ministerial Statement was laid in Parliament on the 12th May which stated "The deadline for the decision is to be further extended to 12 November 2021 (an extension of 6 months) to allow further consideration of environmental matters."

[Officer note: This was taken into consideration prior to the item being confirmed on the agenda for this meeting. It is considered that the delay to the DCO does not affect the ability to determine the application now. It is still reasonable to impose a Grampian condition in the terms proposed on the basis that there is a prospect of the DCO coming forward and being approved.

This is on the basis that it is being promoted by Highways England, itself a public authority, in the public interest who must regard there being a material prospect of the DCO being granted]

Summary of a new objection received from Planning Works on behalf of the Royal Horticultural Society Garden Wisley (RHS):

- The RHS believe that the determination of the application at this point in time cannot be sound because of the delay to the M25 J10 DCO decision due on the 12th May.
- The Committee Report is predicated on the basis that the Highways England DCO order relating to the M25 junction 10/A3 Wisley interchange (including the Wisley Lane Diversion) would have been confirmed on the 12th May 2021. It is therefore now out of date.[Officer note: The report was written prior to the decision to extend the deadline on a decision on the DCO, however, further extension to the deadline was always a possibility that was taken into account when writing the report. The decision to continue to take the application to committee was made after the delay on the DCO was announced as it is considered that the Grampian condition provides adequate protection]
- The rationale for the application determination at this point in time- one of timing and procurement - has gone.
- This issue of timing alone should be sufficient in its own right to seek a deferral of the application at this point in time.
- The Grampian condition cannot be reasonable in these circumstances since it is reliant on a decision yet to be taken.
- It is very unusual for a DCO decision to have been delayed twice, which must cast doubt on the likelihood of it being approved.
- The Committee cannot reasonably consider the proposed conditions without having sight of any highway modelling for the outline planning application for the entire FWA site.
- The roundabout and stub road configuration are not based on the most up-to date TW highway modelling. [Officer note: SCC as Highway Authority are happy with the traffic modelling exercise undertaken, which sought to demonstrate that the proposed roundabout can satisfactorily accommodate traffic movements associated with the DCO scheme, and the future potential for traffic flows associated with adjacent site allocation]
- The application proposals may not be fit for purpose.
- A holistic approach to the delivery of the FWA proposals to include the roundabout/stub road proposals in the application due to be submitted in June 2021 would align with the (current) DCO decision date in November 2021 and be based on the most up to date highway modelling

Speakers addressing the May committee

Prior to consideration of this application in May, the following persons addressed the Committee:

Mr David Alexander (on behalf of the Royal Horticultural Society) (to object);
Ms Imogen Jamieson (Ockham Parish Council) (to object) and;
Mr Antonis Pazourou (Taylor Wimpey) (in support)

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 sits to the north west of the Former Wisley Airfield (FWA), also known locally as Three Farms Meadow. The application site sits partly within and partly outside of the Local Plan allocated site A35, which is proposed to deliver a new settlement of approximately 2,000 dwellings and associated uses. However, the whole site is within the area inset from the Green Belt.

The site is solely within Flood Zone 1, however a very small area of the site around the access point from Elm Lane suffers from surface water flooding, as defined on the EA surface water mapping (1 in 30, 100 and 1000 years). The application site also contains part of the Wisley Airfield Site of Nature Conservation Importance (SNCI).

At its closest point (the access onto Elm Lane), the site is located approximately 175m from the Thames Basin Heaths Special Protection Area and Ockham and Wisley Commons Site of Special Scientific Interest (SSSI). The Ockham and Wisley Local Nature Reserve (LNR) covers the area designated as SSSI, and also extends southwards beyond the SSSI, directly adjacent to the site running along the north western boundary. This area adjacent to the site along the north western boundary is also part of the Elm Corner Woods SNCI, is identified as Priority Habitat deciduous woodland, is Green Belt and part of this area is designated as Ancient Woodland.

The site takes access off Elm Lane which is a Class D road. Elm Lane is directly accessed off the A3. Bridleway 544 runs from Elm lane southwards across the runway, connecting to Hyde Lane and eventually Ockham Lane. No other public rights of way are on the site.

The access portion of the site runs along the edge of the area of hardstanding that previous housed the aircraft hangers. The main body of the site contains a mosaic of scrub, tall ruderal vegetation and a number of trees.

1.15 ha of the application site falls within the proposed land take of the Highways England Development Consent Order (DCO) relating to improvements to M25 junction 10/A3 Wisley interchange. A decision on this project was originally due by 12 January 2021. However, a Ministerial Statement was laid in Parliament on that day which stated "the deadline for the decision is to be extended to 12 May 2021 to enable the Secretary of State to consult further on the application including on the question of appropriate provision of replacement land to compensate for the proposed special category land to be compulsory purchased under the development consent order". The proposed scheme therefore remains undetermined at the time of writing this report, however there is due to be an update prior to the application being heard at Committee which will be reported at the meeting.

This application proposes the construction of a new access to serve the Former Wisley Airfield strategic site allocated under policy A35 of the Local Plan: Strategy and Sites 2015 - 2034. The access is proposed to be taken from the proposed Wisley Lane Diversion, which forms part of the DCO.

The proposed works include:

- a 30m diameter three-arm roundabout with kerbed central island;
- a two-lane approach for north-east bound traffic, allowing segregation of right turning traffic into the development from traffic headed to RHS Wisley Gardens and Wisley village;

- a maximum 100m radius entry path deflection to comply with approach speed reduction requirements of the Design Manual for Roads and Bridges (DMRB);
- sufficient highway verges to accommodate the visibility requirements;
- continuity of cycle and pedestrian facilities along the southern side of the Wisley Lane Diversion is provided by way of crossing points to the southern splitter island.

The application also includes for all earthworks, drainage, landscaping, service diversions, signs and road markings, street lighting and other street furniture including vehicle restraint barriers as necessary.

Summary of considerations and constraints

This application proposes the roundabout and stub road as a stand-alone application at a time when there is no defined proposal for how the A35 allocation will be developed. This is for reasons of timing where the applicant is seeking to ensure that the stub road can be constructed at the same time as the M25 Junction 10 DCO works take place, so as to minimise disruption and to avoid the need to take up a recently made road. Each application must be determined on its own merits, and the approval of this application would in no way pre-determine any future application to develop the strategic site. If in the course of considering a subsequent application relating to the A35 allocation it becomes apparent that the stub road and roundabout proposed would in some way be unsuitable for meeting the needs of that development, this could be dealt with through the process of the determination of that application.

It is noted that the proposal would result in some harm to the amenities of neighbouring dwellings at Elm Corner and would lead to a loss of 0.53% of the Wisley Airfield SNCI. However, constructing the roundabout and stub road simultaneously with the Wisley Lane Diversion (which forms part of the DCO) would limit construction impacts on the local community and RHS Wisley and ensure that they are built at the same time to avoid digging up the Wisley Lane Diversion which will have only just been constructed. In addition, the application unlocks potential to develop the land covered by the A35 allocation, by delivering a key piece of infrastructure. The proposal also includes a new area of wildflower grassland and an overall biodiversity net gain.

A Grampian condition is an appropriate way to ensure that this development is tied into the DCO scheme. While it is acknowledged that there is still some uncertainty about the DCO application and what the decision may be, the application is at an advanced stage in the process. Given this, it cannot be argued that *'there is no prospect at all'* of the DCO scheme coming forward during the life of the permission. Therefore, the use of the Grampian condition would only see works commencing, when the DCO scheme has been implemented.

The balancing exercise which has been undertaken concludes that the benefits of the proposal do outweigh the limited identified harm.

This application is the subject of a non determination appeal and therefore the Council are unable to formally determine the application. Instead the Council must resolve to confirm what they would have done had they been in the position to determine this application. Subject to conditions, the application is deemed to be acceptable and had an appeal not been lodged against non-determination, the application would have continued to be recommended for approval.

RECOMMENDATION:

(i) That in the event that the Council could have determined this application the decision would have been to approve subject to the conditions set out in this report, inclusive of the updates on the May late sheets.

(ii) That the decision taken by the Planning Committee shall be used by the Local Planning Authority to formalise its appeal Statement of Case.

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: Stub Road Location Plan ref.1350-2-153 and Stub Road Red Line plan- Elm Lane One Way-Southern Roundabout 1350-2-152 Rev D received on 08/10/2020

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

3. The development hereby permitted is solely limited to the area shaded purple in plan ref. POTENTIAL ROUNDABOUT ACCESS ON THE PROPOSED WISLEY LANE DIVERSION 0934-SK-079 Rev A.

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

4. No development shall take place until written confirmation has been obtained from the Local Planning Authority (in consultation with Highways England and Surrey County Council) that the relevant part of the Highways England Investment Strategy (RIS) improvement to M25 Junction 10/A3 Wisley Interchange Development Consent Order (DCO), the Wisley Lane Diversion, has been implemented/commenced on site.

Reason: The proposed development is only acceptable as part of the diverted Wisley Lane.

5. The proposed roundabout and stub road access shall not be commenced unless and until a scheme has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, to provide the following details;

- earthworks
- drainage
- service diversions
- signs and road markings
- street lighting and;
- other street furniture including vehicle restraint barriers as necessary.

The construction of the roundabout and stub road access shall then be undertaken in accordance with the approved scheme.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. It is considered necessary for this to be a pre-commencement condition because these measures need to be agreed prior to the development commencing to ensure they are acceptable.

6. No construction works shall commence until a Construction Transport Management Plan, to include details of;

- a) parking for vehicles of construction site personnel, construction site operatives and construction site visitors;
- b) loading and unloading of plant and materials for the construction of the development;
- c) storage of plant and materials for the construction of the development;
- d) programme of construction works (including measures for construction traffic management);
- e) HGV deliveries for construction and hours of construction operation;
- f) construction vehicle routing;
- g) measures to prevent the deposit of materials on the highway;
- h) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused by construction traffic;
- i) on-site turning for construction vehicles;
- j) safeguarding Bridleway users, particularly where they enter the airfield onto Public Bridleway 544 Wisley

has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in accordance with the approved Construction Transport Management Plan.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. It is considered necessary for this to be a pre-commencement condition because the construction plans need to be agreed prior to the development commencing to the construction commences.

7. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority. This should include further details regarding the significance of the historic Wisley and Ockham Parish Boundary. Development shall then take place in accordance with the approved Written Scheme of Investigation.

Reason: To allow adequate archaeological investigation. It is considered necessary for this to be a pre-commencement condition to allow the investigation to take place before any archaeological remains are disturbed by the approved development.

8. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
- a) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate to be agreed with SCC as LLFA.
 - b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
 - c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.
 - d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
 - e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site. It is considered necessary for this to be a pre-commencement condition because the satisfactory drainage of the site goes to the heart of the planning permission.

9. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is designed to the National Non-Statutory Technical Standards for SuDS.

10. Works shall be carried out in full accordance with Section 4 and 6 of the submitted Ecological Impact Assessment prepared by EPR October 2020.

Reason: To safeguard protected species.

11. Works shall be carried out in full accordance with the Ecological Working Method Statement as set out in Appendix 4 of the submitted Ecological Impact Assessment prepared by EPR October 2020. Prior to first use, a post completion ecology report shall be submitted to, and agreed in writing by Guildford Borough Council.

Reason: To safeguard protected species.

12. A detailed lighting strategy will be provided prior to the use of the new roundabout and stub road to ensure there are no adverse impacts to roosting and foraging bats within the area. The development shall be carried out in accordance with the approved Lighting Strategy.

Reason: To safeguard protected species.

13. No development shall take place, until an amended Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. In addition to the existing requirements, the Plan shall provide for:

- (a) An indicative programme for carrying out of the works
- (b) The arrangements for public consultation and liaison during the construction works
- (c) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s)
- (d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
- (e) the parking of vehicles of site operatives and visitors
- (f) loading and unloading of plant and materials
- (g) storage of plant and materials used in constructing the development
- (h) measures to control the emission of dust, dirt and run-off during construction
- (i) further details on how the ancient woodland will be protected, and avoid risks by construction vehicles, storage of materials, etc.

Reason: To ensure that satisfactory measures are put in place for addressing occupiers of nearby land and the environment generally. It is considered necessary for this to be a pre-commencement condition because the management of the construction needs to be considered before construction commences.

14. The development hereby approved shall implement the Biodiversity Net Gain measures as detailed within Appendix 5 and map A5.1 of the submitted Ecological Impact Assessment prepared by EPR October 2020. All planting and seeding required as part of these measures shall be carried out in the first planting and seeding season following the completion of the development, or prior to the first use of the development, whichever is sooner.

Reason: To provide net gains in biodiversity.

15. The proposed offsite habitat creation as detailed on map A5.1 as set out in Appendix 5 of the submitted Ecological Impact Assessment prepared by EPR October 2020 shall include management for citation species, due to the loss of 0.53% of Wisley Airfield SNCI. Prior to the creation of this habitat, a report detailing this management will be submitted to and agreed in writing by the Local Planning Authority. The habitat will then be managed in accordance with the approved report.

Reason: To safeguard existing natural features.

16. No development shall take place until an Arboricultural Method Statement (AMS) and finalised Tree Protection Plan (TPP), in accordance with BS5837:2012 Trees in Relation to Design, Demolition and Construction, are submitted to and approved in writing by the Local Planning Authority. The approved Arboricultural Method Statement must be adhered to in full, and may only be modified subject to written agreement from the Local Planning Authority.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality. It is considered necessary for this to be a pre-commencement condition because the tree protection measures need to be agreed prior to the development commencing to ensure trees are not damaged by the development.

17. No development shall commence until tree protection measures, as set out in the approved Arboricultural Method Statement (AMS) and Tree Protection Plan(TPP), have been installed and a site meeting has taken place with the site manager, the retained consulting arboriculturalist and the LPA Tree Officer. This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of monitoring and compliance by the pre-appointed consulting arboriculturalist.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality. It is considered necessary for this to be a pre-commencement condition because the tree protection measures need to be checked prior to the development commencing to ensure they are adequately installed.

18. Prior to commencement of development, the applicant must submit the following to the Local Planning Authority for its written approval:

(a) a method statement for removal of asbestos containing material from site, quantification of loose fibres in soil and detailed remediation scheme
(b) the approved remediation scheme must be carried out in accordance with its terms unless otherwise agreed in writing by the Local Planning Authority. Following the completion of approved remediation measures identified in the scheme, a verification report must be submitted to the Local Planning Authority for approval in writing. This verification report must provide documented evidence of the remediation work carried out on site.

If monitoring of air borne asbestos fibres during the earthworks is identified as one of the control measures, this must be appended to the verification report on completion along with monitoring data and measures employed to control air borne asbestos fibres on site/at site boundaries.

Reason: To ensure that risks from land contamination to neighbouring land and future users of the land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. It is considered necessary for this to be a pre-commencement condition because the how asbestos is dealt with needs to be agreed prior to development commencing.

19. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation must be carried out to identify the extent, scale and nature of contamination, and where necessary a remediation scheme must be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, and other sensitive receptors and is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 17.

Reason: To ensure that risks from land contamination to neighbouring land and future users of the land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

20. Prior to the first use of the development hereby approved, full details of the treatment of the stub road in relation to any fencing/barriers to prevent access to land beyond the stub road shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

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 has been sought regarding the wider Wisley Airfield site. As regards this proposal, further information and justification was provided during the course of the application. The application is now deemed to be acceptable.

2. Lead Local Flood Authority Informatives:

If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.

If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

3. County Highway Authority Informatives:

The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.

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 www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme. 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/floodingadvice.

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 developer is advised that as part of the detailed design of the highway works required by the above condition(s), 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.

Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

Officer's Report

Site description

This site measuring approximately 1.35ha sits to the north west of the Former Wisley Airfield (FWA), also known locally as Three Farms Meadow. The application site sits partly within and partly outside of the Local Plan allocated site A35, which is proposed to deliver a new settlement of approximately 2,000 dwellings and associated uses. However, the whole site is within the area inset from the Green Belt.

The site is solely within Flood Zone 1, however a very small area of the site around the access point from Elm Lane suffers from surface water flooding, as defined on the EA surface water mapping (1 in 30, 100 and 1000 years). The application site also contains part of the Wisley Airfield Site of Nature Conservation Importance (SNCI).

At its closest point (the access onto Elm Lane), the site is located approximately 175m from the Thames Basin Heaths Special Protection Area and Ockham and Wisley Commons Site of Special Scientific Interest (SSSI). The Ockham and Wisley Local Nature Reserve (LNR) covers the area designated as SSSI, and also extends southwards beyond the SSSI, directly adjacent to the site running along the north western boundary. This area adjacent to the site along the north western boundary is also part of the Elm Corner Woods SNCI, is identified as Priority Habitat deciduous woodland, is Green Belt and part of this area is designated as Ancient Woodland.

The site takes access off Elm Lane which is a Class D road. Elm Lane is directly accessed off the A3. Bridleway 544 runs from Elm lane southwards across the runway, connecting to Hyde Lane and eventually Ockham Lane. No other public rights of way are on the site.

The access portion of the site runs along the edge of the area of hardstanding that previous housed the aircraft hangers. The main body of the site contains a mosaic of scrub, tall ruderal vegetation and a number of trees.

1.15 ha of the application site falls within the proposed land take of the Highways England Development Consent Order (DCO) relating to improvements to M25 junction 10/A3 Wisley interchange. A decision on this project was originally due by 12 January 2021. However, a Ministerial Statement was laid in Parliament on that day which stated "the deadline for the decision is to be extended to 12 May 2021 to enable the Secretary of State to consult further on the application including on the question of appropriate provision of replacement land to compensate for the proposed special category land to be compulsory purchased under the development consent order". The proposed scheme therefore remains undetermined at the time of writing this report, however there is due to be an update prior to the application being heard at Committee which will be reported at the meeting.

Proposal

Detailed application for engineering operations to form a new roundabout and stub road.

This application proposes the construction of a new access to serve the Former Wisley Airfield strategic site allocated under policy A35 of the Local Plan: Strategy and Sites 2015 - 2034. The access is proposed to be taken from the proposed Wisley Lane Diversion, which forms part of the DCO.

The proposed works include:

- a 30m diameter three-arm roundabout with kerbed central island;
- a two-lane approach for north-east bound traffic, allowing segregation of right turning traffic into the development from traffic headed to RHS Wisley Gardens and Wisley village;
- a maximum 100m radius entry path deflection to comply with approach speed reduction requirements of the Design Manual for Roads and Bridges (DMRB);
- sufficient highway verges to accommodate the visibility requirements;
- continuity of cycle and pedestrian facilities along the southern side of the Wisley Lane Diversion is provided by way of crossing points to the southern splitter island.

The application also includes all earthworks, drainage, landscaping, service diversions, signs and road markings, street lighting and other street furniture including vehicle restraint barriers as necessary.

On 7 January 2021, the applicant submitted an additional plan ref. 0934-SK-079-A which highlights in purple the area where this application differs from the proposed DCO. This plan does not change the application in any way, hence re-consultation was not required, however it does make it clear what development is being sought consent for under this application.

Relevant planning history.

The site has a long and complex planning history. The following applications are most relevant to the consideration of this application:

Reference:	Description:	Decision Summary:	Appeal:
20/P/01709	Detailed application for enabling works (engineering operations in the form of landform alterations) to facilitate part phase 1 SANG works.	Pending	N/A
20/S/00004	Request for a screening opinion under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) in regards to the proposed development of permanent access through provision of a roundabout and stub road at the former Wisley Airfield	Screening Decision: Negative – EIA Issued 16/10/2020	N/A
15/P/00012	Outline planning permission for the phased development of a new settlement of up to 2,068 dwellings incorporating up to 60 sheltered accommodation units and associated infrastructure including accesses onto the A3 (Ockham Interchange), Ockham Lane and Old Lane and revised access to Elm Corner, a primary/secondary school, community provision, nursery provision, health facility, a local centre (incorporating food & drink, retail, a visitor centre and offices), employment area, 8 travellers pitches, sports and recreational facilities (incorporating a floodlit sports pitch and pavilion). Sustainable Drainage Systems and an area of Suitable Alternative Natural Greenspace (SANG) incorporating a landform feature and car parking. The erection of associated utilities infrastructure.	Refuse 08/04/2016	Dismissed 13/06/2018

The development proposal to incorporate the demolition/ removal of the runway and VOR Beacon (and any associated outbuildings). Matter for determination is access (with matters of scale, appearance, landscaping and layout reserved).

12/P/00533	<p>Consultation from Surrey County Council for a fully enclosed invessel composting facility with a new vehicular/pedestrian access from the A3 Ockham roundabout comprising a new site access road, with a bridge over the stream to a purpose-built enclosed composting building, ancillary staff building and vehicle parking for staff/visitors together with landscape mounding and planting, and an attenuation pond; without compliance with Condition 10 of Appeal decision APP/B3600/A/09/2098568 to allow the phased construction of the site access; alterations to the A3 southbound slip road; and the Ockham roundabout.</p>	<p>No objection raised 19/04/2012, SCC approved 01/08/2012</p>	<p>N/A</p>
08/P/01472	<p>Consultation from SCC for construction of a fully enclosed invessel composting facility for the reception and processing of green, kitchen and animal wastes on a site of approximately 16.75ha, comprising a composting building, control office, car parking facilities, landscaping, internal access roads, rainwater storage tank, leachate storage tank, package sewage treatment, diesel storage tank, attenuation pond, perimeter fencing, and new access off the A3 Ockham roundabout.</p>	<p>Objection raised 03/10/2008</p>	<p>Allowed on appeal 08/03/2010</p>

Consultations

A summary of all the responses is contained below. This is not a verbatim report and full copies of all representations received are available on the electronic planning file, which is available to view online.

Statutory consultees

Highways England: Having examined the application Highways England (HE) do not offer an objection to the proposal. They support the applicant's intention to agree a Grampian style condition that restricts commencement until after the DCO has been made. [Officer Note: A Grampian style condition has been recommended which restricts the commencement of the development to after the implementation of the DCO works. This condition has been forwarded to HE who have raised no objections].

County Highway Authority: The proposed development has been considered by the County Highway Authority who having assessed the application on safety, capacity and policy grounds, raise no objection subject to the addition of conditions (approved plan; further details of earthworks, drainage, service diversions, signs, road markings street lighting and other street furniture including vehicle restraint barriers as necessary; stub road to remain closed until rest of the A35 allocation comes forward and a CTMP).

For the avoidance of doubt, the Highway Authority advise that this formal consultation response is based solely on an assessment of the technical design of the proposed roundabout and stub road access, to enable this infrastructure to be constructed in conjunction with the Wisley Lane Diversion. The proposal has been assessed on its own technical merits, and should not be construed as providing any endorsement by the Highway Authority on any future development proposals on the former Wisley Airfield, for which a separate planning application will be required and assessed by the Highway Authority on its own merits.

The above recommendation is made on the understanding that this form and scale of junction is necessary to serve the level of vehicular traffic that was based on work submitted for the recent planning appeal. The Highway Authority advise that if a Transport Assessment submitted in support of any future hybrid planning application on the former Wisley Airfield, demonstrated that these levels of vehicular traffic had changed for any reason, then Highway Authority would encourage the design of a more appropriately scaled and form of junction that could better provide for the levels and types of traffic proposed.

The Highway Authority have assessed the technical design of the proposed roundabout and stub road access, and is satisfied that it accords with the required highway design standards. A Stage 1 Road Safety Audit (RSA) has been undertaken which has not identified any major highway safety problems with the design of the roundabout and stub road access. Some minor safety recommendations have been made in the RSA report, which will be addressed at the detailed design stage, when a Stage 2 RSA is undertaken.

Additional comments provided by the County Highway Authority: The Highway Authority support the construction of the roundabout during the HE DCO construction works. Whilst the DCO application includes the Wisley Lane Diversion (WLD), there would not be any planning permission granted for the roundabout element of that new construction. Constructing the WLD and the roundabout at the same time would avoid significant abortive works, both in avoiding the need to break out a newly constructed road for a new roundabout, but also having to realign the newly laid road either side of the roundabout location. Constructing the WLD and the new roundabout access into Wisley Airfield at the same time, whilst traffic was not running over that section, clearly makes sense for obvious reasons. None of this predetermines the assessment of a future planning application for the Wisley development, which would still be subject to the full planning application appraisal process.

Surrey County Council as Lead Local Flood Authority: Original objections have been overcome with the addition of additional information. We have reviewed the surface water drainage strategy for the proposed development and assessed it against the requirements of the NPPF, its accompanying PPG and the Non-Statutory Technical Standards for sustainable drainage systems. We are satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and are content with the development proposed, subject to conditions the addition of conditions (SuDS Scheme and Verification Report).

Natural England: No objection. Based on the plans submitted, Natural England (NE) considers that the proposed development will not have significant adverse impacts on designated sites Ockham and Wisley Commons Site of Special Scientific Interest (SSSI) which forms part of Thames Basin Heaths Special Protection Area (SPA) and has no objection.

However, in regards to the Construction Environmental Environment Plan document (CEMP), Natural England are of the opinion as it currently stands, it requires more detail in relation to impacts on ancient woodland and a detailed lighting design. They advise the following:

- the CEMP must specify protective measures to avoid risks to the ancient woodland in terms of incursion into the woodland by construction vehicles, storage of materials, dumping of spoil, etc
- the new roundabout and stub road to have a good lighting design due to the presence of roosting natterer's bats in a tree in this area of woodland.

NE advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

This application does not appear to result in additional land take from the woodland adjacent which is a Local Nature Reserve. However, there are additional risks of impacts on the ancient woodland over and above those arising from the J10 improvement works from the construction of a new roundabout, from incursion into the woodland by construction vehicles, storage of materials, dumping of spoil, etc so the CEMP must specify protective measures to avoid those risks.

The protected species surveys carried out for the J10 improvement project identified the presence of roosting natterer's bats in a tree in this area of woodland. This tree will be lost as a result of construction of the new link road to Wisley RHS and mitigation will be proposed by Highways England. Those efforts could be undone if the new roundabout and stub road have a poor lighting design.[Officer Note: The conditions recommended by NE will be secured as part of any decision].

Thames Water: The proposed development does not impact Thames Water assets, as such they had no comments to make.

NATS (National Air Traffic Services): The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

Historic England: On the basis of the information available to date, we do not wish to offer any comments. Seek the views of your specialist conservation and archaeological advisers, as relevant.

Internal consultees

Head of Environmental Health and Licensing: No objections raised. The proposed development is at low risk from any land contamination on site. However, due to presence of asbestos containing material and loose asbestos fibres in the area formerly for hangars and hardstanding for the airfield, there is a potential for asbestos fibres becoming airborne during the groundworks. Other issues raised include the impact of lighting and construction noise. [Officer Note: Conditions are recommended requiring a method statement for removal of asbestos and the reporting of unexpected contamination. As noted above, any lighting will also be controlled through condition. Construction noise is an unavoidable consequence of any major development. However, conditions are recommended which will ensure that any noisy activity is limited to business hours].

Non-statutory consultees

Archaeological Officer, Surrey County Council: No objection subject to a condition to secure the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation.

Countryside Access Officer, Surrey County Council: Notes the affect of the proposed development to Public Bridleway 544 Wisley. This office has no objection to the application subject to a Construction Design Management Plan being conditioned to safeguard Bridleway users particularly where they enter the airfield onto Public Bridleway 544 Wisley. Standard informatives are also recommended.

Parish Councils

Ockham Parish Council: Object. We would like to put on record that we consider this planning application, submitted by Taylor Wimpey, is premature as it relies on the approval of the Secretary of State for Transport to the Development Consent Order application made by Highways England to make changes to M25J10/A3 interchange. In addition, the applicant has not submitted a planning application to develop the Former Wisley Airfield which again is another factor for our statement that the application is premature as it is inextricably linked with development of FWA.

- condition required: very thorough data showing the anticipated effects on Ockham Park roundabout and local road network should be provided
- condition required: temporary closure of bus stop during the construction process
- condition required: protection for all users of the PROW, alternatively a safe diversion must be instated for the duration of the construction process.
- condition required: limited working hours (weekdays and daylight only). No artificial lighting used at any time including on the construction compound
- condition required: no work at all, without exception, to take place prior to full approval of the DCO by the Secretary of State, to include determination by the courts if a judicial review of the decision takes place
- conditions required: greater clarity for mitigation measures for prevention of release of asbestos fibres when disturbed. Compound is moved to no closer than 100m from residential boundaries

Effingham Parish Council: Object, concern that this application is premature. It is premature both as there is no planning permission yet granted for the site and secondly the Secretary of State has not yet made a decision on J10 of the M25 and related decisions that might affect the A3 in the area. If permission were to be granted ahead of the decisions on any future planning application and decisions on highways, then Wisley Airfield could end up with an unusable and abandoned road.

West Horsley Parish Council: Object. Insufficient transport assessment and information in order to assess if the application is acceptable. We are of the opinion that the present application is premature and until the Highways England proposals for the M25 Junction 10/A3 improvements are confirmed this application should be withdrawn.

[Officer Note: As regards the concerns raised by the Parish Councils about prematurity it is noted that this is not the case. There is no reason to prevent the Local Planning Authority from determining this application before the formal decision on the DCO is known. If the planning application is approved, it will include a condition which restricts the commencement of the development for which the application seeks planning consent for until after the implementation of the DCO proposal, if it is approved. Further detail on both prematurity and pre-determination are found below in the principle of development section].

Amenity groups / Residents associations

Ockham and Hatchford Residents Association: Object. Put on record that we consider this planning application, submitted by Taylor Wimpey, is premature as it relies on the approval of the Secretary of State for Transport to the Development Consent Order application made by Highways England to make changes to M25J10/A3 interchange. In addition, the applicant has not submitted a planning application to develop the Former Wisley Airfield which again is another factor for our statement that the application is premature as it is inextricably linked with development of FWA.

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- conditions required: greater clarity for mitigation measures for prevention of release of asbestos fibres when disturbed. Compound is moved to no closer than 100m from residential boundaries

Wisley Action Group: Object to the application for the formation of a stub road and roundabout for eleven reasons (in no particular order of significance) which include, but are not limited to the following issues:

- prematurity
- predetermination
- inconsistencies in the documents supporting the application
- lack of robust transport modelling and failure to address sustainable transport
- impact on the safety of other road users

- impact on the environment, ecology, biodiversity, wildlife habitats
- impact on flooding
- impact on neighbouring amenity
- impact on public rights of way (PROWs)
- impact on heritage
- failure to consult statutory bodies - specific mention of proximity of a gas pipeline [Officer Note: The nearest Gas Pipeline is shown as being located over 2km from the site, and at this distance the proposed development will not impact on this existing infrastructure, therefore no consultation is required on this basis]

Third party comments

A summary of all the responses is contained below. This is not a verbatim report and full copies of all representations received are available on the electronic planning file, which is available to view online

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

- application is premature - both in relation to the site allocation and the decision on the DCO
- pre-determination of any development at the wider site
- the proposed roundabout and stub road has no purpose in its own right
- very dangerous access from Elm Lane
- inadequate traffic data to assess the application - the full data showing the anticipated effects on Ockham Park roundabout and local road network has not yet been provided
- keeping the bus stop nearby on the A3 open would compromise highway safety
- failure to address sustainable transport
- Ockham Park roundabout will be over capacity if the proposed development goes ahead
- existing traffic issues exacerbated
- out of character with the existing landscape, proposal is visually unattractive
- negative impact on neighbouring amenity - properties to the north and south in relation to noise and disturbance
- asbestos has been found on site, this is not adequately addressed in the application
- increased pollution
- no air quality or noise assessment provided with the application
- harm to health and wellbeing of nearby residents
- negative impact on ecology - inclusive of all sensitive sites on and adjacent to the site
- insufficient ecological surveys
- negative impact on the Conservation Area and other heritage assets inclusive of listed buildings
- out of scale with the existing historic settlement of Ockham
- impacts on use of the site for recreation and exercise
- impacts to users of public rights of way
- increase to flood risk
- the application contradicts the aims of the Local Authority's Commitment to the Climate Change and Environmental Crisis
- due to COVID – 19, UK public finances are under considerable pressure, resulting in road projects scaled back or dropped
- Three Farms Meadow has always been a protected area and never been a commercial working airfield
- economic costs of destroying the area's natural habitat and woodlands would vastly outweigh any benefit from unnecessary roads
- negative impact on the adjacent Green Belt

- the site should be returned to Green Belt, and the allocation in the Local Plan is not required
- there is no explanation of what has changed since the last time a planning application was determined on the Former Wisley Airfield and was refused
- there are a number of erroneous and misleading statements in the application documents
- a number of letters reiterating the objections raised in the Ockham Parish Council objection
- a number of letters reiterating the objections raised in the Wisley Action Group objection

One letter of support has been received from the Surrey Chambers of Commerce raising the following comments:

- important to get the correct infrastructure and ensure access is as effective as possible. These works also often take a great deal of time, causing delays to traffic, much of which is business related. If this pre-work can be combined with other planned work it will be hugely appreciated by all concerned and I am sure will also make economic sense.

Planning policies

National Planning Policy Framework (NPPF):

Chapter 2. Achieving sustainable development

Chapter 4. Decision-making

Chapter 5. Delivering a sufficient supply of homes

Chapter 6. Building a strong, competitive economy

Chapter 8. Promoting healthy and safe communities

Chapter 9. Promoting sustainable transport

Chapter 11. Make an efficient use of land

Chapter 12. Achieving well-designed places

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

Chapter 15. Conserving and enhancing the natural environment

Chapter 16. Conserving and enhancing the historic environment

Planning Practice Guidance

Manual for Streets and Design for Roads and Bridges

South East Plan 2009:

Policy NRM6 Thames Basin Heath Special Protection Area

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

The Guildford Borough Local Plan: Strategy and Sites 2015-2034 was adopted by the Council on 25 April 2019. The policies considered relevant to this proposal are set out below.

S1 Presumption in favour of sustainable development

S2 Planning for the borough - our spatial strategy

P4 Flooding, flood risk and groundwater protection zones

P5 Thames Basin Heaths Special Protection Area

D1 Place shaping

D2 Sustainable design, construction and energy

D3 Historic environment

ID1 Infrastructure and delivery
ID2 Supporting the Department for Transport's "Road Investment Strategy
ID3 Sustainable transport for new developments
ID4 Green and blue infrastructure

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

Although the Council has now adopted the Guildford Borough Local Plan: Strategy and Sites 2015-2034 (LPSS), some policies of the saved Local Plan 2003 continue to be relevant to the assessment of planning applications and carry full weight. The extant policies which are relevant to this proposal are set out below.

G1 (non superseded parts) General standards of development
HE12 Historic Parks and Gardens
NE4 Species protection

Lovelace Neighbourhood Plan:

The Lovelace Neighbourhood Plan has been passed at Referendum on Thursday 6 May. It now forms part of the Development Plan, and carries full weight in planning decisions.

LNPEN2 Biodiversity and Natural Habitats
LNPEN3 Flooding
LNPEN4 Light pollution
LNPEN5 Air Quality and Traffic
LNP11 Infrastructure
LNPI3 Cycling and Walking

Supplementary planning documents:

Thames Basin Heaths Special Protection Area Avoidance Strategy SPD
Climate Change, Sustainable Design, Construction and Energy SPD
Strategic Development Framework SPD

Planning considerations

The main planning considerations in this case are:

- background
- the principle of development
- highway considerations
- the visual impact and impact on the character of the area
- the impact on neighbouring amenity
- impact on ecology and trees
- the impact on flood risk and the proposed surface water drainage strategy
- the impact on heritage assets
- the planning balance

Background

It is useful to provide a brief summary of the more recent history relating to this site and the surrounding land, and what, if any relevance this has to the current application before Committee.

In December 2014, the Department for Transport (DfT) published the Road Investment Strategy (RIS) for 2015-2020. The RIS identifies improvements to M25 J10/A3 Wisley Interchange as one of the key investments in the Strategic Road Network (SRN) for the London and South East region. The proposals include: "improvement of the Wisley interchange to allow free-flowing movement in all directions, together with improvements to the neighbouring Painshill interchange on the A3 to improve safety and congestion across the two sites". This scheme is also identified in the Infrastructure Schedule found at appendix 6 of the LPSS.

The DCO will provide for a diverted Wisley Lane ("the Wisley Lane Diversion"). The Wisley Lane Diversion is proposed on the western part of A35 allocation, prior to it crossing over the A3 connecting onto Wisley. Part of the transport requirements of policy A35 require primary vehicular access to the site allocation be via the A3 Ockham interchange, with a through vehicular link between the Ockham Interchange and Old Lane. The applicant has stated that the purpose of the submission of the planning application at this time (pre the submission of further applications for the development of the A35 allocation and pre the decision on the DCO), is to construct the roundabout and stub road simultaneously with the Wisley Lane Diversion avoiding the need for separate construction of the site access on a newly built Wisley Lane Diversion, and to ensure the works can tie in with the construction program of Highways England.

An outline planning application was submitted in December 2014 (Ref: 15/P/00012) for the development of a new settlement at land at the FWA for up to 2,068 dwellings and associated infrastructure including accesses onto the A3 (Ockham Interchange), Ockham Lane and Old Lane and revised access to Elm Corner, a primary/ secondary school, health facility, employment area, and an area of Suitable Alternative Natural Greenspace (SANG). This application was refused by the Council in May 2016 and subsequently dismissed at appeal in June 2018.

Subsequently the site has been removed from the Green Belt and is now included in a wider landholding allocated in the adopted LPSS – A35 for approximately 2000 homes, 100 sheltered / extra care homes, eight gypsy and traveller pitches, 4,300sqm of employment floorspace, 1,100m of retail, 1050 of community uses and services in a new Local Centre, and two schools (one primary and one secondary). As indicated above, it is a requirement of A35 for primary vehicular access to the site allocation will be via the A3 Ockham interchange.

Since the appeal was dismissed in June 2018, the new Local Plan has been adopted and carries full weight as part of an up to date development plan. This is clearly a material change in circumstances since the appeal was decided.

The principle of development

The site sits partly within and partly outside of the A35 allocation, however the large majority of the area for which planning permission is sought (the area shaded purple on plan reference 0934-SK-079-A), is within the allocation. The whole site is within the area inset from the Green Belt. Therefore the principle of development is acceptable subject to accordance with the relevant policies identified above.

A large number of the objections from the Parish Councils, residents groups and individual third parties raise prematurity and pre-determination of the wider site allocation as issues. Addressing these in turn:

Paragraph 014 (Reference ID: 21b-014-20140306) of the Planning Practice Guidance highlights in what circumstances it might be justifiable to raise prematurity as an issue. It states that in the context of the NPPF and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

(a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or neighbourhood planning; and

(b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

It is clear in relation to the assessment of this application, prematurity cannot be an issue. The LPSS has been adopted and carries full weight as part of an up to date development plan, therefore the application cannot undermine the plan-making process in any way.

It is also noted that the development could be restricted from commencing until such time that the DCO has been implemented, through a Grampian style condition. In relation to Grampian conditions, the PPG notes that: *'conditions requiring works on land that is not controlled by the applicant, or that requires the consent or authorisation of another person or body often fail the tests of reasonableness and enforceability. It may be possible to achieve a similar result using a condition worded in a negative form (a Grampian condition) – ie prohibiting development authorised by the planning permission or other aspects linked to the planning permission (eg occupation of premises) until a specified action has been taken (such as the provision of supporting infrastructure). Such conditions should not be used where there are no prospects at all of the action in question being performed within the time-limit imposed by the permission'.*

Even a limited or some prospect of the action being performed within the time-limit of the permission (in this case the implementation of the DCO scheme), then a Grampian condition could be appropriate in principle. While it is acknowledged that there is still some uncertainty about the DCO application and what the decision may be, the application is at an advanced stage in the process. Given this, it cannot be argued that *'there is no prospect at all'* of the DCO scheme coming forward during the life of the permission. Therefore, the use of the Grampian condition would only see works commencing, when the DCO scheme has been implemented.

This application proposes the roundabout and stub road as a stand-alone application at a time when there is no defined proposal for how the A35 Allocation will be developed. As discussed above this is for reasons of timing where the applicant is seeking to ensure that the stub road can be constructed at the same time as the DCO works take place, so as to minimise disruption and to avoid the need to take up a recently made road. Each application must be determined on its own merits, and the approval of this application would in no way pre-determine any future application to develop the strategic site.

If in the course of considering a subsequent application relating to the A35 allocation it becomes apparent that the stub road and roundabout proposed would in some way be unsuitable for meeting the needs of that development, this could be dealt with through the process of the determination of that application.

The proposal is in accordance with the specific site access requirements of policy A35, as well as the Strategic Development Framework Supplementary Planning Document which recognises that the access for the Airfield will be from the realigned Wisley Lane. Therefore, it is in accordance with an up to date development plan in this regard.

Highway considerations

The proposed roundabout would be located on the proposed Wisley Lane Diversion and would facilitate the primary access to the strategic site allocation. The proposed works include:

- a 30m diameter 3-arm roundabout with kerbed central island;
- a two-lane approach for north-east bound traffic, allowing segregation of right turning traffic into the development from traffic headed to RHS Wisley Gardens and Wisley village;
- a maximum 100m radius entry path deflection to comply with approach speed reduction requirements of the Design Manual for Roads and Bridges (DMRB);
- sufficient highway verges to accommodate the visibility requirements;
- continuity of cycle and pedestrian facilities along the southern side of the Wisley Lane Diversion is provided by way of crossing points to the southern splitter island

The works would be subject to detailed design and technical approval prior to construction, at which time details would be provided of all earthworks, drainage, landscaping, service diversions, signs and road markings, street lighting and other street furniture including vehicle restraint barriers as necessary. A condition will require the submission and agreement of these details prior to the commencement of development. The applicant has stated the works would be offered up for adoption and /or maintenance by the local highway authority, Surrey County Council (SCC).

Conformity with the DCO

The DCO scheme in the vicinity of the site includes:

- an enlarged signalised roundabout junction with the M25;
- free-flow left turn lanes at the new roundabout;
- improved slip road layouts;
- widening of the A3 north of Ockham Interchange to 4 lanes in both directions;
- signalisation of the Ockham Interchange and improvements to its slip roads onto the A3; and
- improvements to pedestrian and cycling facilities.

In addition, the DCO scheme proposes the closure of the Wisley Lane and Elm Lane Junctions onto the A3. The Wisley Lane junction would be replaced with a new road called the Wisley Lane Diversion. That would form a new arm off the Ockham Interchange and run north-east through the northern fringe of the Wisley Airfield site then turn north over the widened A3 via a new bridge for traffic, pedestrians and cyclists. Elm Corner would be accessed via Old Lane and an improved Elm Lane.

The alignment of the roundabout has been based on the latest plans submitted by Highways England to the DCO Examination, which closed in June 2020.

The Wisley Lane Diversion has been designed as a 40mph design speed road and the roundabout has also been designed for this speed, specifically in terms of visibility requirements.

The proposal would only be appropriate if the DCO is approved, and therefore, and as set out above, the applicant has proposed the use of a Grampian style condition which would ensure development on this current application could not commence until development on the Wisley Lane Diversion element of the DCO had commenced on the site. This is considered to be an appropriate way to control the development, and would meet all the relevant conditions tests set out in the PPG.

Traffic impacts

The proposed roundabout and stub road will not generate any traffic, or additional movements on the highway network. Delays to traffic caused by the roundabout are not expected to be significant as there will be no opposing flows of turning traffic in and out of the stub road to the Airfield.

Construction impacts

The submitted Construction Environment Management Plan and Construction Transport Management Plan state that it is currently anticipated that all construction vehicles will access the stub road and roundabout site from the north off Elm Lane, accessed directly from the A3, and that all site traffic will access and egress Elm Lane via the A3. All vehicles will turn left onto Elm Lane from the A3 when accessing the site, and turn left onto the A3 from Elm Lane when egressing the site.

It is noted that the existing Elm Lane is signposted as unsuitable for HGVs, however Highways England have confirmed it is proposed to be used as one of the access points for the construction of the DCO if approved. As this application is controlled by a Grampian condition, if the access will be used for the DCO, it would also be appropriate to be used for the current application. To ensure the two tie together, it is considered to condition the submission of both the CEMP and CTMP for submission and agreement, to ensure the details remain tied into the DCO construction access plans. On this basis, over and above the DCO scheme, the proposal would not result in any greater harm to highway safety in terms of construction vehicles accessing or existing the site.

Consultation responses

Highways England have raised no objection to the application. They are supportive of the use of a Grampian condition, that would prevent the implementation of this development until the DCO is made.

Surrey County Council have commented on this application twice, raising no objection. In their most recent comment the Highway Authority stated their support for the construction of the roundabout as part of the Highways England DCO construction works. They consider that constructing the Wisley Lane Diversion and the roundabout at the same time would avoid significant abortive works, both in avoiding the need to break out a newly constructed road for a new roundabout, but also having to realign the newly laid road either side of the roundabout location. It is their view that to carry out these works prior to the road being open to traffic has clear benefits to the smooth operation of this road.

The Highway Authority have also undertaken an assessment of the technical design of the proposed roundabout and stub road access in relation to the level of traffic generated by the previous appeal scheme at the adjacent site, which in relation to what was proposed is comparable to the allocation in the LPSS. They are satisfied that the application accords with the required highway design standards. A Stage 1 Road Safety Audit (RSA) has been undertaken which has not identified any major highway safety problems with the design of the roundabout and stub road access.

Both Highways England and Surrey County Council have been consulted on the wording of the Grampian condition proposed as requested.

Location and type of junction

The applicant has sought to demonstrate they are proposing the best type of junction, in the best location to provide a suitable access into the FWA. The precise location chosen for the roundabout was based on the following engineering considerations:

- locating it away from the adverse topography in the western part of the Wisley Lane Diversion and thus avoiding unnecessary additional engineering works;
- locating it away from the southern approach embankment to the new Wisley Lane/A3 over bridge, also to avoid unnecessary additional engineering works;
- locating the carriageway no closer to the Ancient Woodland area between the Wisley Lane Diversion and the A3;
- locating the stub road away from the line of the existing north-south hedgerow in this area;
- locating the roundabout away from the works compound planned to be formed by Highways England's contractor while building the DCO scheme works.

A priority T-junction was discounted early as not having sufficient capacity to accommodate the likely traffic flows from the former Wisley Airfield and RHS Wisley. Whilst both traffic signal-controlled and roundabout options were put forward for consideration, officers at SCC favoured a roundabout as being appropriate as the primary form of access required by the site allocation. A roundabout in this location strikes a better balance between performing a speed control function on the Wisley Lane Diversion and not impeding the free-flow of traffic to RHS Wisley and the village of Wisley further north on Wisley Lane.

Both the Transport Statement and supplementary Technical Note produced by the transport consultant for the applicant state that the proposal would have sufficient capacity, with headroom, to serve the FWA. This would maximise potential at the FWA allocation.

The proposals would facilitate a potential suitable access into the FWA from the Wisley Lane Diversion, which would be in conformity with LPSS policies ID3 and A35 and the SDF SPD. The proposals are also in compliance with neighbourhood plan policies LNP11 and LNP13.

The visual impact and impact on the character of the area

Policy D1 (place shaping) of the LPSS states that as an over-arching principle, 'all new developments will be required to achieve high quality design that responds to distinctive local character (including landscape character) of the area in which it is set.

Essential elements of place making include creating economically and socially successful new places with a clear identity that promote healthy living; they should be easy to navigate, provide natural security through layout and design with attractive, well enclosed, and overlooked streets, roads and spaces with clear thought given to the interrelationship of land use to external space'.

Policy LNPEN1B of the Lovelace Neighbourhood Plan states developments should be designed to respect the existing landscape character set out in the Guildford Landscape Character Assessment and the important local views across the Lovelace landscape from within or from outside the area. This proposal would not directly impact on view point 10 - Elm Corner at Ockham.

The main body of the site contains scrub, tall ruderal vegetation and a number of trees, and is located in the Ockham and Clandon Wooded Rolling Claylands Character Area as defined by the Guildford Landscape Character Assessment (GLCA) and Guidance. As detailed above, the proposal cannot be built unless the Wisley Lane Diversion element of the DCO is commenced. This DCO scheme will result in significant changes to the landscape and views in this area, changing the baseline significantly.

On its own, this proposal would create a 'floating' piece of road infrastructure which would be an incongruous addition, out of character with the existing site. However, the use of a Grampian condition would ensure this proposal does not come forward unless the DCO comes forward. Considering the proposal alongside the DCO is therefore an appropriate way to assess the impacts.

The roundabout proposed is quite large in size, so the application will result in considerably more hardstanding and other operational development associated with the road than would be provided by the Wisley Lane Diversion. The stub road will form a dead end, and a road which doesn't lead to a destination will have the potential to appear unsightly, however in the context of the DCO this is not considered to result in any significant harm to the character of the site and wider area beyond that caused by the DCO due to the change in character brought about the heavily engineered road. A condition will be added requiring further details of the treatment of the stub road in relation to any fencing/barriers to prevent access to land beyond the stub road, to ensure this is done in a way that is as considered and visually appropriate as possible.

Whilst some limited harm has been identified in relation to the visual impact of the stub road, there is no specific conflict with the design policies identified above. In addition, the proposal would not result in any conflict with the overall design aims of the A35 allocation.

The impact on neighbouring amenity

During construction works the proposal has potential to result in some loss of amenity to some neighbouring properties from noise, possible vibration and light pollution. The nearest neighbour is RHS Wisley. As this is separated by the A3 the likely impact of the proposed development on this property is limited.

The residential properties most likely to be impacted are those situated to the north west at Elm Corner. Saved policy G1(3) requires that "the amenities enjoyed by occupants of buildings are protected from un-neighbourly development in terms of privacy, access to sunlight and daylight, noise, vibration, pollution, dust and smell".

The impacts arising from the construction of the proposal would be of a temporary nature and could be reduced and controlled through a condition requiring the submission and approval of a Construction Environmental Management Plan (CEMP). The CEMP would include details of the construction processes, the routing of HGVs and mitigation measures such as limiting construction hours and controlling noise and vibration. These measures would be required to be undertaken to ensure the amenity of existing residents is protected in accordance with policy G1(3). A requirement for HGVs to access and egress via the A3 would ensure that no construction vehicles would be required to travel through Ripley Village centre, Ockham Road North, Ockham Lane, Old Lane or the existing Wisley Lane, thereby protecting the amenities of residents in those areas.

As regards light pollution, policy G1(8) of the saved Local Plan and policy LNPEN4 of the Lovelace Neighbourhood Plan require that the impact of artificial lighting is designed to minimise the ecological impact and the spillage of light from the site. The objectives of these policies during the construction phase can be secured through the CEMP and this will limit any harm to the amenity of surrounding residents.

Finally on construction impacts it is noted that the Council's Environmental Health Officer has commented that the site may include asbestos material remanent from the previous use of the site as an airfield. While the control, treatment and disposal of asbestos is primarily a matter covered by legislation outside of the planning system, a condition has been recommended which requires the applicant to provide further details on this matter, including how any asbestos material will be removed from the site and safely disposed of and how the site will be remediated. As an aside, it is also noted that a condition is also recommended to control the presence of any unknown contamination which may be present on the site.

Operational effects

The stub road and roundabout would only become operational if and when the DCO is made and the wider Highways England RIS improvements to the Strategic Road Network are implemented. Ongoing light pollution would be controlled by that process. However, it is noted that modern highway lighting is unlikely to result in significant light spillage and in any case, this could be controlled by condition. While road traffic using the stub road and roundabout would generate additional noise, this would be no greater than that resulting from the DCO proposal.

Given the low sensitivity of the identified receptors and the limited period during which any impacts would be felt it is not considered that any moderate or significant adverse effects are likely as a result of the proposal. Any adverse effects which might occur during the construction process have to be weighed against the benefits of ensuring that the construction of the Stub Road and roundabout takes place at the same time as the construction of the Wisley Land Diversion, thereby avoiding the need to dig up recently constructed roads with its attendant disruption and environmental and energy wastage. It would also avoid, as far as reasonably possible, any further disruption to users of the highway network by carrying out additional or extended road works.

Impact on ecology and trees

Habitats

At its closest point the application site lies approximately 175m to the south-west of Ockham and Wisley Commons SSSI, which is a component site within the wider Thames Basin Heaths SPA network of protected heathland sites. The SPA and SSSI are important features at the International and National levels respectively. However they are considered to fall outside of the zone of influence of the proposals due to the nature of the works and the physical separation between the SPA/SSSI and the works area.

The Ockham and Wisley Local Nature Reserve (LNR) covers the area designated as Ockham and Wisley Commons SSSI, and also extends southwards beyond the SSSI to within 4m of the northern boundary of the application site. It is noted that Local Nature Reserves are described by Natural England as being “for both people and wildlife” and owing to their designation type are considered to be of importance at the County level.

In terms of non-statutory designated sites Wisley Airfield SNCI falls partly within the wider FWA boundary. The SNCI as a whole was selected for the variety of habitats it supports, plus species criteria including its assemblage of rare or notable vascular plants, foraging areas for bats and amphibians and reptile populations. The majority of the application site (1.23 ha) is located within the Wisley Airfield SNCI. The SNCI habitats are in an unfavourable condition due to lack of management and the influence of the neighbouring intensive arable operations. As a whole, Wisley Airfield SNCI is of County level importance.

Elm Corner Woods SNCI runs parallel to the north-west of the Application site boundary and is part of the Ockham and Wisley LNR. Part of Elm Corner Woods is shown on Natural England’s Provisional Ancient Woodland Inventory as ancient semi-natural woodland. This SNCI is open access and consists of mixed woodland. As well as forming part of the Ockham and Wisley LNR, the SNCI is well connected to other designated nature conservation sites, including Ockham and Wisley Commons SSSI and the Thames Basin Heaths SPA. It is therefore considered to be of County importance.

The proposals will not cause the direct loss of any part of Elm Corner Woods. In total, 0.17ha of the application site area falls within the 15m buffer zone that is typically implemented to protect ancient woodland. This 0.17ha sits fully within the proposed permanent land take of the Highways England DCO scheme, and as such the proposals will not affect any additional areas of the buffer zone beyond that to be impacted by the DCO works. In the absence of targeted mitigation the earthworks associated with the proposals have the potential to cause damage to the woodland through accidental pollution, dust generation, damage to tree roots and hydrological changes. This could be reversible or permanent depending on the nature of the damage, however any impacts of this nature would be unlikely to undermine the structure and function of the woodland completely and would therefore be significant at the zone of influence level only. The applicant notes that with mitigation, no significant residual impacts on Ockham and Wisley LNR or Elm Corner Woods SNCI and Provisional Ancient Woodland are predicted.

As regards the Wisley Airfield SNCI the only part that will be directly affected by the proposals beyond that already impacted by the DCO is an area of tall ruderal and scrub measuring 0.15 ha in size. This represents 0.53% of the total SNCI area. The applicant notes that the area to be affected is unlikely to support any of the vascular plants for which the SNCI was selected (these plants are associated with disturbed acid grassland and arable margins).

The change of 0.53% of the SNCI from tall ruderal and scrub to hardstanding is unlikely to compromise the structure or function of the SNCI or the species it supports. As such, the applicant concludes that this impact is not significant.

Protected species

In terms of protected fauna, the applicant's Ecological Impact Assessment notes that the closest active badger sett (an outlier) is over 170m from the application site boundary. The Badger population is therefore unlikely to be significantly affected by the proposals and falls outside of the zone of influence.

As regards bats, walked transect surveys carried out by the ecologists in 2016, 2018 and 2019 recorded very low numbers of bats foraging in the vicinity of the application site. The most commonly recorded species were Common Pipistrelle. In both 2016 and 2019, an automated detector was positioned on the edge of the dense scrub and secondary woodland within the application site. In both years, this detector recorded the lowest number of bat passes out of the four detectors positioned around the wider FWA site. Common and Soprano Pipistrelle accounted for the majority of passes. The applicant also notes that Chapter 7 of the Environmental Statement for the Highways England DCO scheme, walked transect surveys carried out by Atkins in 2017 and 2018 produced similar results, with Common and Soprano Pipistrelle representing over 75% of all bat passes. Pockets of Serotine activity were also recorded in Elm Corner woods to the north. No bat roosts or high potential trees have been identified by either the applicant or Atkins within the application site boundary. However, it is acknowledged that there are a number of bat roosts within close proximity of the site boundary. The applicant notes that the bat assemblage within the zone of influence of the proposals is considered to be of local ecological importance. The applicant notes that impacts on bats during construction can be managed through the Construction Environmental Management Plan and for instance, ensuring construction takes place in daylight hours. As the development will only come forward as part of the DCO, the impact from the actual operation of the new road will be assessed and controlled through the DCO. As such, the impacts on bats can be managed and mitigated effectively.

In terms of Great Crested Newts, surveys carried out by the ecologists in 2015, 2019 and 2020 for the wider FWA scheme confirmed the presence of four GCN breeding ponds off-site within the surrounding landscape. All four of these are located around 1km to the east and south-east of the application site boundary, and support 'small' populations of GCN. The applicant notes that it is possible that GCN use the scrub and woodland habitats within the application site during their terrestrial phase, although given the distance to the breeding ponds, numbers are likely to be very small. The applicant notes that given the distance from the application Site to the nearest known breeding ponds (1km), the risk to GCN is considered to be very low and a European Protected Species Mitigation Licence (EPSML) should not be required, providing that works proceed under a precautionary Environmental Working Method Statement (EWMS).

As regards other reptiles presence/likely absence surveys carried out by the ecologists in 2015, 2016 and 2019 recorded Grass Snake, Slow-worm and Common Lizard within the vicinity of the application site. Surveys carried out by Atkins in 2017 (Highways England, 2019a) also recorded all three species in the same general area. It is noted that Adder have been recorded historically, but no evidence of this species has been found in any surveys since 2015. It is noted that the clearance of tall ruderal and scrub vegetation has the potential to cause direct harm to reptiles, however, this will be avoided through the implementation of the applicant's EWMS.

The precautionary working methods for GCN will also apply to reptiles. Adherence to these measures will reduce the risk of harm to reptiles to a negligible level.

The submitted Ecological Impact Assessment notes that subject to the implementation of the proposed impact avoidance and mitigation measures, the proposals will not have any residual significant negative effects on important ecological features, and will conform to all applicable nature conservation related legislation and policy. This will be secured through conditions.

Trees

For the majority of the site, the proposed layout has minimal impact on trees and the Arboricultural Officer does not raise an objection subject to conditions requiring tree protection measures. The roundabout element of the application does project within the 15m buffer zone allocated to the Ancient Semi-natural Woodland that lies to the north, outside the site. The intrusion is directly as a result of the need for the roundabout to lie within the DCO land take and the road arrangement being brought forward under that Order. The implementation of the roundabout need not result in direct harm to the retained trees and nor does it place a form of new land use proximate to the Ancient Semi natural Woodland that would give rise to its harm above that already created by the DCO land use.

Policy LNPEN2 of the Lovelace Neighbourhood Plan states at point e) that any trees removed or lost as a result of development, other than those that are dead, dying or dangerous and of no ecological importance, should be replaced at a ratio of 2:1. Development affecting ancient trees should follow standing advice on ancient woodland and veteran trees. The tree removal required is also required for the DCO, and the area which contains the roundabout and stub does not require the removal of any further trees. As the application doesn't require further tree removal beyond that of the DCO, it would not be considered reasonable in this case to require the replacement tree planting.

Biodiversity net gain

Applying the DEFRA Metric 2.0 biodiversity net gain tool the proposed works would result in a loss of 2.12 biodiversity units using the post DCO 'future baseline'.

This loss would be offset, and a net gain provided offsite, on land to the east of the application site, in the applicant's ownership. An area of 0.4 ha of arable land would be converted to wildflower grassland and managed for biodiversity to achieve a 20% net gain.

Ecology assessment

The Council's ecology consultant states that the applicant's Ecological Impact Assessment has provided a full suite of surveys and has identified the likely impacts to arise on site to both habitats and protected species. They note that a detailed mitigation strategy has been provided which will ensure the favourable conservation status and protection of these species and habitats. As such, no objection is raised in this regard. The Council's consultant also acknowledges that the development will lead to a loss of 0.53% of the Wisley Airfield SNCI. Although it is in agreement that the habitat to be lost does not contain the citation features, the DCO application will also impact upon this SNCI. There will be a cumulative impact through these proposals as well as the recent planning application 20/P/01709, and the emerging application for the wider strategic site. The loss of any SNCI habitat will need to be mitigated for. It is noted that 0.43ha of wildflower grassland will be created to offset the loss of biodiversity.

It is therefore considered that this habitat should include citation features from the Wisley Airfield SNCI (if soil conditions permit), and include management prescriptions for the citation species including bats, reptiles and amphibians. While the loss of some of the SNCI is of course regrettable, with conditions to secure the mitigation, it is noted that no objections have been raised in this regard by the Council's ecology consultant.

Finally, regarding biodiversity net gain it is noted that the NPPF requires a net gain in biodiversity on all development sites. Policy ID4 of the LPSS requires that new development must aim to deliver gains in biodiversity. The accompanying Ecological Impact Assessment submitted by the applicant and the Biodiversity Metric 2 Calculations demonstrate that the development can achieve this. The calculation tool was assessed in accordance with details provided through the training provided by CIEEM on the Metric 2 and it is noted that the calculation will achieve the 20% net gain as identified.

Natural England have also been consulted on the application and raised no objection but did ask that the submitted CEMP be updated to specify protective measures to avoid risks to the Ancient Woodland in terms of incursion into the woodland from construction vehicles and the storage of materials etc as well as a lighting design to protect roosting natterer's bats in a tree in the Woodland. A condition is recommended to ensure that the stub road and roundabout would not become operational until a detailed lighting scheme is approved by the Local Planning Authority.

Habitats Regulations Assessment

The Council has undertaken a Habitats Regulations Assessment (HRA) as part of its assessment of the application. The proximity of the proposed development site to the Thames Basin Heaths SPA triggers the need for a HRA for potential significant effects of this designated site. The site lies within 175 metres and therefore this project should be subject to HRA screening in combination with other projects. The *HRA for Guildford Borough Proposed Submission Local Plan: Strategy and Sites (2017 update)*, which includes details on allocation A35 of the Local Plan, states that there is a requirement for an application level HRA. The two potential impacts identified include recreational disturbance and air quality. Although this application will not result in recreational impacts there is potential for reduction in air quality and therefore this needs to be addressed.

The applicant has submitted additional information in this regard which concludes that the stub road scheme is unlikely to result in significant adverse effects on the TBH SPA due to changes in air quality during the operational phase, either alone or in-combination with other plans and projects, including the DCO or scheme to come forward as part of the LPSS allocation. The additional information received from the applicant has been forwarded to the Council's consultant. They note that the information provided is considered to be sufficient to inform the HRA with the conclusion that there are no likely significant effects on the Thames Basin Heaths SPA from a reduction in air quality.

In conclusion, the proposal will lead to a loss of 0.53% of the Wisley Airfield SNCI which is regrettable. This harm will be assessed in the final section of this report. However, the loss is compensated for through the provision of a wildflower grassland on another part of the wider FWA site and the applicant's assurance that the proposal will deliver net gain in biodiversity of 20%. The impacts on other habitats and species can be mitigated.

A benefit of the proposed application is that, having been designed to enable access to the proposed A35 allocation site, it could be constructed in conjunction with the Wisley Land Diversion element of the DCO scheme, such that any impacts associated with the construction phase would only arise once instead of twice. This is in accordance with the principle of mitigation hierarchy which is to design a scheme which avoids ecological impacts in the first instance.

The impact on flood risk and the proposed surface water drainage strategy

A Flood Risk Assessment and Drainage Plan form part of this application submission.

The application site lies entirely within Flood Zone 1 which is defined as land assessed as having a less than 1 in 1,000 annual probability of flooding. The NPPF and Planning Policy Guidance (PPG) confirm that all types of development are appropriate within this Zone in terms of flood risk.

In terms of Surface Water, the Environment Agency's online mapping shows the site of the roundabout and stub road is not affected by any predicted flow pathways or ponding areas.

A drainage strategy has been identified which draws on the Wisley Lane Diversion drainage strategy. Only preliminary design information is available from Highways England at present, as the details will come at a later stage. The Flood Risk Assessment and the additional information submitted detail a drainage strategy which demonstrates that a viable and deliverable means of surface water attenuation can be achieved.

This strategy can be summarised as follows:

- HE drainage proposals will be retained with alignments adjusted as required to accommodate the deflection for the roundabout;
- runoff from the additional impermeable areas created by the stub road and roundabout (0.036ha over and above the DCO scheme) will be managed with a new soakaway trench;
- if soak away test rates prove to be slow, an overflow to the adjacent existing ditch will be provided with flows limited.

The Flood Risk Assessment and additional flood risk information has been considered by the Lead Local Flood Authority who have advised that they have no objection, subject to conditions to secure the detailed design and future maintenance of the SuDS scheme.

The submitted FRA and Drainage Plan demonstrate that the proposal would not increase surface water run-off. The proposal there complies with policy P4 of the LPSS which requires that "all development proposals are required to demonstrate that land drainage will be adequate and that they will not result in an increase in surface water run-off" and LNP policy LNPEN3 which requires developers to provide a surface water plan for major proposals.

The impact on heritage assets

Conservation areas and listed buildings

Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that ‘in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.’ Section 72 of the same Act calls for special regard to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. This duty under section 72 applies only to development within a conservation area.

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16 of the National Planning Policy Framework at paragraphs 189 - 199 sets out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs. Paragraph 190 sets out that ‘local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal’. Paragraph 193 of the NPPF states that ‘when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’. Paragraph 194 goes on to note that ‘any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification’. This applies to all designated heritage assets, including conservation areas.

Historic England (HE) have been consulted on the application. They did not wish to offer any comments and suggested that the views of the Council’s specialist conservation and archaeological advisers were sought.

There are a total of seven listed buildings, one Registered Park and Garden, and three conservation areas within a 1km radius of the site. These are:

- walls and gates to Ockham Park (Grade II) – Listed Building
- RHS Wisley Gardens offices (Grade II) – Listed Building
- Chimneys (Grade II) – Listed Building
- Park Cottage (Grade II) – Listed Building
- Millwater (Grade II) – Listed Building
- Millstream House (Grade II) – Listed Building
- barn 30m NE from Bridgefoot Farm House (Grade II) – Listed Building
- RHS Wisley – Grade II* - Registered Park and Garden

- Ockham – Conservation Area
- Ockham Mill – Conservation Area

- Ripley – Conservation Area

These are sited approximately 830m (NW), 830m (S) and 980m (SW) from the application site, respectively.

The Council's Conservation Officer raises no objection and raises the following comments.

In approaching an assessment of the impact (if any) of the proposed development on the setting of the listed building there are two principal factors to be taken into account. First, the architectural quality or interest of the listed building itself is a material consideration in assessing the setting of that building. The nature and character of the listed building is clearly an important factor in judging its setting. Secondly, it is necessary not only to consider the listed building itself but also the nature and appearance of the existing surroundings of the listed building immediately prior to the proposed development being carried out.

It is not considered that any of these heritage assets would be affected by direct physical change rather any likely affect would be to their setting. Therefore, it is necessary to assess the nature, extent and importance of the significance of a heritage asset and the contribution of its setting.

The heritage asset mostly likely to be affected by such matters is the Registered Park and Garden of RHS Wisley. Although physically close at approximately 130m to the north west of the site, RHS Wisley has no real relationship with the application site which falls outside its setting, by virtue of intervening A3 in particular and also from existing mature trees. The gardens are already subject to significant levels of road traffic noise from the A3 which impacts on its character and how the asset is experienced. It is not considered that any additional noise, vibrations and light spill from the proposed development would be that significant to distinguish amplified harm. Any impacts in this regard from the construction phase would be of a temporary nature and hard to distinguish from the construction phase of the DCO. Ockham Mill and Ripley Conservation Areas as well as Millwater, Millstream House are also separated from the proposed development by the A3.

The listed barn at Bridgefoot Farm, approx. 1km to the south west of the application site draws its significance from its historic fabric and its close association with other listed buildings on Bridgefoot Farm. It is not considered that the application site makes any contribution to the setting and the proposed development would not result in harm to the asset.

The wall and gates to Ockham Park, being sited approximately 700m to the south of the application site, draw their significance from their architectural form and association with Ockham Park. The Ockham Conservation Area, Chimneys and Park Cottage also draw their significance from their fabric, form and setting within the historic core of the settlement of Ockham and Ockham Park and it is not considered that these contributing factors would be affected by the proposal.

In conclusion it is considered that there would not be any harm caused to the setting of the identified heritage assets as a result of the proposed development.

Archaeology

In accordance with the policy requirement the application is accompanied by a desk-based assessment. This considers the site to have a generally low-moderate potential for archaeological remains dating from the earlier prehistoric and Bronze Age periods with a low potential for later periods based on the fact that there are few recorded archaeological sites or finds listed on the Historic Environment Record (HER) within the vicinity.

However, the County Archaeologist suggests that with recent archaeological work carried out in the vicinity the potential for prehistoric archaeology is moderate rather than low. It is therefore considered that there is the need for further archaeological work, in line with the National Planning Policy Framework and Local Plan policy. The application site forms part of the planned Junction 10/A3 interchange scheme for which a detailed programme of archaeological evaluation would be required. As the current proposal would not be implemented except as part of the wider DCO scheme a condition would be necessary to ensure that the required evaluation work is conditioned to be carried out prior to the commencement of development.

The report also notes that the historic Parish boundary between Wisley and Ockham runs through the site and appears to survive as an earthwork within an area of dense vegetation. This feature will need to be archaeologically recorded but the report suggests that this feature may be considered as an Important Historic feature under the 1997 Hedgerow Regulations and so further expert advice will be required as to the significance of this feature and whether further work is required to satisfy the regulations. The further investigation work, and any appropriate recording of this information can be captured under the archaeological condition.

No harm has been identified to any heritage assets, and therefore the proposal is in accordance with policy D3 of the LPSS and HE12 of the Local Plan 2003.

Planning balance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions to be taken in accordance with the development plan unless material considerations indicate otherwise. This requires a broad judgement regarding whether the development accords with the plan read as a whole.

Paragraph 11 of the NPPF also states that 'plans and decisions should apply a presumption in favour of sustainable development...For decision-taking this means...approving development proposals that accord with an up-to-date development plan without delay'.

The proposal is in accordance with the specific site access requirements of policy A35, as well as the Strategic Development Framework Supplementary Planning Document which recognises that the access for the Airfield will be from the realigned Wisley Lane. No significant conflict with relevant Development Plan policies arise, and so it can be concluded that the development accords with the plan when read as a whole.

Notwithstanding this, it is noted that the all the harms identified above must be considered and balanced against the benefits of the proposal. For clarity, weighting is used in the following order, with the highest level of weight at the top and the lowest level of weight at the bottom:

- substantial
- considerable

- significant
- moderate
- modest
- limited
- little

Harm

The proposal would result in some harm to the amenities of neighbouring dwellings at Elm Corner. However, this would be mainly during the construction phase, when there will also be activity present on the site from the work associated with the DCO. As such, the impacts resulting from this proposal will be limited. Due to the limited nature of this harm as set out above, this is afforded **modest weight** against the proposal.

The development will lead to a loss of 0.53% of the Wisley Airfield SNCI. However, it is noted that Natural England do not object to the proposal and the Council's ecology consultants also raise no concerns. In addition, it is noted that the loss of a small section of the SNCI would be somewhat offset by the 0.43ha of wildflower grassland that will be created as part of the development. **Moderate weight** is afforded to this harm.

Benefits

Constructing the roundabout and stub road simultaneously with the Wisley Lane Diversion (which forms part of the DCO) would limit construction impacts on the local community and RHS Wisley and ensure that they are built at the same time to avoid digging up the Wisley Lane Diversion which will have only just been constructed. This accords with the economic objective of coordinating the provision of infrastructure set out in NPPF paragraph 8. This benefit is afforded **significant weight**.

The application unlocks potential to develop the land covered by the A35 allocation, by delivering a key piece of infrastructure. This would help to bring forward development in accordance with the spatial strategy outlined in the LPSS. This benefit is afforded **moderate weight**.

It is noted that the proposal includes a new area of wildflower grassland and an overall biodiversity net gain. **Moderate weight** is afforded to this matter.

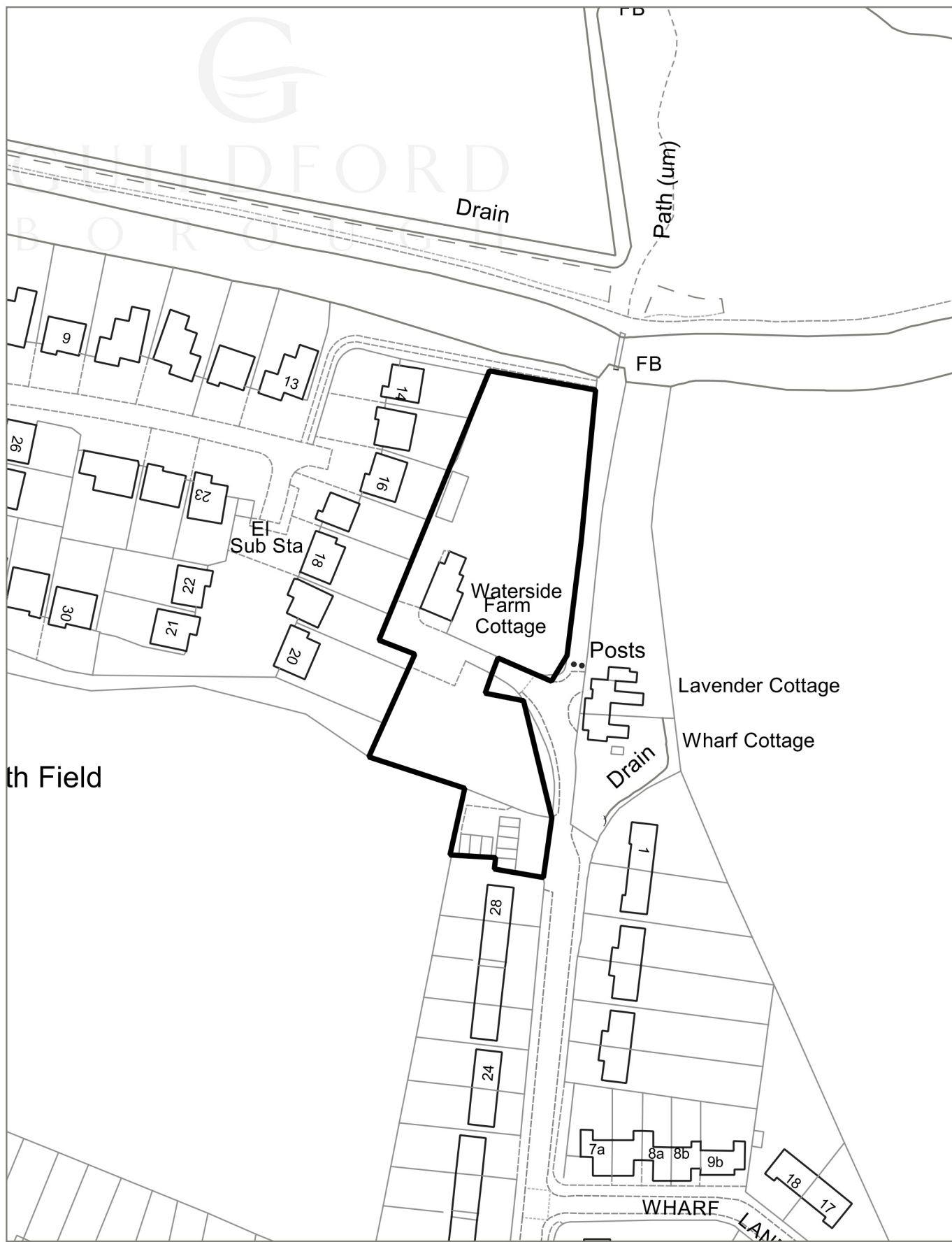
Conclusion

The proposal is in accordance with the specific site access requirements of policy A35, as well as the Strategic Development Framework Supplementary Planning Document which recognises that the access for the Airfield will be from the realigned Wisely Lane. Therefore, it is in accordance with an up to date development plan in this regard and benefits from the statutory presumption in section 38(6) of the Planning and Compulsory Purchase Act 2004, and from the presumption in favour of sustainable development paragraph 11(c) of the NPPF, as well as according with the plan-lead approach to planning decision making (NPPF para. 15).

The balance which has been undertaken concludes that the benefits of the proposal do outweigh the limited identified harm and therefore, planning permission should be granted.

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21/P/01581 - Waterside Farm Cottage, Wharf Lane, Send, Woking



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Print Date: 19/11/2021

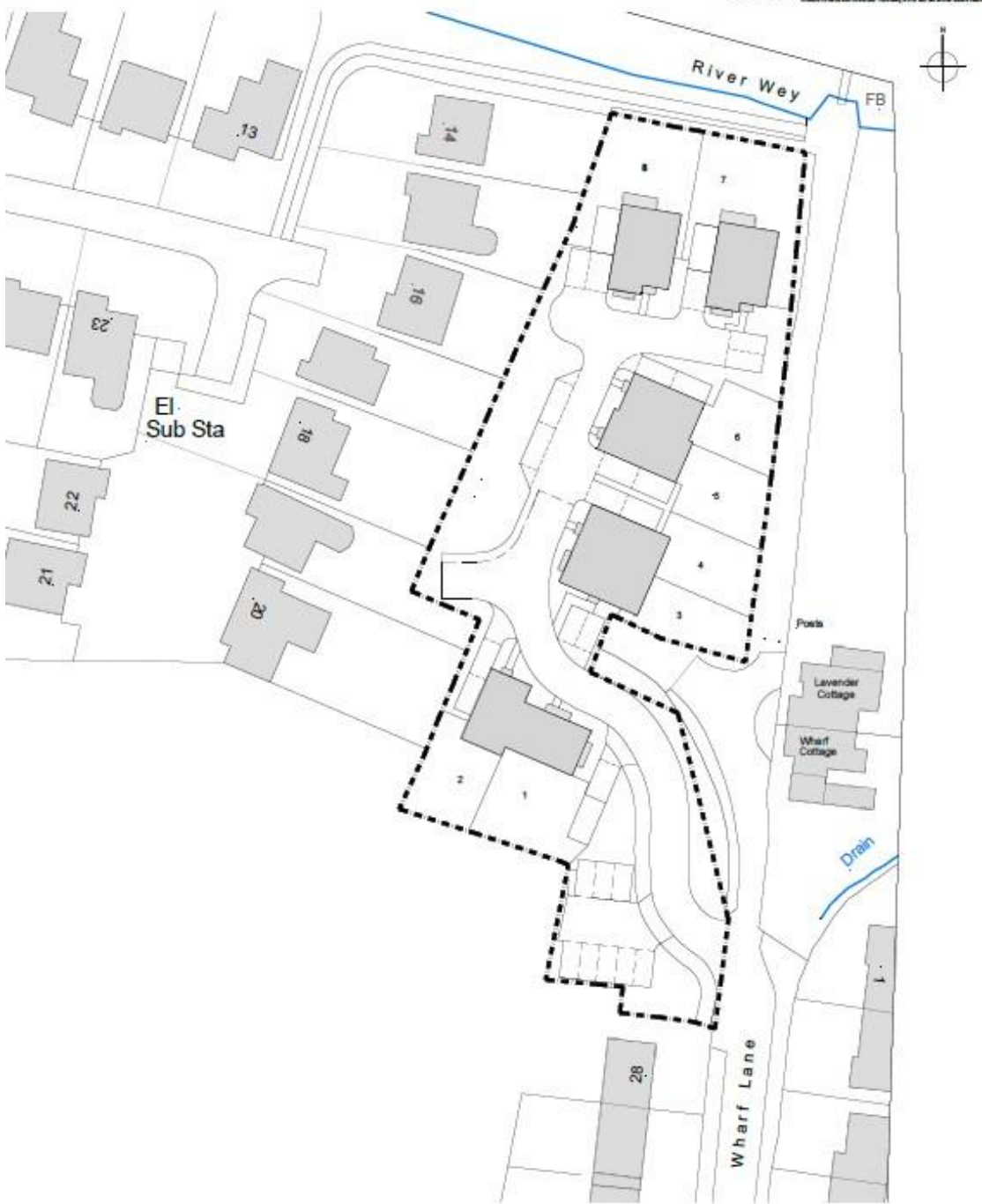


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GUILDFORD
BOROUGH

21/P/01581 Waterside farm Cottage, Wharf Lane, Send GU23 7EJ



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App No: 21/P/01581
Appn Type: Full Application
Case Officer: Katie Williams
Parish: Send
Agent : Mr T. Rumble
Woolf Bond Planning
The Mitfords
Basingstoke Road
Three Mile Cross
RG7 1AT

8 Wk Deadline: 10/09/2021

Ward: Send
Applicant: Mr D. Aziz
Concept Developments (Land)
Limited
Ground Floor
Egerton House
68 Baker Street
Weybridge
KT13 8AL

Location: Waterside Farm Cottage, Wharf Lane, Send, Woking, GU23 7EJ
Proposal: Proposed erection of 8 dwellings (C3 use class), associated access, landscaping and parking, following demolition of Waterside Farm Cottage, outbuilding and Wharf Lane garages.

Executive Summary

This application is the subject of a non determination appeal.

Had the Council retained the right to determine this application, the recommendation would have been to approve subject to the conditions and the completion of a s106 Agreement as set out in this report.

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 proposal is for the erection of 8 dwellings (C3 use class), associated access, landscaping and parking, following demolition of Waterside Farm Cottage, outbuilding and Wharf Lane garages.

Parking:

21 spaces proposed

2 x 2 bed dwellings (Plots 2 & 6): 4 spaces (2 per dwelling)

4 x 3 bed dwellings: (plots 1, 3, 4, 5) 8 spaces (2 per dwelling)

2 x 4 bed dwelling (Plot 7 & 8): 6 spaces (3 per dwelling)

Visitor spaces: 3

A parking court providing 8 parking spaces is also proposed to replace the existing garage blocks on the part of the site owned by the Council. The existing pedestrian access / gate leading from the parking area to the Heathside Nature Reserve will be retained.

Summary of considerations and constraints

There is no objection to the principle of the development and the proposal would deliver a net increase of eight new homes in a sustainable location. The development would not harmfully affect the character or the appearance of the surrounding area, including the setting of the adjacent Wey Navigation Conservation Area and would not materially impact on the residential amenities currently enjoyed by the occupants of the surrounding properties. Subject to the recommended conditions there will be no adverse impact on the ecology of the site or surroundings. The development would not give rise to conditions prejudicial to highway safety and would not impact on the Thames Basin Heaths Special Protection Area.

This application is the subject of a non determination appeal. The Council are therefore unable to formally determine the application. Instead, the Council must decide what their decision would have been had they been in the position to determine this application.

Subject to the conditions and the completion of a s106 Agreement to secure the necessary SANG and SAMP contributions, the application is deemed to be acceptable and had an appeal not been lodged against non determination, the application would have been recommended for approval.

RECOMMENDATION:

(i) That in the event that the Council could have determined this application the decision would have been to approve subject to the conditions set out in this report and the completion of a S106 agreement to secure:

- **provision of SAMP contributions;**
- **provision of SANG land to mitigate the impact of the development on the TBHSPA;**

If the terms of if the s.106 or wording of the planning conditions are significantly amended as part of ongoing s.106 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 the decision taken by the Planning Committee shall be used by the Local Planning Authority to formalise its appeal Statement of Case.

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:

P201, P202, P207, P208, P209, P210, P214 and P215 received 16 July 2021

Amended plans: P205A, P206A, P212A, P213A received 19 October 2021

Amended plans: P203B, P204B received 11 November 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 details and samples of the proposed external facing and roofing 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. The development hereby approved shall not be first occupied unless and until the proposed vehicular access to Wharf Lane has been constructed and provided with visibility zones in accordance with the approved plans, Drawing No.099.0015.001 Rev B, 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 plan, Drawing No. P204, for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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

6. The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with the approved plans Drawing No. P204, for the secure parking of bicycles within the development site. Thereafter the 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.

7. The development hereby approved shall not be occupied unless and until 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 for their designated purposes.

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

8. Prior to first occupation a scheme for improving the pedestrian access from the site entrance to tie in the with the existing footway on the western side of Wharf Lane, shall be submitted to an approved in writing by the Local Planning Authority. The approved scheme shall also be implemented in accordance with the agreed details prior to the first occupation of the development.

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

9. No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) measures to prevent the deposit of materials on the highway

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

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

10. No development shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 10 years, and details of proposed boundary treatments for all boundaries (including new plot boundaries), have been submitted to and approved in writing by the local planning authority. The landscape proposals should also accord with the ecological / biodiversity enhancements as required by Condition 12 below. 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. Prior to the commencement of development, in addition to the proposed biodiversity mitigation and enhancement proposals set out in 'Landscape and Ecological Management Plan by CGO Ecology LTD (dated 16 July 2021), an updated detailed landscape and ecological management plan (LEMP) for the site to included detailed landscaping proposals must be submitted to and approved in writing by the Local Planning Authority. The LEMP should include adequate details of proposed impact avoidance, mitigation and enhancement and include details of the following:

- detailed landscaping proposals to include the recommendations set out in the LEMP by CGO Ecology (dated 16 July 2021) - to include full details of planting plan proposals including location of plantings and species numbers.
- How habitats will be managed in the future, techniques and works schedules.
- Who will undertake the maintenance of habitats on site.
- How ongoing maintenance and monitoring will be undertaken and financed.

The development shall be implemented in accordance with the agreed LEMP.

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

13. The development must accord with the Arboricultural Survey and Planning Integration Report (including all recommendations) prepared by Quaife Woodlands AR/4086a/jq . No development shall start on site until the protective fencing and any other protection measures shown on the Tree Protection Plan in the Arboricultural Report have been installed. At all times, until the completion of the development, such fencing and protection measures shall be retained as approved. Within all fenced areas, soil levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris. The fencing shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

No development shall commence until a pre-commencement site meeting has taken place with the site manager, the retained consulting arboriculturalist and the LPA Tree Officer.

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

14. 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, Class 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 character of the area.

15. The first floor window(s) in the western elevation(s) of the dwellings on Plots 2 and 8 of the development hereby approved shall be glazed 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.

16. Before the development commences, a detailed Phase One survey, including historic investigation and detail on ground conditions shall be submitted to ascertain whether the site supports any soil or water contamination. If the LPA consider that further investigation of the site is necessary, a detailed site investigation must be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology. The investigation shall include relevant sub-surface, soil gas and groundwater sampling together with the results of analysis and a risk assessment of the impact to receptors. Any remediation required shall be fully detailed to restore the site to a standard suitable for use, including works to address any unsuspected contamination.

Reason: To ensure any contamination of the site is remediated and to protect existing/proposed occupants of the applicant site and/or adjacent land.

17. Any remediation scheme submitted in accordance with Condition 16 (above) shall be carried out as detailed in the applicants submission. Prior to the occupation of proposed development, a documentary proof shall be provided to the Local Planning Authority together with a quality assurance certificate to show that the works have been carried out in full accordance with the approved remediation strategy. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste material has been removed from the site before the development hereby permitted is occupied by any person not directly involved in constructing the development.

Reason: To ensure any contamination of the site is remediated and to protect existing/proposed occupants of the applicant site and/or adjacent land.

18. The development shall be carried out in accordance with the Sustainability and Energy Report from Bluesky Unlimited (dated 14 July 2021). The approved details shall be implemented in full 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 Policy D2 of Guildford Borough Local Plan : Strategy and Sites (adopted 25 April 2019)'.

19. 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.

20. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
- b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge **equivalent to the pre-development Greenfield run-off.**

- c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
- d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
- e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

21. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved in writing by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

Reason: To ensure the Drainage System is designed to the National Non-Statutory Technical Standards for SuDS.

22. No development shall take place until a SuDS Construction, Management and Monitoring Plan has been submitted to and approved in writing by the local planning authority. This will need to detail how the SuDS scheme will be managed and monitored in an appropriate manner to ensure they do not become blocked and cause more issues with potential run off from the site causing a potential impact on the SSSI downstream. An appropriate contractor to monitor / manage the SuDS must also be selected.

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

Reason: To ensure the adequate protection of statutory protected species and habitats.

23. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. This plan shall include details on how runoff and sediment control and site clearance is going to be managed in line with Ciria guidance and should be in a form that can be presented to any contractor used.

The development shall be carried out in strict accordance with the approved method statement.

Reason: To ensure the adequate protection of statutory protected species and habitats.

24. The garages / car barns shall be used solely for vehicle parking and for the benefit of the occupants of the dwelling/s of which they form part and their visitors and for no other purposes and shall be permanently maintained for that purpose.

Reason: To ensure that satisfactory parking provision is retained within the development.

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. Minor alterations were required to overcome concerns, these were sought and the applicant agreed to the changes.

3. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
4. Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.
<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>
5. 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.
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 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>.

8. 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/floodingadvice
9. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), 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.
10. 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.
11. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.
12. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.
13. Existing Foot Path 49 must not be obstructed during or after the completion of works.
14. The developer should take action to ensure that development activities such as vegetation or site clearance are timed to avoid the bird nest season of early March to August inclusive.
If this is not possible and only small areas of dense vegetation are affected, the site could be inspected for active nests by an ecologist within 24 hours of any clearance works. If any active nests are found they should be left undisturbed with a buffer zone around them, until it can be confirmed by an ecologist that the nest is no longer in use.

Officer's Report

Site description.

The site lies within the settlement of Send which has been inset from the Green Belt following the adoption of the 2019 Local Plan. The site is within the Corridor of the River Wey and is adjacent to the Wey Navigation Conservation Area. It is also within the 400m to 5km buffer zone of the Thames Basin Heath SPA. The site lies outside of floodzones 2 and 3.

The application site itself currently comprises a detached bungalow and its outbuildings together with a small area of garaging and parking which is within the ownership of Guildford Borough Council.

The surrounding area includes residential properties along Wharf Lane to the south and east, and Sanger Drive to the west. An area of open space is also located to the south of the application site, Heathfield Nature Reserve. Immediately to the east of the site is a public footpath running north to south which leads from Wharf Lane to the Wey Navigation.

Proposal.

Proposed erection of 8 dwellings (C3 use class), associated access, landscaping and parking, following demolition of Waterside Farm Cottage, outbuilding and Wharf Lane garages.

Parking:

21 spaces proposed

2 x 2 bed dwellings (Plots 2 & 6): 4 spaces (2 per dwelling)

4 x 3 bed dwellings: (plots 1, 3, 4, 5) 8 spaces (2 per dwelling)

2 x 4 bed dwelling (Plot 7 & 8): 6 spaces (3 per dwelling)

Visitor spaces: 3

A parking court providing 8 parking spaces is also proposed to replace the existing garage blocks on the part of the site owned by the Council. The existing pedestrian access / gate leading from the parking area to the Heathside Nature Reserve will be retained.

Relevant planning history.

21/P/00141 - Proposed erection of nine dwellings (C3 use class) following demolition of Waterside Farm Cottage and Wharf Lane garages. - Withdrawn

89/P/01177/S106/1 - Deed of variation to the Section 106 agreement dated 13/01/1992 for planning approval 89/P/01179 to discharge the planning obligation set out in Paragraph 1(b) of the First Schedule of the section 106 agreement, which reads as follows: "There shall be one dwelling house only on the land shown edged brown on the Plan. - Under consideration.

Consultations.

Statutory consultees

County Highway Authority:

- no objection, conditions and informatives recommended
- there are bus stops located on Send Road. Westbound bus stop is approximately 210 meter and eastbound bus stop approximately 260m located from the development site.
- although there will be some increase in vehicular trips, (46 trips over the 12 hour period) it is not considered that the proposed development will result in a significant increase in vehicular trips on the surrounding highway network.
- existing Foot Path 49 must not be obstructed during or after the completion of works.

Natural England:

- no objection - subject to appropriate mitigation being secure in respect of the Papercourt Site of Special Scientific Interest (SSSI)

Thames Water:

- no objection with regard to the waste water network and sewage treatment works infrastructure capacity
- recommended informatives

Internal consultees

Head of Environmental Health and Licensing:

- no objection, subject to recommended conditions

Non-statutory consultees

Surrey Wildlife Trust

- recommended conditions and informatives

Send Parish Council

Objects on the following grounds:

- overdevelopment of scenic plot
- conflict of interest and covenant [*Officer note: this is a separate legal matter*]
- loss of a valued public amenity and lack of parking, the garages are fully occupied and local residents tell use there is always a waiting list for any vacancies. GBC is not offering to reinstate these 8 garages in the village, so this fully used amenity would be permanently lost
- this application is another windfall site and there is no demonstrated need for these additional homes in this location
- lack of infrastructure to support such rapid growth of housing stock in Send
- doesn't meet the requirements of the Send Neighbourhood Plan

- layout is cramped and inconsistent with the layout of surrounding homes including Sanger Drive
- sewerage infrastructure, supporting infrastructure must come before any additional homes are considered in this lane
- delivers poor quality and cramped housing, out of character to other developments in Send

Third party comments:

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

- there is a restrictive covenant in place regarding building on the site - the development contradicts the purpose of that covenant [*Officer note: This is a separate legal matter*]
- significant increase in traffic exiting onto Send Road
- impact on residents in Sanger Drive from construction noise, dust and vibration
- very little change from previous withdrawn application
- highway safety
- density is out of place for housing in Send
- overdevelopment
- will exacerbate existing sewage problems
- overlooking to properties in Sanger Drive
- loss of light to properties in Sanger Drive
- impact on biodiversity, would result in a net loss
- ecological impact
- many mature and healthy trees have already been removed from the site (prior to surveys being carried out)
- will impact on view from the High Bridge adjacent to Waterside Farm
- GBC is meeting its housing targets
- doesn't meet requirements of Send Neighbourhood Plan
- garages to be demolished are currently rented to residents and are a useful amenity
- loss of garages is not adequately compensated in the proposal
- the sale of the GBC garages to the developer creates a conflict of interest
- where are the construction vehicles going to park?
- noise and air pollution
- light pollution from new streetlights and car headlights entering the development
- impact on drainage / flooding
- impact on the River Wey and Heathside Nature Reserve
- will place significant pressure on existing infrastructure and services (schools, doctors etc)
- impact on trees on the boundary with properties in Sanger Drive
- visual impact on Wey Navigation corridor / conservation area
- insufficient space for parking
- the site currently forms an important wildlife corridor
- proposed location for communal waste bins will produce odour pollution to Sanger Drive residents
- surface water management
- impact on access to Heathland Nature Reserve from Wharf Lane from the proposed parking area / access road
- currently on the waiting list for one of the garages
- loss of garages will result in loss of boundary for 28 Wharf Lane
- loss of turning space for cars or trucks driving up this section of Wharf Lane
- lack of sustainability measures

Planning policies.

National Planning Policy Framework (NPPF):

National Planning Policy Framework (NPPF):

Chapter 2: Achieving sustainable development

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

Chapter 15 Conserving and enhancing the natural environment

Chapter 16: Conserving and enhancing the historic environment

Ministry of housing, communities and Local Government

National Design Guide dated 1 October 2019

South East Plan 2009:

NRM6 Thames Basin Heath Special Protection Area

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

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 following policies are relevant:

S1: Presumption in favour of sustainable development

H1: Homes for all

H2: Affordable homes

P4: Flooding, flood risk and groundwater protection zones

P5: Thames Basin Heaths Special Protection Area

D1: Place shaping

D2: Climate change, sustainable design, construction and energy

D3: Historic Environment

ID1: Infrastructure and delivery

ID3: Sustainable transport for new developments

ID4: Green and Blue infrastructure

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

G5 Design Code

G1 General Standards of Development

NE4 Species Protection

NE5 Dev. Affecting Trees, Hedges & Woodlands

HE10 Dev. Affecting the setting of a Conservation Area

Neighbourhood Plans:

Send Neighbourhood Plan

Policies:

- SEND 1 - Design
- SEND 2 - Housing development
- SEND 4 - Green and Blue Infrastructure
- SEND 7 - Supporting sustainable transport
- SEND 8 - Car parking provision

Supplementary planning documents:

Climate Change, Sustainable Design, Construction & Energy SPD 2020
Planning Contributions SPD 2017
Thames Basin Heaths Special Protection Area Avoidance Strategy 2017
Residential Design SPG 2004
Vehicle Parking Standards SPD 2006

Other guidance:

Surrey County Council Vehicular and Cycle Parking Guidance 2018

Planning considerations.

The main planning considerations in this case are:

- the principle of development
- housing need and the mix of dwellings proposed
- design and character
- living environment for future occupiers
- the impact on neighbouring amenity
- the impact on highway safety and the level of parking
- the impact on trees and vegetation
- sustainable design and construction
- the impact on biodiversity and protected species
- the impact on Papercourt SSSI
- flooding and land drainage
- contaminated land
- the impact on the Thames Basin Heaths Special Protection Area
- legal agreement requirements

The principle of development

With the adoption of the new Local Plan, this site is no longer designated as being within the Green Belt.

The principle of 8 dwellings on this site is therefore acceptable, subject to compliance with the detailed requirements of the above policies.

Housing need / mix

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%. For the purposes of NPPF footnote 7, this is therefore greater than the threshold set out in paragraph 215 (75%). Therefore, the Plan and its policies are regarded as up-to-date in terms of paragraph 11 of the NPPF.

Housing mix:

Policy H1: Homes for all

Housing mix and standards

(1) New residential development is required to deliver a wide choice of homes to meet a range of accommodation needs as set out in the latest Strategic Housing Market Assessment. New development should provide a mix of housing tenures, types and sizes appropriate to the site size, characteristics and location.

It is important to note that Policy H1(1) is not intended to be applied in a prescriptive manner. It is a broad assessment of the needs required over the plan period and should be used to guide development proposals. However in applying the mix consideration needs to be given to site specific matters which together will shape the appropriate mix on particular sites.

Proposed mix:

Total Housing mix	No.	SHMA % req	Provided %
1 bed	0	20	0
2 bed	2	30	25%
3 bed	4	35	50%
4 bed	2	15	25%
Total	8		

(table 1)

In terms of the overall mix of the proposal, as shown in table 1 above, the mix is generally close to what the SHMA requires for the borough with a higher proportion of 3 bed units than required by the SHMA.

Overall the housing mix would comprise a greater mix of larger 3 bed units and no 1 bed units. Given that it is relatively small sized site and its location on the edge of Send village, comprising mainly of housing, it is considered that the proposed overall housing mix would complement the local context.

There are no 1 bed units proposed. However these smaller 1 bed units are expected to be delivered in a town/district centre locations (particularly in the town centre which will mainly deliver flatted development), larger sites with a range of character areas or adjoining a transport hub and 2-4 beds units delivered in the out of town settlements. This is an out of town location, where there is greater demand for: family units, downsizers, first time buyers and relations of people who have grown up in the area.

So whilst not strictly complying with the SHMA it is considered that the overall mix of units would be appropriate given the location.

Design and character

Para 130 of the NPPF stipulates that developments:

- a) “will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development”;
- b) “are visually attractive as a result of good architecture, layout and appropriate and effective landscaping”;
- c) “are sympathetic to local character and history, including the surrounding built environment and landscape setting”;
- d) “establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit”;

Policy Send 1 - Design of the Send Neighbourhood Plan is relevant. This states: 'High quality and sustainable design is expected in Send and shall conserve and enhance its heritage and environmental assets including the Wey & Godalming Navigations Conservation Area and its setting. All development proposals will be expected to demonstrate how they promote and reinforce the local distinctiveness and high quality built and natural environment of Send with reference to the Send Neighbourhood Development Plan Character Assessment. Proposals should seek to ensure that development does not result in significant adverse effects on the key views identified in the maps on pages 25 to 32 of the Neighbourhood Plan and respects and retains key natural landscape assets. In particular, in the following Character Areas:

A) Wey Navigation and River Wey – proposals must conserve and enhance the Wey & Godalming Navigations Conservation Area;'

The views from the footbridge which crosses the Wey Navigation immediately adjacent to the north eastern corner of the application site are identified as one of the 'key views' (views A1 and A2) in the Send Neighbourhood Plan. It should be noted that the views specified in the Neighbourhood Plan are those looking east from the footbridge towards the Tannery and northwestwards towards Broadmead flats (flood plain). They do not specifically include the views from the footbridge towards the application site. Notwithstanding this, views from the Conservation Area are a material consideration which will be assessed in more detail below.

The application site sits at the end of Wharf Lane which is made up of terraced bungalows along its western side and two storey semi-detached dwellings on more spacious plots along the eastern side. Residential dwellings in Sanger Drive lie immediately adjacent to the site to the west, comprising two storey detached dwelling. There is also an existing detached two storey dwelling which sits to the east of the application site. The boundary with the Green Belt countryside to the east and north is delineated by the eastern side of the public footpath which runs along the eastern boundary of the application site and the southern bank of the Wey Navigation. The nature of the surrounding development and proximity to the countryside provide a semi-rural character to the area with a mix of sizes and styles of dwellings and a mix of plot sizes.

The western boundary of the site with Sanger Drive consists of tall hedging and mature trees, which provide good screening to properties in Sanger Drive which back on to the site. There are also trees and hedging running along the eastern boundary of the site with the public footpath, and the southern boundaries. This existing boundary vegetation is proposed to be retained as part of the proposed development. There is also existing shrub and hedge planting along the northern boundary with the Wey Navigation. This is lower in height and allows views through to the navigation. Concerns have been raised that some trees were removed from site prior to the submission of the application. However, there were no protected trees on the site and several trees have been retained, particularly along the site boundaries.

With regard to the proposed development, firstly a new access is proposed opposite 1 Wharf Lane with a new access road then following the line of an existing tall hedgerow to be retained, leading to the proposed residential cul-de-sac of 8 new dwellings. At the start of the new access road, the existing Council owned garage blocks (comprising 8 individual garages) will be demolished and replaced with a parking court of 8 parking spaces. The position of the existing pedestrian access point to Heathside Nature Reserve will remain unaltered and will remain accessible via the existing parking court which is very similar to the existing situation.

The proposed residential cul-de-sac will consist of three pairs of two storey semi-detached dwellings (Plots 1 to 6), one pair to the south of the site, and two pairs positioned along the eastern edge of the site, leading to two detached two storey dwellings positioned at the end of the new cul-de-sac, with their rear gardens backing on to the boundary with the Wey Navigation. The proposed layout of the dwellings will be similar to that of dwellings in Sanger Drive, albeit with predominantly semi-detached dwellings. Parking spaces will be provided to the sides of the dwellings, which will also provide generous spacing between the dwellings and to the site boundaries, in keeping with that of surrounding properties.

As mentioned above, much of the existing boundary trees and hedging will be retained, and where existing hedging is to be removed, for example on the boundary to the rear of 20 Sanger Drive, new hedge planting is proposed. Further new tree planting is also proposed within the site, including as part of a significant area of soft landscaping area along the western boundary opposite plots 3 to 6. When matured, this new planting will provide additional screening to properties in Sanger Drive. Following officers' concerns regarding the provision of a close board fence on the rear boundaries of Plots 7 & 8 with the Wey Navigation, the agent has submitted revised plans to show the proposed fencing omitted from this boundary and indicating that new soft landscaping / planting is now proposed to be provide along on this boundary, to ensure it the boundary treatment is sensitive to its riverside setting and does not detract from the visual amenity along the Wey Navigation. The provision of appropriate soft landscaping along this boundary will also assist in ensuring the ecology of the site and surrounding is not adversely impacted. [The impact on biodiversity will be assessed in more detail further on in this report.] The provision of an appropriate soft landscaping scheme, including new tree and hedge planting and landscaping proposals for northern boundary with the Wey Navigation can be secured by condition.

The proposed dwellings will be of a traditional design, incorporating traditional pitched roofs with gable features and traditional materials and detailing including porch canopies and bay windows. As noted above, parking will predominantly be provided alongside the dwellings including through the provision of car barns. The proposed parking layout will minimise its visual impact whilst providing sufficient parking for each of the proposed dwellings.

It is considered that the design, size and height of the proposed dwellings and plot sizes, will not be out of character with the surroundings and the retention of the majority of existing trees and vegetation on the site boundaries, together with new tree and hedge planting, will ensure the development sits comfortably in the context of the surroundings and will ensure the semi-rural character of the area is not adversely affected.

Heritage asset - Wey Navigation Conservation Area

The Wey Navigation in Guildford is a designated heritage asset along its route and runs through several conservation areas, including the Wey and Godalming Navigations Conservation Area.

Along this stretch of the Wey Navigation (adjacent to the application site), the existing dwellings along Sanger Drive (to the west of the application) are located in close proximity to the navigation and are visible in views from it.

The proposed development would introduce new dwellings on to a largely undeveloped site, in close proximity to the navigation. The dwellings on Plots 7 & 8 would be positioned in closest proximity and would back on to the navigation with their rear boundaries adjoining the southern bank. However, these dwellings would not extend closer to this boundary than the existing dwellings in Sanger Drive which sit alongside the application site to the west. The proposed scale, height and design of the dwellings would appear sympathetic to the character of the surroundings and would be read against the existing established dwellings within Sanger Drive. As noted above, the provision of sensitive boundary treatment along the northern boundary of the new dwellings is considered very important in ensuring there is no adverse impact on the visual amenity of the Wey Navigation's setting. Subject to a condition to ensure details of landscaping on this boundary are submitted to the LPA for approval, it is considered that the proposed development would not result in harm to the setting of the Conservation Area.

For these reasons, the proposals will also not have an adverse impact on the views from the High Bridge (footbridge) as required by Policy Send 1 of the Send Neighbourhood Plan.

It is therefore considered that the proposal is in accordance with policies D1 & D3 of the 2019 Local Plan and Policy Send 1 of the Send Neighbourhood Plan.

Living environment for future occupiers

Policies H1 and D1 of the 2019 Local Plan require all new residential development to conform to the nationally described space standards as set out by the Ministry of Housing, Communities and Local Government (MHCLG) 2015. The accommodation schedules submitted with the application confirms that all of the proposed dwellings would conform to the nationally described space standards. The proposal also shows the provision of good sized private garden areas for all of the dwellings. The proposal therefore meets the requirements of Policies H1 and D1 of the 2019 in this regard.

Impact on neighbouring amenity

Neighbouring properties in Sanger Drive back onto the application site, and therefore have rear windows and rear gardens facing towards the application site.

As noted above, there is currently substantial trees and tall hedging along the western boundary of the application site with the properties in Sanger Drive which is shown to be retained as part of the proposed development and will provide screening. The proposed new dwellings closest to the western boundary will be the dwelling on Plot 2 and Plot 8 and both will have flank elevations facing towards the shared boundary, with only a small landing window proposed at first floor level for each dwelling.

There will be a separation distance of approximately 3.7m between the nearest flank elevation of the dwelling on Plot 2 and the shared boundary with 20 Sanger Drive, and a further 18m (approx) beyond the boundary to the neighbouring dwelling itself. The minimum separation distance between the two storey flank elevation of the dwelling on Plot 8 will be 5.2m to the shared boundary and 12.4m (approx) beyond that to the two storey rear elevation of the neighbouring dwelling at 15 Sanger Drive. Whilst the proposed new dwellings will be visible to these neighbouring dwellings, it is considered that due to these separation distances and the orientation of the dwellings on Plots 2 & 8, there will not be adverse impact in terms of a detrimental loss of sunlight or daylight or overbearing impact or a detrimental loss of privacy to the rear gardens or rear windows of neighbouring dwellings in Sanger Drive.

The proposed dwellings on Plots 3 to 6 will be orientated facing towards the western boundary of the site, but their front elevations will be set away from this boundary by a minimum distance of approximately 15.8m. This distance is considered sufficient to ensure there will not be unacceptable overlooking or loss of privacy to the rear gardens or rear windows of properties in Sanger Drive from the dwellings on Plots 3 to 6. The separation distance will also ensure there will not be any adverse loss of light or overbearing impacts resulting from these proposed dwellings. Furthermore, an extensive area of landscaping is proposed between these proposed dwelling and the boundary which will provide screening further reducing the impact.

The separation distances to other neighbouring properties in Wharf Lane are also considered sufficient to ensure there will be no adverse impacts on the amenities enjoyed by the occupants of these properties in terms of loss of light or loss of privacy.

The proposal will introduce two new vehicular access points, which will be positioned opposite existing dwellings on the eastern side of Potters Lane. Whilst this would introduce new vehicle movements, due to the number of dwellings proposed, it is considered that this would not lead to unacceptable noise, light or disturbance for the occupants of neighbouring dwellings in Wharf Lane or Sanger Drive.

It is therefore concluded that the proposals accord with Policy G1(3) of the saved Local Plan.

Impact on highway safety and parking provision

Surrey County Council, in their capacity as County Highway Authority (CHA), has no objection to the application subject to recommended conditions and informatives.

The CHA has not raised any objection to the proposed new access point on Wharf Lane which is considered to have suitable visibility on both directions.

The submitted transport assessment states that there will be some increase in vehicular trips (46 trips over the 12 hour period) resulting from the proposed development. However, the CHA does not consider this will result in a significant increase in vehicular trips on the surrounding highway network.

In terms of parking provision, the proposal would accommodate 18 car parking spaces (including car barns) for the 8 residential units. The 8 properties would range in size from two, three and four bedroom properties and according to the Council's adopted parking standards this would require a parking provision of 19 spaces. It is also important to note 3 visitor spaces are also proposed in addition, with two visitor spaces along the access road and one adjacent to Plot 6. The proposed parking provision therefore accords with the Council's adopted parking standards. As some of the parking spaces are to be provided by way of car barns, it is considered necessary to attach a condition to ensure these are retained for vehicle parking in perpetuity.

A revised site layout has been submitted which shows one of the bin collection points re-positioned in order to address concerns raised by the Council's Operational Services team. The refuse collection arrangements are subsequently considered acceptable.

The two blocks of 8 existing single garages, will be replaced with a parking court providing 8 parking spaces. There will therefore be no loss of parking compared to that provided within the existing garage blocks.

The site is within a sustainable location within cycle and walking distance of local services in the village of Send. There are also bus stops located on Send Road. The westbound bus stop is located approximately 210 metres and the eastbound bus stop approximately 260m from the development site. The site is therefore considered to be easily accessible to local services in the village.

It is therefore concluded that the proposals accord with Policy ID3 of the 2019 Local Plan.

Trees and vegetation

As noted above there are existing mature trees and hedging on the site boundaries.

An Arboricultural Report has been submitted with the application. The only trees proposed to be removed are Leylandii including a group of Leylandii on the eastern boundary with the public footpath. The Council's Tree Officer has advised he has no objection to their removal which will benefit a mature Silver Birch tree on the eastern boundary of the site which is to be retained. New tree planting is also proposed which can be secured as part of a landscaping condition.

The proposed Tree Protection Measures plans show the requirement of a no dig surfacing for the parking area adjacent to the Silver Birch T7. The Tree Officer has advised that a condition should be included requiring the Arboricultural Report to be adhered to in full, in particular the recommendations regarding site supervision and sequence of works.

It is concluded that subject to conditions to ensure that the development is carried out in accordance with the Arboricultural Report recommendations, Tree Protection Plan and a landscaping plan to ensure there is new tree planting, there will not be a detrimental impact on the trees and vegetation on the site or the visual amenities they provide. The proposal therefore accords with Policy NE5 of the saved Local Plan.

Sustainable design and construction

Policy D2 of the Adopted Local Plan sets out the measures that must be met by new developments. This is supported by the recently adopted Climate Change, Sustainable Design, Construction & Energy SPD 2020. New buildings are required to:

- Achieve a 20% reduction in carbon emissions over and above Building Regulation Standards
- Water Efficiency measures
- Applications for development, including refurbishment, conversion and extensions to existing buildings should include information setting out how sustainable design and construction practice will be incorporated

The Climate Change SPD clarifies when this information should be provided, whilst it states some information should be forthcoming at the time of submission. It is important to have this information early to ensure sustainability principles drive early site design.

A Sustainability and Energy Report from Bluesky Unlimited has been submitted (dated 14 July 2021). This confirms that the above requirements are proposed to be met for the development through the use of building fabric efficiency, the installation of flue-gas and waste water heat recovery units to the six semi-detached houses and the installation of 3 x 300W photovoltaic panels to each of the two detached houses that comprise Plots 7 and 8. The implementation of these measures can be secured by condition.

Impact on biodiversity and protected species

The presence of protected species is a material planning consideration, which needs to be addressed prior to any permission being granted.

The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

Paragraph 175 of the NPPF also requires that *“opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity”*.

The applicant has submitted a Preliminary Ecological Appraisal (PEA) and a Landscape and Ecological Management Plan. The PEA has confirmed the likely absence of roosting bats from the site.

Surrey Wildlife Trust has been consulted on the application and advise that this development offers opportunities to restore or enhance biodiversity and such measures will assist the Local Planning Authority in meeting the above obligation and also help offset any localised harm to biodiversity caused by the development process. The applicant has submitted a LEMP as part of the application. This LEMP notes that “The landscaping scheme has yet to be confirmed, but will aim to offset the proposed loss of trees and hedges.” SWT recommend that, prior to the commencement of works, the LEMP is updated to provide details of the landscaping plans. The finalised landscaping plans should take in to account all of the recommendations within the submitted LEMP.

It is concluded that subject to the recommended conditions to secure the required mitigation measures and ecological enhancements through the submission of an updated LEMP, the proposed development would comply with the requirements of the NPPF and Policy ID4 of the 2019 Local Plan.

Impact on Papercourt SSSI

The site lies within approximately 1km of the Papercourt Site of Special Scientific Interest (SSSi).

Natural England has been consulted on the application and has advised that in order to mitigate any adverse effects on the Papercourt SSSI, conditions should be attached to secure the provision and implementation of a Construction Environmental Management Plan (CEMP) and a SuDS Construction Management and Monitoring Plan.

Natural England would like to see a CEMP in regards to runoff and sediment control and for site clearance, in line with the Ciria guidance and one that can be presented to any contractor used.

Any SuDS will need to be managed and monitored appropriately to ensure they do not become blocked and cause more issues with potential run off from the site causing a potential impact on the SSSI downstream. As such we would advise the provision of a SuDS Construction, Management and Monitoring Plan be secured via condition and an appropriate contractor selected.

These measures are subsequently recommended to be secured by condition.

Flooding and land drainage

The application site is within Flood Zone 1 (Low Probability). This zone comprises land assessed as having a less than 1 in 1000 annual probability of river or sea flooding in any year (<0.1per cent). Paragraph 100 of the NPPF states that development be directed away from area at the highest risk. The proposal is therefore an acceptable location for new residential development in line with the aim of the NPPF.

The site area is 0.36Ha and therefore a Flood Risk Assessment is not required.

Notwithstanding this, a Pluvial Flood Risk Technical Note has been submitted with the application which details proposals for managing surface water drainage as part of the proposed development. The Local Lead Flood Authority (LLFA) has assessed the submitted information and has advised that additional information is required in order to ensure that the proposals comply with the requirements of the NPPF, its accompanying PPG and the Non-Statutory Technical Standards for sustainable drainage systems.

As the proposal is not for a major development (below 10 dwellings), the LLFA has agreed that these requirements can be dealt with by conditions in this instance. Subject to these conditions, it is considered that surface water drainage can be managed satisfactorily to ensure there is no increased surface water flood risk to the site or surrounding area.

Contaminated land

The application site is within 250m of historic landfill sites/commercial and industrial activities. The Environmental Health Officer (EHO) has no objection to the application subject to conditions being attached requiring a Phase One survey for ground contamination to be carried out prior to the commencement of development and any subsequently recommended remediation works being implemented.

Thames Basin Heaths Special Protection Area

The site is within the 400m to 5km buffer zone of the Thames Basin Heath SPA.

The proposed development may adversely impact the TBHSPA due to the net increase in residential units at the site. The Council's adopted TBHSPA Avoidance Strategy 2017 requires a SANG contribution and an Access Management (SAMM) contribution to avoid any adverse impact in line with the tariff within the annual updating of the off-site contributions document.

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 7 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.

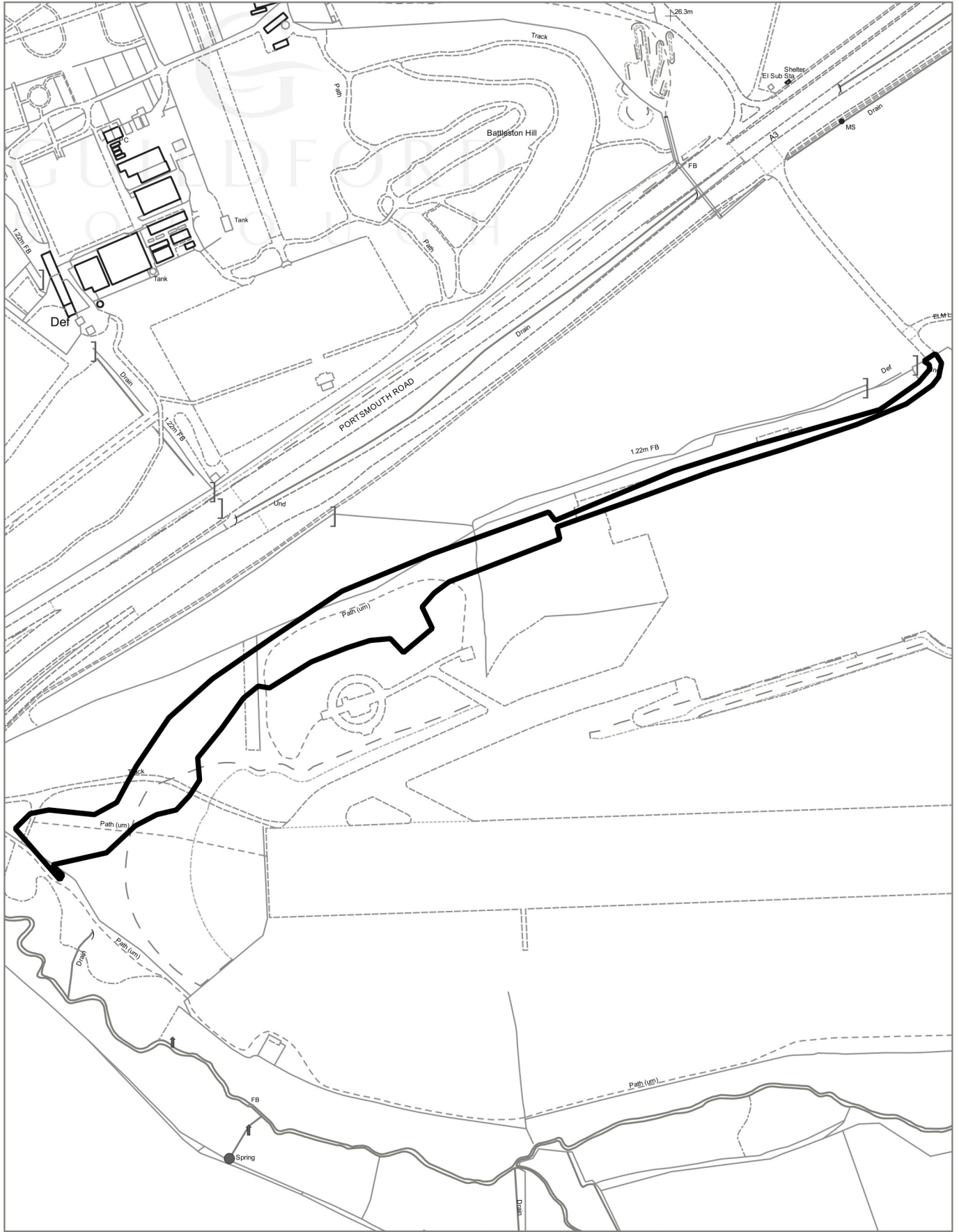
Provided that a S.106 agreement is in place to mitigate against the likely significant effect on the TBHSPA, the proposed development would be considered acceptable in planning terms in this regard.

Conclusion

There is no objection to the principle of the development and the proposal would deliver a net increase of eight new homes in a sustainable location. The development would not harmfully affect the character or the appearance of the surrounding area, including the setting of the adjacent Wey Navigation Conservation Area and would not materially impact on the residential amenities currently enjoyed by the occupants of the surrounding properties. Subject to the recommended conditions there will be no adverse impact on the ecology of the site or surroundings. The development would not give rise to conditions prejudicial to highway safety and would not impact on the Thames Basin Heaths Special Protection Area.

This application is the subject of a non determination appeal. The Council are therefore unable to formally determine the application. Instead the Council must resolve to what they would have done had they been in the position to determine this application. Subject to the conditions and the completion of a s106 Agreement to secure the necessary SANG and SAMM contributions, the application is deemed to be acceptable and had an appeal not been lodged against non determination, the application would have been recommended for approval.

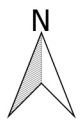
21/P/01582 - Land At Wisley Airfield, Hatch Lane, Ockham



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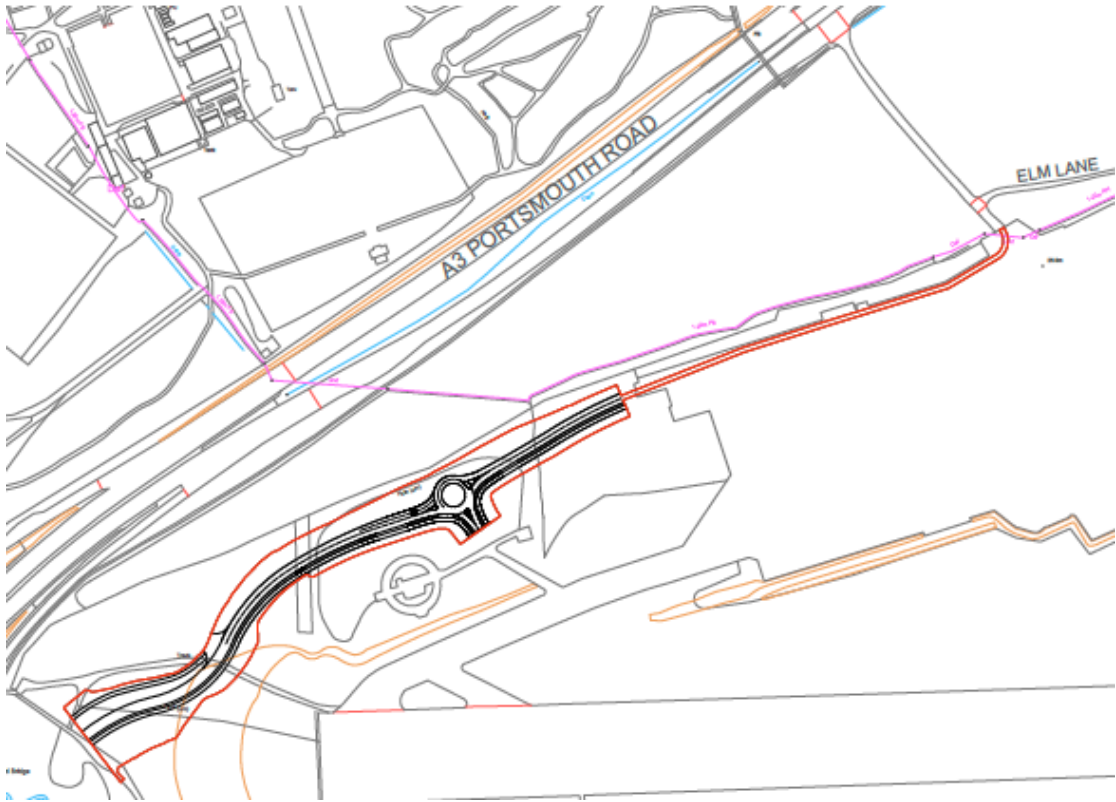
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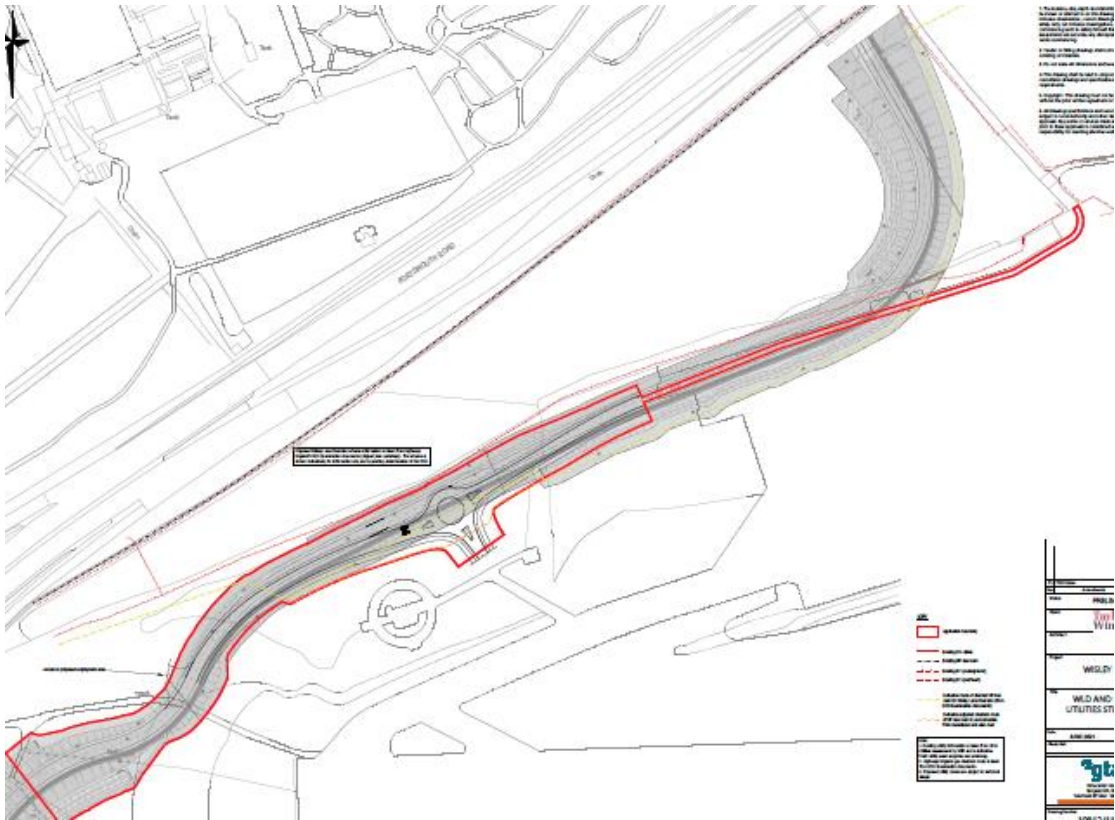
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21/P/01582 Land at Wisley Airfield Hatch Lane GU23 6NU



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App No: 21/P/01582
Appn Type: Full Application
Case Officer: Hannah Yates
Parish: Ockham
Agent : Miss L Beckett
Savills
244-246 High Street
Guildford
GU1 3JF

8 Wk Deadline: 03/12/2021

Ward: Lovelace
Applicant: Mr J Pillow
Taylor Wimpey UK Limited
Thornetts House
Challenge Court
Barnett Wood Lane
Leatherhead
KT22 7DE

Location: Land At Wisley Airfield, Hatch Lane, Ockham, GU23 6NU
Proposal: Detailed application for engineering operations to form a new roundabout, stub road and priority junction access

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.

Background

Members will be aware that an application which was essentially identical to this proposal, save for one small additional element, was submitted by the same applicant in 2020, (Ref 20/P/01708). This was recommended for approval subject to conditions, but at the Committee meeting on 20 May 2021, Members decided to defer their decision pending a decision by the Secretary of State in respect of the M25 /A3 Junction 10 works Development Consent Order, (DCO), which had been delayed from 12 May 2021 to 12 November 2021. Since that deferral by Members, the applicant has followed two strategies, namely by lodging an appeal against non-determination of the deferred application, and also by submitting this application, which is effectively a duplicate application of the appealed scheme other than the small element to distinguish it, as will be set out below.

The applicant timed submission of this application so as to be determined post the delayed DCO decision, in order that circumstances would be different to those applying at the May Committee meeting. However, on 21 October 2021, a Ministerial Statement was laid in Parliament which stated the deadline for the DCO decision is now extended until 12 May 2022 to allow for further consideration of environmental matters. This is the third delay to this decision, and the DCO remains undetermined at the time this application is being brought to committee.

It has been made clear by the applicant that a decision on this application is needed as soon as possible, in advance of the DCO decision. The key reasons put forward are:

- A planning approval will allow the applicant, Surrey County Council and National Highways to best coordinate construction delivery
- A planning approval will render the presently progressing Appeal process on a first application ref. 20/P/01708 for a stub road/ roundabout redundant, saving time and resource.
- There are no technical, nor planning reasons for delay, on the basis of the application of positive planning in accordance with the development plan. The imposition of the agreed 'Grampian' planning condition, means that a planning consent is only ever effective, should the DCO be made and implemented. This provides a clear safeguard to the Council.

Key information

The application site sits to the north west of the Former Wisley Airfield (FWA), also known locally as Three Farms Meadow. The application site sits partly within and partly outside of the Local Plan allocated site A35, which is proposed to deliver a new settlement of approximately 2,000 dwellings and associated uses. However, the whole site is within the area inset from the Green Belt.

The site is solely within Flood Zone 1, however a very small area of the site around the access point from Elm Lane suffers from surface water flooding, as defined on the EA surface water mapping (1 in 30, 100 and 1000 years). The application site also contains part of the Wisley Airfield Site of Nature Conservation Importance (SNCI). At its closest point (the access onto Elm Lane), the site is located approximately 175m from the Thames Basin Heaths Special Protection Area and Ockham and Wisley Commons Site of Special Scientific Interest (SSSI). The Ockham and Wisley Local Nature Reserve (LNR) covers the area designated as SSSI, and also extends southwards beyond the SSSI, directly adjacent to the site running along the north western boundary. This area adjacent to the site along the north western boundary is also part of the Elm Corner Woods SNCI, is identified as Priority Habitat deciduous woodland, is Green Belt and part of this area is designated as Ancient Woodland.

The site takes access off Elm Lane which is a Class D road. Elm Lane is directly accessed off the A3. Bridleway 544 runs from Elm lane southwards across the runway, connecting to Hyde Lane and eventually Ockham Lane. No other public rights of way are on the site. The access portion of the site runs along the edge of the area of hardstanding that previous housed the aircraft hangers. The main body of the site contains a mosaic of scrub, tall ruderal vegetation and a number of trees.

1.74 ha of the application site falls within the proposed land take of the Highways England Development Consent Order (DCO) relating to improvements to M25 junction 10/A3 Wisley interchange.

This application proposes the construction of a new access to serve the Former Wisley Airfield strategic site allocated under policy A35 of the Local Plan: Strategy and Sites 2015 - 2034. The access is proposed to be taken from the proposed Wisley Lane Diversion, which forms part of the DCO.

The proposed works include:

- a 30m diameter three-arm roundabout with kerbed central island;
- a two-lane approach for north-east bound traffic, allowing segregation of right turning traffic into the development from traffic headed to RHS Wisley Gardens and Wisley village;
- a maximum 100m radius entry path deflection to comply with approach speed reduction requirements of the Design Manual for Roads and Bridges (DMRB);
- sufficient highway verges to accommodate the visibility requirements;
- continuity of cycle and pedestrian facilities along the southern side of the Wisley Lane Diversion is provided by way of crossing points to the southern splitter island;
- a simple priority junction access into land north of the Wisley Lane Diversion which has been designed to accommodate articulated HGVs.

The application also includes all earthworks, drainage, landscaping, service diversions, signs and road markings, street lighting and other street furniture including vehicle restraint barriers as necessary.

Summary of considerations and constraints

This application proposes the roundabout and stub road as a stand-alone application at a time when there is no defined proposal for how the A35 allocation will be developed. This is for reasons of timing where the applicant is seeking to ensure that the stub road can be constructed at the same time as the M25 Junction 10 DCO works take place, so as to minimise disruption and to avoid the need to take up a recently made road. Planning legislation is clear that each application must be determined on its own merits, and the approval of this application would in no way pre-determine any future application to develop the strategic site. If in the course of considering a subsequent application relating to the A35 allocation it becomes apparent that the stub road, roundabout and priority junction proposed would in some way be unsuitable for meeting the needs of that development, this could be dealt with through the process of the determination of that application.

It is also noted that the development will be restricted from commencing until such time that the DCO has been implemented, through a Grampian style condition. In relation to Grampian conditions, the PPG notes that: *'conditions requiring works on land that is not controlled by the applicant, or that requires the consent or authorisation of another person or body often fail the tests of reasonableness and enforceability. It may be possible to achieve a similar result using a condition worded in a negative form (a Grampian condition) – ie prohibiting development authorised by the planning permission or other aspects linked to the planning permission (eg occupation of premises) until a specified action has been taken (such as the provision of supporting infrastructure). Such conditions should not be used where there are no prospects at all of the action in question being performed within the time-limit imposed by the permission.*

Even a limited or some prospect of the action being performed within the time-limit of the permission (in this case the implementation of the DCO scheme), then a Grampian condition could be appropriate in principle. While it is acknowledged that there is still some uncertainty about the DCO application and what the decision may be where there have been a number of delays to the decision from the SoS, the application is at an advanced stage in the process. Given this, it cannot be argued that *'there is no prospect at all'* of the DCO scheme coming forward during the life of the permission. Therefore, the use of the Grampian condition would only see works commencing, when the DCO scheme has been implemented.

It is noted that the proposal would result in some harm to the amenities of neighbouring dwellings at Elm Corner and would lead to a loss of 0.53% of the Wisley Airfield SNCI. However, constructing the roundabout, stub road and priority junction simultaneously with the Wisley Lane Diversion (which forms part of the DCO) would limit construction impacts on the local community and RHS Wisley and ensure that they are built at the same time to avoid digging up the Wisley Lane Diversion which will have only just been constructed. In addition, the application unlocks potential to develop the land covered by the A35 allocation, by delivering a key piece of infrastructure. The proposal also includes a new area of wildflower grassland and an overall biodiversity net gain.

The balancing exercise which has been undertaken concludes that the benefits of the proposal do outweigh the limited identified harm and therefore, planning permission should be granted.

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: Stub Road Location Plan ref.1350-2-153 Rev B, Wider Site Location Plan ref. 1350-2-186 Rev B and Stub Road Red Line plan- Elm Lane One Way-Southern Roundabout 1350-2-152 Rev E received on 19/07/2021.

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

3. The development hereby permitted is solely limited to the area shaded purple in plan ref. POTENTIAL ROUNDABOUT ACCESS ON THE PROPOSED WISLEY LANE DIVERSION 0934-SK-079 Rev B received on 19/07/2021.

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

4. No development shall take place until (a) the National Highways Investment Strategy (RIS) improvement to M25 Junction 10/A3 Wisley Interchange Development Consent Order (DCO) has been granted and (b) written confirmation has been obtained from the Local Planning Authority (in consultation with National Highways and Surrey County Council) that the relevant part of the DCO, being the Wisley Lane Diversion, has been implemented/commenced on site.

Reason: The proposed development is only acceptable as part of the diverted Wisley Lane. It is considered necessary for this to be a pre-commencement condition because whether the relevant part of the DCO has been implemented to the satisfaction of both consultees needs to be established before this permission can be implemented.

5. The proposed roundabout and stub road access shall not be commenced unless and until a scheme has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, to provide the following details;

- provision of 2.4m x 120m visibility splays at the priority junction access
- earthworks
- drainage
- service diversions
- signs and road markings
- street lighting and;
- other street furniture including vehicle restraint barriers as necessary.

The construction of the roundabout and stub road access shall then be undertaken in accordance with the approved scheme.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. It is considered necessary for this to be a pre-commencement condition because these measures need to be agreed prior to the development commencing to ensure they are acceptable.

6. No construction works shall commence until a Construction Transport Management Plan, to include details of;

- a) parking for vehicles of construction site personnel, construction site operatives and construction site visitors;
- b) loading and unloading of plant and materials for the construction of the development;
- c) storage of plant and materials for the construction of the development;
- d) programme of construction works (including measures for construction traffic management);
- e) HGV deliveries for construction and hours of construction operation;
- f) construction vehicle routing;
- g) measures to prevent the deposit of materials on the highway;
- h) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused by construction traffic;
- i) on-site turning for construction vehicles;
- j) safeguarding Bridleway users, particularly where they enter the airfield onto Public Bridleway 544 Wisley

has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be carried out in accordance with the approved Construction Transport Management Plan.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. It is considered necessary for this to be a pre-commencement condition because the construction plans need to be agreed prior to the development commencing to the construction commences.

7. No development shall take place until the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation, which has been submitted to and agreed in writing by the Planning Authority. This should include further investigation regarding the significance of the historic Wisley and Ockham Parish Boundary. Development shall then take place in accordance with the approved Written Scheme of Investigation.

Reason: To allow adequate archaeological investigation. It is considered necessary for this to be a pre-commencement condition to allow the investigation to take place before any archaeological remains are disturbed by the approved development.

8. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
- a) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate to be agreed with SCC as LLFA.
 - b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
 - c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.
 - d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
 - e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site. It is considered necessary for this to be a pre-commencement condition because the satisfactory drainage of the site goes to the heart of the planning permission.

9. Prior to the first use of the development hereby approved, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is designed to the National Non Statutory Technical Standards for SuDS.

10. Works shall be carried out in full accordance with Section 4 and 6 of the submitted Ecological Impact Assessment prepared by EPR July 2021.

Reason: To safeguard protected species.

11. Works shall be carried out in full accordance with the Ecological Working Method Statement as set out in Appendix 4 of the submitted Ecological Impact Assessment prepared by EPR July 2021. Prior to the first use of the development hereby approved, a post completion ecology report shall be submitted to, and agreed in writing by Guildford Borough Council.

Reason: To safeguard nature conservation sites and protected species.

12. A detailed lighting strategy shall be provided prior to the first use of the development hereby approved to ensure there are no adverse impacts to roosting and foraging bats within the area. The development shall be carried out in accordance with the approved Lighting Strategy.

Reason: To safeguard protected species.

13. No development shall take place, until an amended Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. In addition to the existing requirements, the Plan shall provide for:

- (a) An indicative programme for carrying out of the works
- (b) The arrangements for public consultation and liaison during the construction works
- (c) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s)
- (d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
- (e) the parking of vehicles of site operatives and visitors
- (f) loading and unloading of plant and materials
- (g) storage of plant and materials used in constructing the development
- (h) measures to control the emission of dust, dirt and run-off during construction

(i) details on how the offsite protected areas, including ancient woodland will be protected, and avoid risks by construction vehicles, storage of materials, etc.

Reason: To ensure that satisfactory measures are put in place for addressing occupiers of nearby land and the environment generally. It is considered necessary for this to be a pre-commencement condition because the management of the construction needs to be considered before construction commences.

14. The development hereby approved shall implement the Biodiversity Net Gain measures as detailed within Appendix 5 and map A5.1 of the submitted Ecological Impact Assessment prepared by EPR July 2021. All planting and seeding required as part of these measures shall be carried out in the first planting and seeding season following the completion of the development, or prior to the first use of the development, whichever is sooner.

Reason: To provide net gains in biodiversity.

15. The proposed offsite habitat creation as detailed on map A5.1 as set out in Appendix 5 of the submitted Ecological Impact Assessment prepared by EPR July 2021 shall include management for species listed in the Wisley Airfield SNCI citation, due to the loss of 0.53% of Wisley Airfield SNCI. Prior to the creation of this habitat, a report detailing this management will be submitted to and agreed in writing by the Local Planning Authority. The habitat will then be managed in accordance with the approved report.

Reason: To safeguard features associated with the Wisley Airfield SNCI.

16. No development shall take place until an Arboricultural Method Statement (AMS) and finalised Tree Protection Plan (TPP), in accordance with BS5837:2012 Trees in Relation to Design, Demolition and Construction, are submitted to and approved in writing by the Local Planning Authority. The approved Arboricultural Method Statement must be adhered to in full, and may only be modified subject to written agreement from the Local Planning Authority.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality. It is considered necessary for this to be a pre-commencement condition because the tree protection measures need to be agreed prior to the development commencing to ensure trees are not damaged by the development.

17. No development shall commence until tree protection measures, as set out in the approved Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), have been installed and a site meeting has taken place with the site manager, the retained consulting arboriculturalist and the LPA Tree Officer. This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of monitoring and compliance by the pre-appointed consulting arboriculturalist.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality. It is considered necessary for this to be a pre-commencement condition because the tree protection measures need to be checked prior to the development commencing to ensure they are adequately installed.

18. Prior to commencement of development, the applicant must submit the following to the Local Planning Authority for its written approval:

(a) a method statement for identification of land contamination including removal of material containing asbestos from site, quantification of loose fibres in soil and a detailed remediation scheme

(b) the approved remediation scheme must be carried out in accordance with its terms unless otherwise agreed in writing by the Local Planning Authority. Following the completion of approved remediation measures identified in the scheme, a verification report must be submitted to the Local Planning Authority for approval in writing. This verification report must provide documented evidence of the remediation work carried out on site.

If monitoring of air borne asbestos fibres during the earthworks is identified as one of the control measures, this must be appended to the verification report on completion along with monitoring data and measures employed to control air borne asbestos fibres on site/at site boundaries.

Reason: To ensure that risks from land contamination to neighbouring land and future users of the land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. It is considered necessary for this to be a pre-commencement condition because the how asbestos is dealt with needs to be agreed prior to development commencing.

19. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation must be carried out to identify the extent, scale and nature of contamination, and where necessary a remediation scheme must be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, and other sensitive receptors and is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 18.

Reason: To ensure that risks from land contamination to neighbouring land and future users of the land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

20. Prior to the first use of the development hereby approved, full details of the treatment of the stub road and priority access in relation to any fencing/barriers to prevent access to land beyond the stub road shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

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 has been sought regarding the wider Wisley Airfield site. As regards this proposal, further information and justification was provided during the course of the application in relation to comments made by the County Highway Authority. The application is deemed to be acceptable.

2. Lead Local Flood Authority Informatives:

If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.

If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

3. County Highway Authority Informatives:

The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.

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 www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme. 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/floodingadvice.

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 developer is advised that as part of the detailed design of the highway works required by the above condition(s), 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.

Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

4. Countryside Access Informatives:

- Safe public access must be maintained at all times. If this is not possible whilst work is in progress then an official temporary closure order will be necessary. Notice, of not less than 6 weeks, must be given and the cost is to be borne by the applicant.
- There are to be no obstructions on the public right of way at any time, this is to include vehicles, plant, scaffolding or the temporary storage of materials and/or chemicals.
- Any alteration to, or replacement of, the existing boundary with the public right of way, or erection of new fence lines, must be done in consultation with the Countryside Access Group. Please give at least 3 weeks' notice.
- Any down pipes or soakaways associated with the development should either discharge into a drainage system or away from the surface of the right of way.
- There should be no encroachments by new fascias, soffits, gutters etc over the boundary of the existing property onto the public right of way.
- Access along a public right of way by contractors' vehicles, plant or deliveries can only be allowed if the applicant can prove that they have a vehicular right. Surrey County Councils' Countryside Access Group will look to the applicant to make good any damage caused to the surface of the rights of way connected with the development.

Officer's Report

Site description

This site measuring approximately 1.94ha sits to the north west of the Former Wisley Airfield (FWA), also known locally as Three Farms Meadow. The application site sits partly within and partly outside of the Local Plan allocated site A35, which is proposed to deliver a new settlement of approximately 2,000 dwellings and associated uses. However, the whole site is within the area inset from the Green Belt.

The site is solely within Flood Zone 1, however a very small area of the site around the access point from Elm Lane suffers from surface water flooding, as defined on the EA surface water mapping (1 in 30, 100 and 1000 years). The application site also contains part of the Wisley Airfield Site of Nature Conservation Importance (SNCI).

At its closest point (the access onto Elm Lane), the site is located approximately 175m from the Thames Basin Heaths Special Protection Area and Ockham and Wisley Commons Site of Special Scientific Interest (SSSI). The Ockham and Wisley Local Nature Reserve (LNR) covers the area designated as SSSI, and also extends southwards beyond the SSSI, directly adjacent to the site running along the north western boundary. This area adjacent to the site along the north western boundary is also part of the Elm Corner Woods SNCI, is identified as Priority Habitat deciduous woodland, is Green Belt and part of this area is designated as Ancient Woodland.

The site takes access off Elm Lane which is a Class D road. Elm Lane is directly accessed off the A3. Bridleway 544 runs from Elm lane southwards across the runway, connecting to Hyde Lane and eventually Ockham Lane. No other public rights of way are on the site.

The access portion of the site runs along the edge of the area of hardstanding that previous housed the aircraft hangers. The main body of the site contains a mosaic of scrub, tall ruderal vegetation and a number of trees.

1.74 ha of the application site falls within the proposed land take of the Highways England Development Consent Order (DCO) relating to improvements to M25 junction 10/A3 Wisley interchange.

Proposal

Detailed application for engineering operations to form a new roundabout, stub road and priority junction access.

This application proposes the construction of a new access to serve the Former Wisley Airfield strategic site allocated under policy A35 of the Local Plan: Strategy and Sites 2015 - 2034. The access is proposed to be taken from the proposed Wisley Lane Diversion, which forms part of the DCO.

The proposed works include:

- a 30m diameter three-arm roundabout with kerbed central island;
- a two-lane approach for north-east bound traffic, allowing segregation of right turning traffic into the development from traffic headed to RHS Wisley Gardens and Wisley village;
- a maximum 100m radius entry path deflection to comply with approach speed reduction requirements of the Design Manual for Roads and Bridges (DMRB);
- sufficient highway verges to accommodate the visibility requirements;
- continuity of cycle and pedestrian facilities along the southern side of the Wisley Lane Diversion is provided by way of crossing points to the southern splitter island;
- a simple priority junction access into land north of the Wisley Lane Diversion which has been designed to accommodate articulated HGVs.

The application also includes all earthworks, drainage, landscaping, service diversions, signs and road markings, street lighting and other street furniture including vehicle restraint barriers as necessary.

On 29 October 2021, the applicant submitted some additional information and clarifications in response to matters raised by Surrey County Council Highways. The plans and submitted information does not change the application in any way, hence re-consultation was not required.

Relevant planning history.

The site has a long and complex planning history. The following applications are most relevant to the consideration of this application:

Reference:	Description:	Decision Summary:	Appeal:
20/P/01708	Detailed application for engineering operations to form a new roundabout and stub road.	N/A	Currently at non-determination appeal
20/P/01709	Detailed application for enabling works (engineering operations in the form of landform alterations) to facilitate part phase 1 SANG works.	Withdrawn 18/08/2021	N/A
20/S/00004	Request for a screening opinion under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) in regards to the proposed development of permanent access through provision of a roundabout and stub road at the former Wisley Airfield	Screening Decision: Negative – EIA not required. Issued 16/10/2020	N/A
15/P/00012	Outline planning permission for the phased development of a new settlement of up to 2,068 dwellings incorporating up to 60 sheltered accommodation units and associated infrastructure including accesses onto the A3 (Ockham Interchange), Ockham Lane and Old Lane and revised access to Elm Corner, a primary/secondary school, community provision, nursery provision, health facility, a local centre (incorporating food & drink, retail, a visitor centre and offices), employment area, 8 travellers pitches, sports and recreational facilities (incorporating a floodlit sports pitch and pavilion). Sustainable Drainage Systems and an area of Suitable Alternative Natural Greenspace (SANG) incorporating a landform feature and car parking. The erection of associated utilities infrastructure. The development proposal to incorporate the demolition/ removal of the runway and VOR Beacon (and any associated outbuildings). Matter for determination is access (with matters of scale, appearance, landscaping and layout reserved).	Refuse 08/04/2016	Dismissed 13/06/2018

12/P/00533	<p>Consultation from Surrey County Council for a fully enclosed invessel composting facility with a new vehicular/pedestrian access from the A3 Ockham roundabout comprising a new site access road, with a bridge over the stream to a purpose-built enclosed composting building, ancillary staff building and vehicle parking for staff/visitors together with landscape mounding and planting, and an attenuation pond; without compliance with Condition 10 of Appeal decision APP/B3600/A/09/2098568 to allow the phased construction of the site access; alterations to the A3 southbound slip road; and the Ockham roundabout.</p>	<p>No objection raised 19/04/2012, SCC approved 01/08/2012</p>	N/A
08/P/01472	<p>Consultation from SCC for construction of a fully enclosed invessel composting facility for the reception and processing of green, kitchen and animal wastes on a site of approximately 16.75ha, comprising a composting building, control office, car parking facilities, landscaping, internal access roads, rainwater storage tank, leachate storage tank, package sewage treatment, diesel storage tank, attenuation pond, perimeter fencing, and new access off the A3 Ockham roundabout.</p>	<p>Objection raised 03/10/2008</p>	<p>Allowed on appeal 08/03/2010</p>

It is useful to provide a brief summary of the more recent history relating to this site and the surrounding land to provide context.

- In December 2014, the Department for Transport (DfT) published the Road Investment Strategy (RIS) for 2015-2020. The RIS identifies improvements to M25 J10/A3 Wisley Interchange as one of the key investments in the Strategic Road Network (SRN) for the London and South East region. The proposals include: “improvement of the Wisley interchange to allow free-flowing movement in all directions, together with improvements to the neighbouring Painshill interchange on the A3 to improve safety and congestion across the two sites”. This scheme is also identified in the Infrastructure Schedule found at appendix 6 of the LPSS.
- The DCO will provide for a diverted Wisley Lane (“the Wisley Lane Diversion”). The Wisley Lane Diversion is proposed on the western part of A35 allocation, prior to it crossing over the A3 connecting onto Wisley. Part of the transport requirements of policy A35 require primary vehicular access to the site allocation be via the A3 Ockham interchange, with a through vehicular link between the Ockham Interchange and Old Lane.

- An outline planning application was submitted in December 2014 (Ref: 15/P/00012) for the development of a new settlement at land at the FWA for up to 2,068 dwellings and associated infrastructure including accesses onto the A3 (Ockham Interchange), Ockham Lane and Old Lane and revised access to Elm Corner, a primary/ secondary school, health facility, employment area, and an area of Suitable Alternative Natural Greenspace (SANG). This application was refused by the Council in May 2016 and subsequently dismissed at appeal in June 2018.
- Subsequently the site has been removed from the Green Belt and is now included in a wider landholding allocated in the adopted LPSS – A35 for approximately 2000 homes, 100 sheltered / extra care homes, eight gypsy and traveller pitches, 4,300sqm of employment floorspace, 1,100m of retail, 1050 of community uses and services in a new Local Centre, and two schools (one primary and one secondary). As indicated above, it is a requirement of A35 for primary vehicular access to the site allocation will be via the A3 Ockham interchange.
- Since the appeal was dismissed in June 2018, the new Local Plan has been adopted and carries full weight as part of an up to date development plan. This is clearly a material change in circumstances since the appeal was decided.

Environmental Impact Assessment

Members will be aware that in advance of submission of the previous application 20/P/01708 (now at appeal), the applicant submitted an EIA Screening Request to GBC (20/S/00004) for that development. GBC subsequently issued the Screening Opinion response on 16th October 2020, confirming that the development did not constitute EIA development, since the stub road and roundabout proposal is independent from any future specific proposal for the Wisley New Settlement at allocated site A35. This was reported to committee in May 2021, when the previous application was deferred.

In submitting the current application, which as noted, differs from the previous one only in respect of the addition of a priority junction access, the applicants included an Environmental Impact Assessment Screening Report. This states that the report has been prepared to demonstrate that the development is unlikely to result in significant environmental effects alone or cumulatively. ... This screening report is being undertaken with an awareness of other potential schemes which may have cumulative impacts. Therefore, pending schemes within a close proximity are also included.

The report concludes that:

- The proposed development is a discrete project that could proceed independently, without reliance on any other development
- The proposed development includes 0.2ha of land outside of the permanent land take of the DCO and therefore ... the impact of the proposed development on the future baseline of the DCO is considered minimal and not significant.
- GBC has confirmed that a Grampian condition would be attached to any decision notice preventing the proposed development from being delivered before the DCO.
- In summary, ...the proposals would be relatively small scale, discrete and independent in nature, and effects could be managed in accordance with standard methods. The proposed development is therefore not considered to be formal EIA development as defined by the EIA Regulations.

This is consistent with GBC's previous Screening Opinion Response. All Statutory Consultee responses to this application, as set out below, demonstrate that with mitigation proposed, the conclusions of the applicant's EIA Screening Report are endorsed by all. Accordingly, Officers consider that the Report's conclusion that no EIA is required to support this duplicate application is correct.

Consultations

A summary of all the responses is contained below. This is not a verbatim report and full copies of all representations received are available on the electronic planning file, which is available to view online.

Statutory consultees

National Highways: We have previously reviewed an application at this site and provided a 'No Objection' HEPR response dated 13/11/20 (20/P/01708). We have reviewed the latest application (21/P/01582) and conclude that the previous decision stands. We support the applicant's intention to agree a Grampian style condition that should this application be determined before the M25 Junction 10 DCO is made, it will be added to any decision notice that it can only be implemented after the DCO has been made. We request further consultation on this condition. [Officer Note: A Grampian style condition has been recommended which restricts the commencement of the development to after the implementation of the DCO works. This condition has been forwarded to HE who have raised no objections].

County Highway Authority: The proposed development has been considered by the County Highway Authority who having assessed the application on safety, capacity and policy grounds, raise no objection subject to the addition of conditions (approved plan; further details of earthworks, drainage, service diversions, signs, road markings street lighting and other street furniture including vehicle restraint barriers as necessary; stub road to remain closed until rest of the A35 allocation comes forward and a CTMP).

For the avoidance of doubt, the Highway Authority advise that this formal consultation response is based solely on an assessment of the technical design of the proposed roundabout, stub road and priority junction access, to enable this infrastructure to be constructed in conjunction with the Wisley Lane Diversion (the DCO is not expected to be made until May 2022). The proposal has been assessed on its own technical merits, and should not be construed as providing any endorsement by the Highway Authority on any future development proposals on the former Wisley Airfield, for which a separate planning application will be required and assessed by the Highway Authority on its own merits.

The above recommendation is made on the understanding that this form and scale of junction is necessary to serve the level of vehicular traffic that was based on work submitted for the recent planning appeal. The Highway Authority advise that if a Transport Assessment submitted in support of any future hybrid planning application on the former Wisley Airfield, demonstrated that these levels of vehicular traffic had changed for any reason, then Highway Authority would encourage the design of a more appropriately scaled and form of junction that could better provide for the levels and types of traffic proposed.

The proposed priority junction has been designed to accommodate the vehicle movements associated with a future employment use on land to the north of the proposed Wisley Lane Diversion. The geometric design of the access can accommodate the largest legal articulated HGVs, and visibility splays have been provided in accordance with the 40mph design speed of the Wisley Lane Diversion.

The Highway Authority have assessed the technical design of the proposed roundabout, stub road and priority junction access, and is satisfied that it accords with the required highway design standards.

Surrey County Council as Lead Local Flood Authority: We have reviewed the surface water drainage strategy for the proposed development and assessed it against the requirements of the NPPF, its accompanying PPG and the Non-Statutory Technical Standards for sustainable drainage systems. We are satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and are content with the development proposed, subject to the addition of conditions (SuDS Scheme and Verification Report).

Natural England: No objection. As long the applicant undertakes development in line with the mitigation detailed in the Construction Environmental Management Plan, Natural England has no objection to this application.

NATS (National Air Traffic Services): Following a review of our operation in the vicinity of the proposed development NATS (En Route) plc has determined that although this is likely to impact our electronic infrastructure, this impact can be managed such that it does not effect the provision of a safe and efficient enroute ATC service. Accordingly NATS (En Route) plc has no safeguarding objection to the proposal and as such, we are withdrawing our objection of Land At Wisley Airfield.

Historic England: On the basis of the information available to date, we do not wish to offer any comments. Seek the views of your specialist conservation and archaeological advisers, as relevant.

Internal consultees

Head of Environmental Health and Licensing: No response received on this application. [Officer note: This application is of a very similar nature to previous application 20/P/01708, and following a discussion with Environmental Heath, they have confirmed the previous comments are still of relevance to this current application. They are therefore copied below for completeness]

No objections raised. The proposed development is at low risk from any land contamination on site. However, due to presence of asbestos containing material and loose asbestos fibres in the area formerly for hangars and hardstanding for the airfield, there is a potential for asbestos fibres becoming airborne during the groundworks. Other issues raised include the impact of lighting and construction noise. [Officer Note: Conditions are recommended requiring a method statement for removal of asbestos and the reporting of unexpected contamination. As noted above, any lighting will also be controlled through condition. Construction noise is an unavoidable consequence of any major development. However, conditions are recommended which will ensure that any noisy activity is limited to business hours].

Non-statutory consultees

Archaeological Officer, Surrey County Council: I can confirm that my previous comments for this scheme are still appropriate and so they are included again for information. No objection subject to a condition to secure the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation.

Countryside Access Officer, Surrey County Council: Notes the affect of the proposed development to Public Bridleway 544 Ockham. This office has no objection to the application and note the updated Construction Management Plan which references how Public Bridleway users will be safeguarded throughout construction. The only comment to make is that Surrey County Council have responsibility for public rights of way and should be contracted to provide any temporary closures. Standard informatives are also recommended.

Designing Out Crime Officer, Surrey Police: I would ask that as part of the planning conditions provision is made for the installation Automatic Number Plate Reader Camera's (ANPR). Due to the location any future criminal activity will probably be undertaken by arriving at the location in a vehicle. The ANPR system is a proven system used to prevent and assist in the detection of criminal activities.

Parish Councils

Ockham Parish Council: Object. Reiterate previous objections in relation to previous application 20/P/01708. Until a planning application to develop the Former Wisley Airfield has been submitted and approved, any application to carry out work on FWA is premature.

There is no planning application submitted or approved for development of Site A35 and there is no benefit to the public by the creation of infrastructure on FWA that may never be required. This application appears illogical and entirely out of tune with climate goals.

Additionally, this application, proposing the use of Elm Lane as the access point onto FWA will cause disruption to all vehicles who use A3 as slow-moving, fully laden HGVs turning in and out the sharp 90o turn at Elm Lane will be perilous to life. To apply to use Elm Lane to access FWA let alone to permit it, is irresponsible in every way. When questioned about this access point in August 2021, we were verbally informed by Highways England under whose control the A3 falls as part of the strategic road network, that they have undertaken to keep three lanes functioning each way at all times throughout their programme for the DCO and that closing up Elm Lane as it stands (and providing a new access to Elm Corner residents via the BOAT/Old Lane) is because this entrance/egress point directly into fast moving traffic is hazardous.

East Horsley Parish Council: Object. The proposed works are premature and would be undertaken in advance of any planning approval granted for the Wisely airfield strategic site development and also in advance of the proposed M25/A3 improvement scheme where the DCO decision has been deferred until November 2021. In the event that neither of these events occurs, then this work would be undertaken unnecessarily with accordant harm to the local environment caused for no useful purpose.

East Clandon Parish Council: Strongly object:

- premature to apply for planning of isolated infrastructure before the application for the entire development of the Former Wisley Airfield has been submitted
- piecemeal approach

- a roundabout that may never be used is not in the public benefit
- most of East Clandon travel along the stretch of the A3 that passes Elm Lane regularly. It is a dangerous junction even now when it is only used by the few houses it serves. We envisage an even greater level of danger caused by many more vehicles including HGVs using it as access to the Airfield Site.

Effingham Parish Council: Object, concern that this application is premature, just as 20/P/01708 was. It is premature both as there is no planning permission yet granted for the site and secondly the Secretary of State has not yet made a decision on J10 of the M25 and related decisions that might affect the A3 in the area. If this application is approved, it will enable Taylor Wimpey to access the site and make changes that may never be required.

Most importantly Taylor Wimpey want to use Elm Lane to access FWA in order to carry out their engineering works. Slow moving heavily laden HGVs turning into and out of Elm Lane from the A3 will cause huge disruption and be hazardous to life. To apply to use Elm Lane to access FWA let alone to permit it, is irresponsible in every way. It means that traffic accelerating to join the A3 from the M25 will not only have to contend with slow-moving traffic exiting Old Lane but also HGVs slowing to turn left into Elm Lane. The crashmap website shows there have been fatalities along this stretch of the A3 before, so EPC believes that there are very strong reasons for refusing this application again. We believe that Taylor Wimpey need to reconsider this risk to life to create a stub road that might prove entirely superfluous.

Ripley Parish Council: The application should not be considered until the Secretary of State has resolved the Highways England proposal for M25 J10/A3 Wisley Interchange.

Send Parish Council: Should the DCO or the Wisley Development not be granted, this roundabout and stub road would be useless.

Amenity groups / Residents associations

Effingham Residents Association: Object on the grounds that it is premature. In the absence of a Development Consent Order to widen J10 ,M25 and associated works on the A3 and Wisley Lane Diversion and the lack of planning permission to develop Site A35 of GBC's Local Plan it cannot be in the public interest to create road infrastructure that may never be required.

In addition we are alarmed by the proposal for construction traffic to access/leave this site via Elm Lane from/to the A3. This will be extremely dangerous for all road users and a safer alternative needs to be found should this application be successful.

Third party comments

A summary of all the responses is contained below. This is not a verbatim report and full copies of all representations received are available on the electronic planning file, which is available to view online

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

- application is premature - both in relation to the site allocation and the decision on the DCO
- pre-determination of any development at the wider site
- a previous application has been refused on site and dismissed at appeal - there is no explanation of what has changed since the last time a planning application was determined on the Former Wisley Airfield and was refused

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- area has poor water supply
- the proposed roundabout and stub road has no purpose in its own right
- very dangerous access from Elm Lane
- a decision should be deferred for all the reasons applied to application 20/P/01708
- inadequate traffic data to assess the application - the full data showing the anticipated effects on Ockham Park roundabout and local road network has not yet been provided
- negative impact on ecology - inclusive of all sensitive sites on and adjacent to the site
- unsustainable development
- no public benefits
- Ockham Park roundabout will be over capacity if the proposed development goes ahead
- existing traffic issues exacerbated
- negative impact on neighbouring amenity - properties to the north and south in relation to noise and disturbance
- increased pollution
- impact on air quality
- out of scale with the existing historic settlement of Ockham
- impacts on use of the site for recreation and exercise
- impacts to users of public rights of way
- increase to flood risk
- the application contradicts the aims of the Local Authority's Commitment to the Climate Change and Environmental Crisis
- negative impact on the adjacent Green Belt
- the site should be returned to Green Belt, and the allocation in the Local Plan is not required
- a number of letters reiterating the objections raised in the Ockham Parish Council objection

Planning policies

National Planning Policy Framework (NPPF):

Chapter 2. Achieving sustainable development

Chapter 4. Decision-making

Chapter 5. Delivering a sufficient supply of homes

Chapter 6. Building a strong, competitive economy

Chapter 8. Promoting healthy and safe communities

Chapter 9. Promoting sustainable transport

Chapter 11. Make an efficient use of land

Chapter 12. Achieving well-designed places

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

Chapter 15. Conserving and enhancing the natural environment

Chapter 16. Conserving and enhancing the historic environment

Planning Practice Guidance

Manual for Streets and Design for Roads and Bridges

South East Plan 2009:

Policy NRM6 Thames Basin Heath Special Protection Area

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

The Guildford Borough Local Plan: Strategy and Sites 2015-2034 was adopted by the Council on 25 April 2019. The policies considered relevant to this proposal are set out below.

S1 Presumption in favour of sustainable development
S2 Planning for the borough - our spatial strategy
P4 Flooding, flood risk and groundwater protection zones
P5 Thames Basin Heaths Special Protection Area
D1 Place shaping
D3 Historic environment
ID1 Infrastructure and delivery
ID2 Supporting the Department for Transport's "Road Investment Strategy
ID3 Sustainable transport for new developments
ID4 Green and blue infrastructure

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

Although the Council has now adopted the Guildford Borough Local Plan: Strategy and Sites 2015-2034 (LPSS), some policies of the saved Local Plan 2003 continue to be relevant to the assessment of planning applications and carry full weight. The extant policies which are relevant to this proposal are set out below.

G1 (non superseded parts) General standards of development
HE12 Historic Parks and Gardens
NE4 Species protection

Lovelace Neighbourhood Plan:

The Lovelace Neighbourhood Plan has been passed at Referendum on 6 May 2021. It now forms part of the Development Plan, and carries full weight in planning decisions.

LNPEN2 Biodiversity and Natural Habitats
LNPEN3 Flooding
LNPEN4 Light pollution
LNPEN5 Air Quality and Traffic
LNP11 Infrastructure
LNPI3 Cycling and Walking

Supplementary planning documents:

Thames Basin Heaths Special Protection Area Avoidance Strategy SPD
Climate Change, Sustainable Design, Construction and Energy SPD
Strategic Development Framework SPD

Planning considerations

The main planning considerations in this case are:

- background
- the principle of development

- highway considerations
- the visual impact and impact on the character of the area
- the impact on neighbouring amenity
- impact on ecology and trees
- the impact on flood risk and the proposed surface water drainage strategy
- the impact on heritage assets
- the planning balance

Background

Members will be aware that an application which was essentially identical to this proposal, save for one small additional element now (described above), was submitted by the same applicant in 2020, (Ref 20/P/01708). This was recommended for approval subject to conditions, but at the Committee meeting on 20 May 2021, Members decided to defer their decision pending a decision by the Secretary of State in respect of the M25 /A3 Junction 10 works Development Consent Order, (DCO), which had been delayed from 12 May 2021 to 12 November 2021. Since that deferral by Members, the applicant has followed two strategies, namely by lodging an appeal against non-determination of the deferred application, and also by submitting this application, which is effectively a duplicate application of the appealed scheme.

The applicant timed submission of this application so as to be determined post the delayed DCO decision, in order that circumstances would be different to those applying at the May Committee meeting. However, on 21 October 2021, a Ministerial Statement was laid in Parliament which stated the deadline for the DCO decision is now extended until 12 May 2022 to allow for further consideration of environmental matters. This is the third delay to this decision, and the DCO remains undetermined at the time this application is being brought to committee.

It has been made clear by the applicant that a decision on this application is needed as soon as possible, in advance of the DCO decision. The key reasons put forward are:

- A planning approval will allow the applicant, Surrey County Council and National Highways to best coordinate construction delivery
- A planning approval will render the presently progressing Appeal process on a first application ref. 20/P/01708 for a stub road/ roundabout redundant, saving time and resource.
- There are no technical, nor planning reasons for delay, on the basis of the application of positive planning in accordance with the development plan. The imposition of the agreed 'Grampian' planning condition, means that a planning consent is only ever effective, should the DCO be made and implemented. This provides a clear safeguard to the Council.

From an officer perspective, to directly address the question of why to consider the application now given the delay to the DCO, there are a number of issues to consider:

1. A benefit of this application is that constructing the roundabout and stub road simultaneously with the Wisley Lane Diversion would limit construction impacts on the local community and RHS Wisley, and ensure that they are built at the same time to avoid digging up the Wisley Lane Diversion which will have only just been constructed. There are economic and environmental benefits to doing the work together.
2. A delay to a decision on this application until after the decision on the DCO is made, would put significant time constraints on the developer and the Council in addressing all the pre-commencement discharge of conditions.

This has the potential to impact on the coordination of the delivery of the schemes together.

3. The material planning issues are the same now, as they would be after any grant of the DCO. The relevant question therefore is whether the proposed development is acceptable if the DCO is made and implemented. If the DCO is refused, this roundabout cannot be built, and hence no harm would be caused.

The principle of development

The site sits partly within and partly outside of the A35 allocation, however the large majority of the area for which planning permission is sought (the area shaded purple on plan reference 0934-SK-079-B), is within the allocation. The whole site is within the area inset from the Green Belt. Therefore the principle of development is acceptable subject to accordance with the relevant policies identified above.

A large number of the objections from the Parish Councils, residents groups and individual third parties raise prematurity and pre-determination of the wider site allocation as issues. Addressing these in turn:

Paragraph 014 (Reference ID: 21b-014-20140306) of the Planning Practice Guidance highlights in what circumstances it might be justifiable to raise prematurity as an issue. It states that in the context of the NPPF and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

(a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or neighbourhood planning; and

(b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

It is clear in relation to the assessment of this application, prematurity cannot be an issue. The LPSS has been adopted and carries full weight as part of an up to date development plan, therefore the application cannot undermine the plan-making process in any way.

In relation to the issue of whether approval of this application in any way pre-determines the future of the Wisley New Settlement allocated under policy A35, the following comments are made. This application proposes the roundabout, stub road and priority junction access as a stand-alone application at a time when there is no defined proposal for how the A35 Allocation will be developed. As discussed above this is for reasons of timing where the applicant is seeking to ensure that the development can be constructed at the same time as the DCO works take place. Planning legislation is clear that each application must be determined on its own merits, and the approval of this application would in no way pre-determine any future application to develop the strategic site.

If in the course of considering a subsequent application relating to the A35 allocation it becomes apparent that the stub road, roundabout and priority junction proposed would in some way be unsuitable for meeting the needs of that development, this could be dealt with through the process of the determination of that application.

It is also noted that the development will be restricted from commencing until such time that the DCO has been implemented, through a Grampian style condition. In relation to Grampian conditions, the PPG notes that: *'conditions requiring works on land that is not controlled by the applicant, or that requires the consent or authorisation of another person or body often fail the tests of reasonableness and enforceability. It may be possible to achieve a similar result using a condition worded in a negative form (a Grampian condition) – ie prohibiting development authorised by the planning permission or other aspects linked to the planning permission (eg occupation of premises) until a specified action has been taken (such as the provision of supporting infrastructure). Such conditions should not be used where there are no prospects at all of the action in question being performed within the time-limit imposed by the permission.*

Even a limited or some prospect of the action being performed within the time-limit of the permission (in this case the implementation of the DCO scheme), then a Grampian condition could be appropriate in principle. While it is acknowledged that there is still some uncertainty about the DCO application and what the decision may be where there have been a number of delays to the decision from the SoS, the application is at an advanced stage in the process. Given this, it cannot be argued that *'there is no prospect at all'* of the DCO scheme coming forward during the life of the permission. Therefore, the use of the Grampian condition would only see works commencing, when the DCO scheme has been implemented.

The proposal is in accordance with the specific site access requirements of policy A35, as well as the Strategic Development Framework Supplementary Planning Document which recognises that the access for the Airfield will be from the realigned Wisley Lane. Therefore, it is in accordance with an up to date development plan in this regard.

Highway considerations

The proposed roundabout would be located on the proposed Wisley Lane Diversion and would facilitate the primary access to the strategic site allocation. The proposed works include:

- a 30m diameter three-arm roundabout with kerbed central island;
- a two-lane approach for north-east bound traffic, allowing segregation of right turning traffic into the development from traffic headed to RHS Wisley Gardens and Wisley village;
- a maximum 100m radius entry path deflection to comply with approach speed reduction requirements of the Design Manual for Roads and Bridges (DMRB);
- sufficient highway verges to accommodate the visibility requirements;
- continuity of cycle and pedestrian facilities along the southern side of the Wisley Lane Diversion is provided by way of crossing points to the southern splitter island;
- simple priority junction access into land north of the Wisley Lane Diversion which has been designed to accommodate articulated HGVs.

The works would be subject to detailed design and technical approval prior to construction, at which time details would be provided of all earthworks, drainage, landscaping, service diversions, signs and road markings, street lighting and other street furniture including vehicle restraint barriers as necessary. A condition will require the submission and agreement of these details prior to the commencement of development.

The applicant has stated the works would be offered up for adoption and /or maintenance by the local highway authority, Surrey County Council (SCC).

Conformity with the DCO

The DCO scheme in the vicinity of the site includes:

- an enlarged signalised roundabout junction with the M25;
- free-flow left turn lanes at the new roundabout;
- improved slip road layouts;
- widening of the A3 north of Ockham Interchange to 4 lanes in both directions;
- signalisation of the Ockham Interchange and improvements to its slip roads onto the A3; and
- improvements to pedestrian and cycling facilities.

In addition, the DCO scheme proposes the closure of the Wisley Lane and Elm Lane Junctions onto the A3. The Wisley Lane junction would be replaced with a new road called the Wisley Lane Diversion. That would form a new arm off the Ockham Interchange and run north-east through the northern fringe of the Wisley Airfield site then turn north over the widened A3 via a new bridge for traffic, pedestrians and cyclists. Elm Corner would be accessed via Old Lane and an improved Elm Lane.

The alignment of the proposed roundabout has been based on the latest plans submitted by Highways England to the DCO Examination. The proposal also accommodates the new brideway proposed as part of the DCO works via the new shared facility on the southern side of the road.

The priority junction access is located an acceptable distance from junctions and has sufficient visibility for vehicles emerging onto the 40mph Wisley Lane Diversion within land controlled by the Applicant.

The Wisley Lane Diversion has been designed as a 40mph design speed road and the roundabout and junction have also been designed for this speed, specifically in terms of visibility requirements.

The proposal would only be appropriate if the DCO is approved, and therefore, and as set out above, the applicant has proposed the use of a Grampian style condition which would ensure development on this current application could not commence until development on the Wisley Lane Diversion element of the DCO had commenced on the site. This is considered to be an appropriate way to control the development, and would meet all the relevant conditions tests set out in the PPG.

Traffic impacts

The proposed roundabout, stub road and priority junction will not generate any traffic, or additional movements on the highway network. Delays to traffic caused by the roundabout are not expected to be significant as there will be no opposing flows of turning traffic in and out of the stub road to the Airfield.

Construction impacts

Construction of the proposed development including construction access arrangements are covered by a Construction Environmental Management Plan (CEMP) submitted with this application. This document allows flexibility for when the preferred programme for construction is available and the construction access arrangements have been confirmed. This will also take into account the extent to which construction can take place at the same time as the DCO works, including the Wisley Lane Diversion.

At this stage it is envisaged that the construction of the works will be via either:-

- Elm Lane off the A3; or
- The construction routes formed for the DCO works.

It is noted that the existing Elm Lane is signposted as unsuitable for HGVs, however National Highways have confirmed it is proposed to be used as one of the access points for the construction of the DCO if approved. As this application is controlled by a Grampian condition, if the access will be used for the DCO, it would also be appropriate to be used for the current application. To ensure the two tie together, it is considered appropriate to condition the submission of both the CEMP and CTMP for submission and agreement, to ensure the details remain tied into the DCO construction access plans, and they continue to be acceptable to National Highways in relation to safety. On this basis, over and above the DCO scheme, the proposal would not result in any greater harm to highway safety in terms of construction vehicles accessing or existing the site.

Consultation responses

National Highways have raised no objection to the application. They are supportive of the use of a Grampian condition, that would prevent the implementation of this development until the DCO is made.

Surrey County Council have also raised no objection. They have assessed the technical design of the proposed roundabout, stub road and priority junction access, and are satisfied that it accords with the required highway design standards.

Both National Highways and Surrey County Council have been consulted on the wording of the Grampian condition proposed as requested.

Locations and types of junction

The applicant has sought to demonstrate they are proposing the best types of junction, in the best locations to provide a suitable access points to both parts of the FWA allocation.

The precise location chosen for the roundabout was based on the following engineering considerations:

- locating it away from the adverse topography in the western part of the Wisley Lane Diversion and thus avoiding unnecessary additional engineering works;
- locating it away from the southern approach embankment to the new Wisley Lane/A3 over bridge, also to avoid unnecessary additional engineering works;
- locating the carriageway no closer to the Ancient Woodland area between the Wisley Lane Diversion and the A3;

- locating the stub road away from the line of the existing north-south hedgerow in this area;
- locating the roundabout away from the works compound planned to be formed by Highways England's contractor while building the DCO scheme works.

In relation to the proposed priority access, the junction location was chosen for its ability to accommodate the longest articulated HGVs. The applicant has demonstrated in the submitted Transport Statement that two such vehicles can pass each other within the access bellmouth. As such, the junction will operate without delay to vehicles entering the employment site even if there is a vehicle waiting at the junction to exit.

The Transport Statement produced by the transport consultant for the applicant state that both the roundabout and priority access junction would have sufficient capacity, with headroom, to serve the FWA. This would maximise potential at the FWA allocation.

The proposals would facilitate a potential suitable access into the FWA from the Wisley Lane Diversion, which would be in conformity with LPSS policies ID3 and A35 and the SDF SPD. The proposals are also in compliance with neighbourhood plan policies LNP11 and LNP13.

The visual impact and impact on the character of the area

Policy D1 (place shaping) of the LPSS states that as an over-arching principle, 'all new developments will be required to achieve high quality design that responds to distinctive local character (including landscape character) of the area in which it is set. Essential elements of place making include creating economically and socially successful new places with a clear identity that promote healthy living; they should be easy to navigate, provide natural security through layout and design with attractive, well enclosed, and overlooked streets, roads and spaces with clear thought given to the interrelationship of land use to external space'.

Policy LNPEN1B of the Lovelace Neighbourhood Plan states developments should be designed to respect the existing landscape character set out in the Guildford Landscape Character Assessment and the important local views across the Lovelace landscape from within or from outside the area. This proposal would not directly impact on view point 10 - Elm Corner at Ockham.

The main body of the site contains scrub, tall ruderal vegetation and a number of trees, and is located in the Ockham and Clandon Wooded Rolling Claylands Character Area as defined by the Guildford Landscape Character Assessment (GLCA) and Guidance. As detailed above, the proposal cannot be built unless the Wisley Lane Diversion element of the DCO is commenced. This DCO scheme will result in significant changes to the landscape and views in this area, changing the baseline significantly.

On its own, this proposal would create a 'floating' piece of road infrastructure which would be an incongruous addition, out of character with the existing site. However, the use of a Grampian condition would ensure this proposal does not come forward unless the DCO comes forward. Considering the proposal alongside the DCO is therefore an appropriate way to assess the impacts.

The roundabout proposed is quite large in size, so the application will result in considerably more hardstanding and other operational development associated with the road than would be provided by the Wisley Lane Diversion.

The stub road and priority access will form a dead end, and a roads which don't lead to a destination will have the potential to appear unsightly, however in the context of the DCO this is not considered to result in any significant harm to the character of the site and wider area beyond that caused by the DCO due to the change in character brought about the heavily engineered road. A condition will be added requiring further details of the treatment of the stub road and priority junction access in relation to any fencing/barriers to prevent access to land beyond, to ensure this is done in a way that is as considered and visually appropriate as possible.

Whilst some limited harm has been identified in relation to the visual impact of proposal, there is no specific conflict with the design policies identified above. In addition, the proposal would not result in any conflict with the overall design aims of the A35 allocation.

The impact on neighbouring amenity

During construction works the proposal has potential to result in some loss of amenity to some neighbouring properties from noise, possible vibration and light pollution. The nearest neighbour is RHS Wisley. As this is separated by the A3 the likely impact of the proposed development on this property is limited.

The residential properties most likely to be impacted are those situated to the north west at Elm Corner. Saved policy G1(3) requires that "the amenities enjoyed by occupants of buildings are protected from un-neighbourly development in terms of privacy, access to sunlight and daylight, noise, vibration, pollution, dust and smell". The impacts arising from the construction of the proposal would be of a temporary nature and could be reduced and controlled through a condition requiring the submission and approval of a Construction Environmental Management Plan (CEMP). The CEMP would include details of the construction processes, the routing of HGVs and mitigation measures such as limiting construction hours and controlling noise and vibration. These measures would be required to be undertaken to ensure the amenity of existing residents is protected in accordance with policy G1(3). A requirement for HGVs to access and egress via the A3 would ensure that no construction vehicles would be required to travel through Ripley Village centre, Ockham Road North, Ockham Lane, Old Lane or the existing Wisley Lane, thereby protecting the amenities of residents in those areas.

As regards light pollution, policy G1(8) of the saved Local Plan and policy LNPEN4 of the Lovelace Neighbourhood Plan require that the impact of artificial lighting is designed to minimise the ecological impact and the spillage of light from the site. The objectives of these policies during the construction phase can be secured through the CEMP and this will limit any harm to the amenity of surrounding residents.

Finally on construction impacts it is noted that the Council's Environmental Health Officer has commented that the site may include asbestos material remanent from the previous use of the site as an airfield. While the control, treatment and disposal of asbestos is primarily a matter covered by legislation outside of the planning system, a condition has been recommended which requires the applicant to provide further details on this matter, including how any asbestos material will be removed from the site and safely disposed of and how the site will be remediated. As an aside, it is also noted that a condition is also recommended to control the presence of any unknown contamination which may be present on the site.

Operational effects

The stub road, roundabout and priority junction would only become operational if and when the DCO is made and the wider National Highways RIS improvements to the Strategic Road Network are implemented. Ongoing light pollution would be controlled by that process. However, it is noted that modern highway lighting is unlikely to result in significant light spillage and in any case, this could be controlled by condition. While road traffic using the stub road and roundabout would generate additional noise, this would be no greater than that resulting from the DCO proposal.

Given the low sensitivity of the identified receptors and the limited period during which any impacts would be felt it is not considered that any moderate or significant adverse effects are likely as a result of the proposal. Any adverse effects which might occur during the construction process have to be weighed against the benefits of ensuring that the construction of the Stub Road, roundabout and priority junction takes place at the same time as the construction of the Wisley Land Diversion, thereby avoiding the need to dig up recently constructed roads with its attendant disruption and environmental and energy wastage. It would also avoid, as far as reasonably possible, any further disruption to users of the highway network by carrying out additional or extended road works.

Impact on ecology and trees

Habitats

At its closest point the application site lies approximately 175m to the south-west of Ockham and Wisley Commons SSSI, which is a component site within the wider Thames Basin Heaths SPA network of protected heathland sites. The SPA and SSSI are important features at the International and National levels respectively. However they are considered to fall outside of the zone of influence of the proposals due to the nature of the works and the physical separation between the SPA/SSSI and the works area.

The Ockham and Wisley Local Nature Reserve (LNR) covers the area designated as Ockham and Wisley Commons SSSI, and also extends southwards beyond the SSSI to within 4m of the northern boundary of the application site. It is noted that Local Nature Reserves are described by Natural England as being “for both people and wildlife” and owing to their designation type are considered to be of importance at the County level.

In terms of non-statutory designated sites Wisley Airfield SNCI falls partly within the wider FWA boundary. The SNCI as a whole was selected for the variety of habitats it supports, plus species criteria including its assemblage of rare or notable vascular plants, foraging areas for bats and amphibians and reptile populations. The majority of the application site (1.82 ha) is located within the Wisley Airfield SNCI. The SNCI habitats are in an unfavourable condition due to lack of management and the influence of the neighbouring intensive arable operations. As a whole, Wisley Airfield SNCI is of County level importance.

Elm Corner Woods SNCI runs parallel to the north-west of the Application site boundary and is part of the Ockham and Wisley LNR. Part of Elm Corner Woods is shown on Natural England’s Provisional Ancient Woodland Inventory as ancient semi-natural woodland. This SNCI is open access and consists of mixed woodland. As well as forming part of the Ockham and Wisley LNR, the SNCI is well connected to other designated nature conservation sites, including Ockham and Wisley Commons SSSI and the Thames Basin Heaths SPA. It is therefore considered to be of County importance.

The proposals will not cause the direct loss of any part of Elm Corner Woods. In total, 0.17ha of the application site area falls within the 15m buffer zone that is typically implemented to protect ancient woodland. This 0.17ha sits fully within the proposed permanent land take of the National Highways DCO scheme, and as such the proposals will not affect any additional areas of the buffer zone beyond that to be impacted by the DCO works. In the absence of targeted mitigation the earthworks associated with the proposals have the potential to cause damage to the woodland through accidental pollution, dust generation, damage to tree roots and hydrological changes. This could be reversible or permanent depending on the nature of the damage, however any impacts of this nature would be unlikely to undermine the structure and function of the woodland completely and would therefore be significant at the zone of influence level only. The applicant notes that with mitigation, no significant residual impacts on Ockham and Wisley LNR or Elm Corner Woods SNCI and Provisional Ancient Woodland are predicted.

As regards the Wisley Airfield SNCI the only part that will be directly affected by the proposals beyond that already impacted by the DCO is an area of tall ruderal and scrub measuring 0.15 ha in size. This represents 0.53% of the total SNCI area. The applicant notes that the area to be affected is unlikely to support any of the vascular plants for which the SNCI was selected (these plants are associated with disturbed acid grassland and arable margins). The change of 0.53% of the SNCI from tall ruderal and scrub to hardstanding is unlikely to compromise the structure or function of the SNCI or the species it supports. As such, the applicant concludes that this impact is not significant.

Protected species

In terms of protected fauna, the applicant's Ecological Impact Assessment notes that the closest active badger sett is approximately 20m from the application site boundary.

As regards bats, walked transect surveys carried out by the ecologists in 2016, 2018 and 2019 recorded very low numbers of bats foraging in the vicinity of the application site. The most commonly recorded species were Common Pipistrelle. In both 2016 and 2019, an automated detector was positioned on the edge of the dense scrub and secondary woodland within the application site. In both years, this detector recorded the lowest number of bat passes out of the four detectors positioned around the wider FWA site. Common and Soprano Pipistrelle accounted for the majority of passes. The applicant also notes that Chapter 7 of the Environmental Statement for the Highways England DCO scheme, walked transect surveys carried out by Atkins in 2017 and 2018 produced similar results, with Common and Soprano Pipistrelle representing over 75% of all bat passes. Pockets of Serotine activity were also recorded in Elm Corner woods to the north. No bat roosts or high potential trees have been identified by either the applicant or Atkins within the application site boundary. However, it is acknowledged that there are a number of bat roosts within close proximity of the site boundary. The applicant notes that the bat assemblage within the zone of influence of the proposals is considered to be of local ecological importance. The applicant notes that impacts on bats during construction can be managed through the Construction Environmental Management Plan and for instance, ensuring construction takes place in daylight hours. As the development will only come forward as part of the DCO, the impact from the actual operation of the new road will be assessed and controlled through the DCO. As such, the impacts on bats can be managed and mitigated effectively.

In terms of Great Crested Newts, surveys carried out by the ecologists in 2015, 2019 and 2020 for the wider FWA scheme confirmed the presence of four GCN breeding ponds off-site within the surrounding landscape. All four of these are located around 1km to the east and south-east of the application site boundary, and support 'small' populations of GCN. The applicant notes that it is possible that GCN use the scrub and woodland habitats within the application site during their terrestrial phase, although given the distance to the breeding ponds, numbers are likely to be very small. The applicant notes that given the distance from the application Site to the nearest known breeding ponds (1km), the risk to GCN is considered to be very low and a European Protected Species Mitigation Licence (EPSML) should not be required, providing that works proceed under a precautionary Environmental Working Method Statement (EWMS).

As regards other reptiles presence/likely absence surveys carried out by the ecologists in 2015, 2016 and 2019 recorded Grass Snake, Slow-worm and Common Lizard within the vicinity of the application site. Surveys carried out by Atkins in 2017 (Highways England, 2019a) also recorded all three species in the same general area. It is noted that Adder have been recorded historically, but no evidence of this species has been found in any surveys since 2015. It is noted that the clearance of tall ruderal and scrub vegetation has the potential to cause direct harm to reptiles, however, this will be avoided through the implementation of the applicant's EWMS. The precautionary working methods for GCN will also apply to reptiles. Adherence to these measures will reduce the risk of harm to reptiles to a negligible level.

The submitted Ecological Impact Assessment notes that subject to the implementation of the proposed impact avoidance and mitigation measures, the proposals will not have any residual significant negative effects on important ecological features, and will conform to all applicable nature conservation related legislation and policy. This will be secured through conditions.

Trees

For the majority of the site, the proposed layout has minimal impact on trees and the Arboricultural Officer does not raise an objection subject to conditions requiring tree protection measures. The roundabout element of the application does project within the 15m buffer zone allocated to the Ancient Semi-natural Woodland that lies to the north, outside the site. The intrusion is directly as a result of the need for the roundabout to lie within the DCO land take and the road arrangement being brought forward under that Order. The implementation of the roundabout need not result in direct harm to the retained trees and nor does it place a form of new land use proximate to the Ancient Semi natural Woodland that would give rise to its harm above that already created by the DCO land use.

Policy LNPEN2 of the Lovelace Neighbourhood Plan states at point e) that any trees removed or lost as a result of development, other than those that are dead, dying or dangerous and of no ecological importance, should be replaced at a ratio of 2:1. Development affecting ancient trees should follow standing advice on ancient woodland and veteran trees. The tree removal required is also required for the DCO, and the area which contains the roundabout and stub does not require the removal of any further trees. As the application doesn't require further tree removal beyond that of the DCO, it would not be considered reasonable in this case to require the replacement tree planting.

Biodiversity net gain

Applying the DEFRA Metric 2.0 biodiversity net gain tool the proposed works would result in a loss of 1.84 biodiversity units using the post DCO 'future baseline'.

This loss would be offset, and a net gain provided offsite, on land to the east of the application site, in the applicant's ownership. An area of 0.4 ha of arable land would be converted to wildflower grassland and managed for biodiversity to achieve a 20% net gain.

Ecology assessment

The Council's ecology consultant states that the applicant's Ecological Impact Assessment has provided a full suite of surveys and has identified the likely impacts to arise on site to both habitats and protected species. They note that a detailed mitigation strategy has been provided which will ensure the favourable conservation status and protection of these species and habitats. As such, no objection is raised in this regard. The Council's consultant also acknowledges that the development will lead to a loss of 0.53% of the Wisley Airfield SNCI. Although it is in agreement that the habitat to be lost does not contain the citation features, the DCO application will also impact upon this SNCI. There will be a cumulative impact through these proposals and the emerging application for the wider strategic site. The loss of any SNCI habitat will need to be mitigated for. It is noted that 0.43ha of wildflower grassland will be created to offset the loss of biodiversity. It is therefore considered that this habitat should include citation features from the Wisley Airfield SNCI (if soil conditions permit), and include management prescriptions for the citation species including bats, reptiles and amphibians. While the loss of some of the SNCI is of course regrettable, with conditions to secure the mitigation, it is noted that no objections have been raised in this regard by the Council's ecology consultant.

Finally, regarding biodiversity net gain it is noted that the NPPF requires a net gain in biodiversity on all development sites. Policy ID4 of the LPSS requires that new development must aim to deliver gains in biodiversity. The accompanying Ecological Impact Assessment submitted by the applicant and the Biodiversity Metric 2 Calculations demonstrate that the development can achieve this. The calculation tool was assessed in accordance with details provided through the training provided by CIEEM on the Metric 2 and it is noted that the calculation will achieve the 20% net gain as identified.

Natural England have also been consulted on the application and raised no objection as long the applicant undertakes development in line with the mitigation detailed in the Construction Environmental Management Plan.

Habitats Regulations Assessment

The Council has undertaken a Habitats Regulations Assessment (HRA) as part of its assessment of the application. The proximity of the proposed development site to the Thames Basin Heaths SPA triggers the need for a HRA for potential significant effects of this designated site. The site lies within 175 metres and therefore this project should be subject to HRA screening in combination with other projects. The *HRA for Guildford Borough Proposed Submission Local Plan: Strategy and Sites (2017 update)*, which includes details on allocation A35 of the Local Plan, states that there is a requirement for an application level HRA. The two potential impacts identified include recreational disturbance and air quality. Although this application will not result in recreational impacts there is potential for reduction in air quality and therefore this needs to be addressed.

The applicant has submitted information in this regard which concludes that the stub road scheme is unlikely to result in significant adverse effects on the TBH SPA due to changes in air quality during the operational phase, either alone or in-combination with other plans and projects, including the DCO or scheme to come forward as part of the LPSS allocation. The Council's ecology consultant agreed previously under application 20/P/01708 that the information provided is considered to be sufficient to inform the HRA with the conclusion that there are no likely significant effects on the Thames Basin Heaths SPA from a reduction in air quality.

In conclusion, the proposal will lead to a loss of 0.53% of the Wisley Airfield SNCI which is regrettable. This harm will be assessed in the final section of this report. However, the loss is compensated for through the provision of a wildflower grassland on another part of the wider FWA site and the applicant's assurance that the proposal will deliver net gain in biodiversity of 20%. The impacts on other habitats and species can be mitigated. A benefit of the proposed application is that, having been designed to enable access to the proposed A35 allocation site, it could be constructed in conjunction with the Wisley Land Diversion element of the DCO scheme, such that any impacts associated with the construction phase would only arise once instead of twice. This is in accordance with the principle of mitigation hierarchy which is to design a scheme which avoids ecological impacts in the first instance.

The impact on flood risk and the proposed surface water drainage strategy

A Flood Risk Assessment and Drainage Plan form part of this application submission.

The application site lies entirely within Flood Zone 1 which is defined as land assessed as having a less than 1 in 1,000 annual probability of flooding. The NPPF and Planning Policy Guidance (PPG) confirm that all types of development are appropriate within this Zone in terms of flood risk.

In terms of Surface Water, the Environment Agency's online mapping shows the site of the roundabout, stub road and priority junction is not affected by any predicted flow pathways or ponding areas.

A drainage strategy has been identified which draws on the Wisley Lane Diversion drainage strategy. Only preliminary design information is available from Highways England at present, as the details will come at a later stage. Nevertheless, the submitted Flood Risk Assessment details a drainage strategy for the application site to demonstrate viability for planning purposes. The strategy comprises of online box culverts with sufficient storage to cater for the 1 in 100 (1%) annual probability rainfall events with a 40% allowance for climate change. Dual stage controls are included to mimic the 1 in 1 year and 1 in 100 year greenfield runoff with 40% climate change allowance.

The Flood Risk Assessment has been considered by the Lead Local Flood Authority who have advised that they have no objection, subject to conditions to secure the detailed design and future maintenance of the SuDS scheme.

The submitted FRA and Drainage Plan demonstrate that the proposal would not increase surface water run-off. The proposal there complies with policy P4 of the LPSS which requires that "all development proposals are required to demonstrate that land drainage will be adequate and that they will not result in an increase in surface water run-off" and LNP policy LNPEN3 which requires developers to provide a surface water plan for major proposals.

The impact on heritage assets

Conservation areas and listed buildings

Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.' Section 72 of the same Act calls for special regard to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. This duty under section 72 applies only to development within a conservation area.

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16 of the National Planning Policy Framework sets out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in this section. Paragraph 195 sets out that 'local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'. Paragraph 199 of the NPPF states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Paragraph 200 goes on to note that 'any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'. This applies to all designated heritage assets, including conservation areas.

Historic England (HE) have been consulted on the application. They did not wish to offer any comments and suggested that the views of the Council's specialist conservation and archaeological advisers were sought.

There are a total of seven listed buildings, one Registered Park and Garden, and three conservation areas within a 1km radius of the site. These are:

- walls and gates to Ockham Park (Grade II) – Listed Building
- RHS Wisley Gardens offices (Grade II) – Listed Building
- Chimneys (Grade II) – Listed Building
- Park Cottage (Grade II) – Listed Building
- Millwater (Grade II) – Listed Building
- Millstream House (Grade II) – Listed Building
- barn 30m NE from Bridgefoot Farm House (Grade II) – Listed Building
- RHS Wisley – Grade II* - Registered Park and Garden

- Ockham – Conservation Area
- Ockham Mill – Conservation Area
- Ripley – Conservation Area

These are sited approximately 830m (NW), 830m (S) and 980m (SW) from the application site, respectively.

The Council's Conservation Officer raises no objection and raises the following comments.

In approaching an assessment of the impact (if any) of the proposed development on the setting of the listed building there are two principal factors to be taken into account. First, the architectural quality or interest of the listed building itself is a material consideration in assessing the setting of that building. The nature and character of the listed building is clearly an important factor in judging its setting. Secondly, it is necessary not only to consider the listed building itself but also the nature and appearance of the existing surroundings of the listed building immediately prior to the proposed development being carried out.

It is not considered that any of these heritage assets would be affected by direct physical change rather any likely affect would be to their setting. Therefore, it is necessary to assess the nature, extent and importance of the significance of a heritage asset and the contribution of its setting.

The heritage asset mostly likely to be affected by such matters is the Registered Park and Garden of RHS Wisley. Although physically close at approximately 130m to the north west of the site, RHS Wisley has no real relationship with the application site which falls outside its setting, by virtue of intervening A3 in particular and also from existing mature trees. The gardens are already subject to significant levels of road traffic noise from the A3 which impacts on its character and how the asset is experienced. It is not considered that any additional noise, vibrations and light spill from the proposed development would be that significant to distinguish amplified harm. Any impacts in this regard from the construction phase would be of a temporary nature and hard to distinguish from the construction phase of the DCO. Ockham Mill and Ripley Conservation Areas as well as Millwater, Millstream House are also separated from the proposed development by the A3.

The listed barn at Bridgefoot Farm, approx. 1km to the south west of the application site draws its significance from its historic fabric and its close association with other listed buildings on Bridgefoot Farm. It is not considered that the application site makes any contribution to the setting and the proposed development would not result in harm to the asset.

The wall and gates to Ockham Park, being sited approximately 700m to the south of the application site, draw their significance from their architectural form and association with Ockham Park. The Ockham Conservation Area, Chimneys and Park Cottage also draw their significance from their fabric, form and setting within the historic core of the settlement of Ockham and Ockham Park and it is not considered that these contributing factors would be affected by the proposal.

In conclusion it is considered that there would not be any harm caused to the setting of the identified heritage assets as a result of the proposed development.

Archaeology

In accordance with the policy requirement the application is accompanied by a desk-based assessment. This considers the site to have a generally low-moderate potential for archaeological remains dating from the earlier prehistoric and Bronze Age periods with a low potential for later periods based on the fact that are few recorded archaeological sites or finds listed on the Historic Environment Record (HER) within the vicinity.

However, the County Archaeologist suggests that with recent archaeological work carried out in the vicinity the potential for prehistoric archaeology is moderate rather than low. It is therefore considered that there is the need for further archaeological work, in line with the National Planning Policy Framework and Local Plan policy. The application site forms part of the planned Junction 10/A3 interchange scheme for which a detailed programme of archaeological evaluation would be required. As the current proposal would not be implemented except as part of the wider DCO scheme a condition would be necessary to ensure that the required evaluation work is conditioned to be carried out prior to the commencement of development.

The report also notes that the historic Parish boundary between Wisley and Ockham runs through the site and appears to survive as an earthwork within an area of dense vegetation. This feature will need to be archaeologically recorded but the report suggests that this feature may be considered as an Important Historic feature under the 1997 Hedgerow Regulations and so further expert advice will be required as to the significance of this feature and whether further work is required to satisfy the regulations. The further investigation work, and any appropriate recording of this information can be captured under the archeological condition.

No harm has been identified to any heritage assets, and therefore the proposal is in accordance with policy D3 of the LPSS and HE12 of the Local Plan 2003.

Planning balance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions to be taken in accordance with the development plan unless material considerations indicate otherwise. This requires a broad judgement regarding whether the development accords with the plan read as a whole.

Paragraph 11 of the NPPF also states that 'plans and decisions should apply a presumption in favour of sustainable development...For decision-taking this means...approving development proposals that accord with an up-to-date development plan without delay'.

The proposal is in accordance with the specific site access requirements of policy A35, as well as the Strategic Development Framework Supplementary Planning Document which recognises that the access for the Airfield will be from the realigned Wisely Lane. No significant conflict with relevant Development Plan policies arise, and so it can be concluded that the development accords with the plan when read as a whole.

Notwithstanding this, it is noted that the all the harms identified above must be considered and balanced against the benefits of the proposal. For clarity, weighting is used in the following order, with the highest level of weight at the top and the lowest level of weight at the bottom:

- substantial
- considerable
- significant
- moderate
- modest
- limited
- little

Harm

The proposal would result in some harm to the amenities of neighbouring dwellings at Elm Corner. However, this would be mainly during the construction phase, when there will also be activity present on the site from the work associated with the DCO. As such, the impacts resulting from this proposal will be limited. Due to the limited nature of this harm as set out above, this is afforded **modest weight** against the proposal.

The development will lead to a loss of 0.53% of the Wisley Airfield SNCI. However, it is noted that Natural England do not object to the proposal and the Council's ecology consultants also raise no concerns. In addition, it is noted that the loss of a small section of the SNCI would be somewhat offset by the 0.43ha of wildflower grassland that will be created as part of the development. **Moderate weight** is afforded to this harm.

Benefits

Constructing the roundabout and stub road simultaneously with the Wisley Lane Diversion (which forms part of the DCO) would limit construction impacts on the local community and RHS Wisley and ensure that they are built at the same time to avoid digging up the Wisley Lane Diversion which will have only just been constructed. This accords with the economic objective of coordinating the provision of infrastructure set out in NPPF paragraph 8. This benefit is afforded **significant weight**.

The application unlocks potential to develop the land covered by the A35 allocation, by delivering a key piece of infrastructure. This would help to bring forward development in accordance with the spatial strategy outlined in the LPSS. This benefit is afforded **moderate weight**.

It is noted that the proposal includes a new area of wildflower grassland and an overall biodiversity net gain. **Moderate weight** is afforded to this matter.

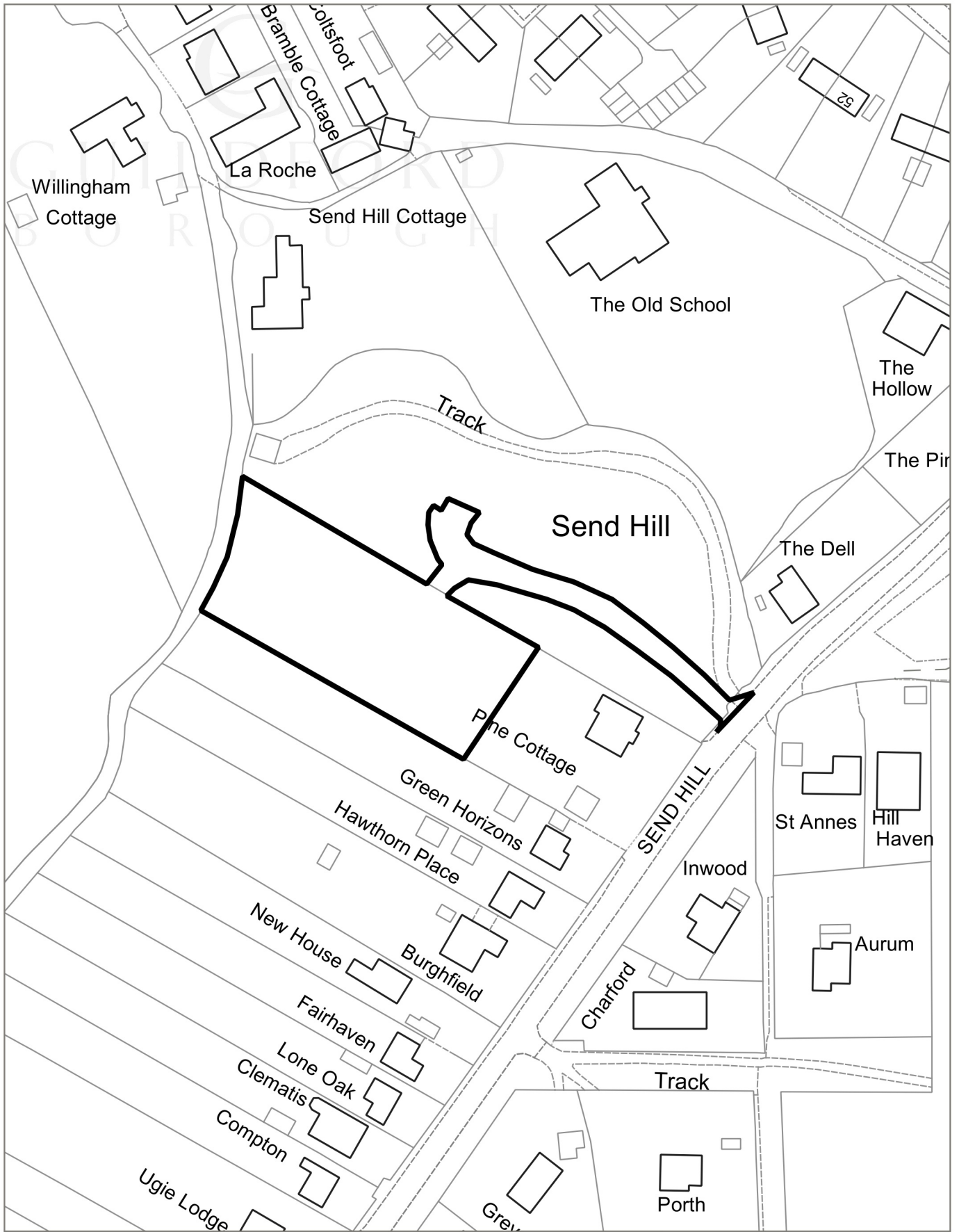
Conclusion

The proposal is in accordance with the specific site access requirements of policy A35, as well as the Strategic Development Framework Supplementary Planning Document which recognises that the access for the Airfield will be from the realigned Wisley Lane. Therefore, it is in accordance with an up to date development plan in this regard and benefits from the statutory presumption in section 38(6) of the Planning and Compulsory Purchase Act 2004, and from the presumption in favour of sustainable development paragraph 11(c) of the NPPF, as well as according with the plan-lead approach to planning decision making (NPPF para. 15).

The balance which has been undertaken concludes that the benefits of the proposal do outweigh the limited identified harm and therefore, planning permission should be granted.

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21/P/01658 - Pine Cottage, Send Hill, Send, Woking



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GUILDFORD
BOROUGH

21/P/01658 Pine Cottage, Send Hill, Send, Woking GU23 7HR



Not to scale



App No: 21/P/01658
Appn Type: Full Application
Case Officer: Kelly Jethwa
Parish: Send
Agent :

8 Wk Deadline: 08/12/2021

Ward: Send
Applicant: Mr C. White
Antler Homes PLC
Portland House
Park Street
Bagshot
GU19 5AQ

Location: Pine Cottage, Send Hill, Send, Woking, GU23 7HR
Proposal: Proposed erection of 5 dwellings (1no. 2 bed, 2no. 3beds and 2no. 4 beds) with access through the development to the north east approved under application 19/P/00721 along with all associated works.

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 site is located to the north western side of Send Hill. The site is 0.3ha in area and comprises a large part of the residential curtilage to Pine Cottage; a single detached dwelling with detached garage. Mature hedgerows form a boundary treatment to the south western and north eastern boundaries.

To the south east of the site is Pine Cottage which is not included in the application site, whilst to the north west of the site is open countryside designated as Green Belt. Immediately to the south of the application site adjoins other private residential gardens. To the north east, on adjoining land, residential development is under construction for a scheme of 8 dwellings (19/P/00721).

The site is on land inset from the Green Belt and within the 400m to 5km buffer zone of the Thames Basin Heaths Special Protection Area (TBHSPA). A public right of way (PROW) runs along the north western boundary.

The proposal would result in the sub-division of the rear garden of Pine Cottage and construction of two-storey housing comprising 3 detached homes and a pair of 2 semi-detached properties. Access via the northern adjacent site would be utilised and serve both developments.

Summary of considerations and constraints

A previous planning application for four dwellings (with an alternative access directly to Send Hill) was submitted in 2019 and refused planning permission (19/P/01686, see 'Relevant Planning History').

Some harm is identified from the loss of the open/undeveloped nature of the site, appreciable from the PROW passing the site to the rear. However, the visual amenity of the site would be maintained from the retention of mature tree and hedgerows along the boundaries.

The proposal would provide a net increase of 5 dwellings contributing to meeting the Council's housing need. The proposed dwellings are designed to meet Nationally Described Space Standards (NDSS).

The proposal represents a well-designed scheme that would respect and complement the context and identity of the settlement. The provision of housing in a sustainable location, and which complies with development plan policies.

Subject to conditions and a S.106 Agreement committing to the Heads of Terms noted below, the application is deemed acceptable and is recommended for approval.

RECOMMENDATION:

Subject to a Section 106 Agreement securing:

(i) That a S106 Agreement be entered into to secure the provision of SANG and SAMM Contributions in accordance with the formula of the updated tariff

If the terms of the S106 or wording of the planning condition 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.

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

(iii) That should a satisfactory legal agreement not be completed, the application be refused by the Head of Place, as there would be no mitigation for the Thames Basin Heaths Special Protection Area.

the decision is to:

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:

Ant23365-01
PI-10

Proposed tree survey plan
Proposed site location plan

PI-11	Proposed site block plans
PI-12	Existing site plan
PI-13	Proposed site plan
PI-14 - plot 1 & 2	Proposed ground floor & first floor plans
PI-15 - plot 1 & 2	Proposed elevations
PI-16 - plot 3	Proposed ground floor plan & first floor plans
PI-17 - plot 3	Proposed elevations
PI-18 - plot 4	Proposed ground floor & first floor plans
PI-19 - plot 4	Proposed elevations
PI-20 - plot 5	Proposed ground & first floor plans
PI-21 - plot 5	Proposed elevations
PI-22	Proposed street scenes
PI-23 - plot 1/2	Proposed elevations

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 commence until a Construction Transport Management Plan (CTMP) including layout plan shall be submitted to and approved in writing by the Local Planning Authority, to include details of:
- a) parking for vehicles of site personnel, operatives and visitors;
 - b) loading and unloading of plant and materials;
 - c) storage of plant and materials;
 - d) measures to prevent the deposit of materials on the highway;
- The CTMP measures shall be implemented and maintained for the course of the development works.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. This is required to be a pre-commencement condition as the details go to the heart of the planning permission as the impact on the highway will be on commencement of any construction activity.

4. No development shall commence until a Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority that demonstrates how waste generated from construction and excavation activities would be dealt with in accordance with the waste hierarchy. The Site Waste Management Plan will subsequently be kept up-to-date throughout the development process in accordance with the established methodology.

Reason: To ensure that the development takes waste hierarchy into account to manage waste. It is considered necessary for this to be a pre-commencement condition because waste will begin to be generated as soon as any development commences on the site.

5. No development (including groundworks and demolition) and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until all tree protection measures have been installed in accordance with the Arboricultural Method Statement and Tree Protection Plan prepared by ACD Environmental, dated 21st July 2021. The tree protection measures shall be maintained for the course of the development works.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality. It is considered necessary for this to be a pre-commencement condition because the adequate protection of trees prior to works commencing on site goes to the heart of the planning permission.

6. Prior to the commencement of development above the damp proof course (dpc) level, a written schedule including source and manufacturer for details and samples of the proposed external facing and roofing materials including colour and finish shall be 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.

7. Prior to first occupation of the development hereby permitted a landscape and ecological management plan (LEMP), including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the Local Planning Authority.

Depending on the time period between the completed ecological surveys and the commencement of development activities, updated survey works may be required prior to drafting this plan. The plan shall also include the additional elements listed below:

- a) aims and objectives of the management plan
- b) description of the ecological features of the site to be managed and habitat condition to be achieved.
- c) timings of maintenance activities and ecological considerations (e.g. avoiding bird nesting season when carrying out vegetation clearance/tree works)
- d) details of the ecological enhancements recommended in section 5.2 of the submitted Ecological Impact Assessment prepared by David Archer Ass. dated 11.09.2021.
- e) all native planting is to be of local provenance.

The LEMP shall be implement in accordance with the approved details and thereafter maintained.

Reason: to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site.

8. Prior to first occupation, written details and plans of the following landscaping works shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. This scheme shall include:
- a) all new tree and hedge planting
 - b) positions, height, species, design, materials and type of boundary treatment(s);
 - c) hard surfacing materials;

Development shall be carried out in accordance with the approved details and shall be maintained.

All landscaping work (with the exception of planting, seeding and turfing), shall be carried out prior to the occupation of any part of the development. Any trees or plants whether new or retained which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species in the same place.

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

9. 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. PL-13, for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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

10. The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with the approved plans Drawing No. PL-13, for the secure parking of bicycles within the development site. Thereafter the parking for bicycles shall be retained and maintained for their designated purposes.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to travel by means other than private motor vehicles.

11. 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.

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 'Climate Change, Sustainable Design, Construction and Energy' SPD 2020.

13. The development hereby permitted shall be constructed in accordance with the measures in the 'Sustainability and Energy Statement' prepared by Bluesky Unlimited dated 20.07.2021 and achieve or improve upon the standards set out in those documents. The development shall be built in accordance with the approved details and thereafter maintained.

Reason: To ensure that the development would reduce carbon emissions in accordance with the energy hierarchy.

14. No demolition, construction or engineering works, (including land reclamation, stabilisation, preparation, remediation or investigation), shall take place on any Sunday, Bank Holiday or Public Holiday, and such works shall only take place between the hours of 08:00 to 20:00 weekdays and 08:00 to 13:30 Saturdays. No plant, machinery or equipment associated with such works shall be started up or operational on the development site outside of these permitted hours.

Reason: To protect the amenity of adjoining properties and roads and so that the development should not prejudice highway safety nor cause inconvenience to other highway users.

15. The window in the flank, facing south elevation of plot 3 of the development hereby approved shall be glazed 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.

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

Officer's Report

Site description.

The application site comprises an area of open land associated with a residential plot located on the north western side of Send Hill known as Pine Cottage.

The site is currently a large part (~60%) of the rear garden for Pine Cottage which is a detached dwellinghouse with associated detached garage. The development site is linear and rectangular in shape (extending to 115 meters in depth) and covers an area of 0.3 hectares. The proposals will retain the existing property and associated garage within a smaller garden.

The land is, at present, laid to lawn and contains a number of small shrubs and trees. The site includes an access ribbon which runs through the adjoining site to the north which is under development linking the development area to Send Hill via an existing vehicular entrance. A public right of way runs to the north-west of the site.

The site is located in the village of Send and has been inset from the Green Belt. The site lies within the 400m to 5km buffer zone of the Thames Basin Heaths Special Protection Area.

The site is located in Flood Zone 1.

Proposal.

The erection of 5 no. residential dwellings with the associated vehicular and pedestrian access via the development to the north east approved under application 19/P/00721 with associated works including car parking, secure cycle storage and landscaping.

Housing mix

1 x 2 bed
2 x 3 bed
2 x 4 bed

Comprising 3 detached properties and 2 semi-detached properties.

Parking

12 spaces provided, each unit will be provided with 2 spaces and an additional 2 visitor spaces are provided.

Building Heights

Due to the topography of the site, the following building heights are proposed:

Plot 1 = 9m
Plot 2 = 8.6m
Plot 3 = 9m
Plot 4 = 8m on front elevation, 9.2m on rear elevation.
Plot 5 = 8m on front elevation, 9m on rear elevation

Relevant planning history.

Reference:	Description:	Decision:	Appeal:
19/P/01686	Proposed erection of four new detached two storey dwellings.	Refused 18/10/2019	

The reasons for refusal were as follows:

1. The proposed development would, by virtue of its design, location and positioning, including the access road, extent of the hardstanding, plot sizes and limited landscaping, result in an undesirable and unacceptable form of backland development, which is out of keeping and detrimental to the established pattern of linear development in the area. As such the development is out of character with and would result in significant demonstrable harm to the prevailing character of the surrounding area. The proposal is, therefore, contrary to policies H1 and D1 of the LPSS, 2015-2034, policy G5 of the saved Local Plan, 2003, the National Design Guide, 2019, the Residential Design Guide, 2004 and the requirements of the NPPF, 2019.

2. The proposal would, by virtue of the positioning and proximity of the access road combined with the intensity of use, result in an arrangement which is detrimental to the peace and quiet of the neighbouring property Green Horizons. Further, as a result of the proposed positioning of the dwellings, in particular, Plots 1 and 2, combined with the proposed removal of boundary vegetation between the application site and this neighbouring property, would result in a harmful loss of privacy. Therefore, the proposal is contrary to policy G1(3) of the saved Local Plan, 2003 and the requirements of the NPPF, 2019.

3. The proposal fails to provide sufficient arboricultural information to either justify removal of the proposed trees or demonstrate that the proposal would not cause damage to the neighbouring trees, therefore, the proposal is contrary to policy NE5 of the Guildford Borough Local Plan, 2003 (as saved by CLG Direction on 24/09/2007).

As well as a reason for no legal agreement.

[Officer Note: The Council is currently in the process of determining an application for a single dwelling on land immediately adjoining the application site to the south east of this application site, planning reference 21/P/01925.

However, this has yet to be determined and is a separate application not linked in any way to this proposal and therefore both applications are to be considered on their own merits.]

[Officer Note: Planning permission was granted at appeal for the development of 8 dwellings to the land immediately adjoining the application site to the north, reference 19/P/00721. The access to the development of 5 dwellings subject to this planning application would be provided from this development.]

Key findings of the inspector from the appeal which was granted included;

- Existing dwellings found along Send Hill are a mix of building styles and heights, including bungalows, chalet style bungalows and two storey dwellings. The proposed scale, form, design, and materials would not be out of character with other buildings on Send Hill.
- It is considered that some degree of green openness would be preserved as well as openness along the proposed shared access, which could be sensitively surfaced. For these reasons it was concluded that the proposed development, although it would mean the loss of the current view of open grassland, would not significantly contradict the principles of Site ETH_068 and in due course would add mature trees and hedges aiding the green and rural character of the Send Hill Character Area E as described in the NP. It would not be so detrimental to visual amenity as to justify refusal.
- The impacts of the proposals on the character of the area would not be harmful in planning policy terms.
- Whilst Guildford enjoys a healthy land supply, the proposal would add to the supply of housing in accordance with the Government's objective of significantly boosting the supply of homes. There would be economic benefits during construction and additional spend in the local economy. More residents would support the local community in line with the NP vision that Send Parish will be vibrant and sustainable with a distinct character, good facilities, a strong sense of community and retain a rural village feel with an enhanced local centre and a mix of housing types for all.
- The distances of the proposed houses from the windows and gardens of other dwellings combined with the orientation of the proposed houses and the retention of trees and hedges would ensure that the privacy of occupiers of adjacent properties would be sufficiently protected in planning terms. I acknowledge that nearby residents would prefer to keep their current view across open land. However, a view by residents of other houses and gardens is not unacceptable in planning terms.
- Send Hill narrows towards the south west but in the vicinity of the appeal site is wide enough for two vehicles to pass. There is a mix of verge and paved footpath on the opposite side of the road and a verge adjoining the appeal site. Satisfactory visibility splays can be provided at the entrance and parking spaces to meet the Vehicle Parking Standards would be provided for each house. Occasional visitor parking could be accommodated along the access road. Neither the Council or the Highway Authority raise objections on highway safety grounds and I find no compelling evidence to conclude otherwise.

[Officer Note: The planning history of Pine Cottage has not been recorded here as the dwelling is not within this application site boundary.]

Consultations.

Statutory consultees

County Highway Authority: The proposed development has been considered by The County Highway Authority have assessed the application on safety, capacity and policy grounds, and recommend conditions regarding the following be imposed in any permission granted: visibility, parking and turning, Construction Transport Management Plans, electric charging, bicycle parking.

Natural England: confirm, Natural England has been consulted on an Appropriate Assessment for the application in accordance with Paragraph 63 (3) of the Conservation of Habitats and Species Regulations 2017. No objection raised, subject to appropriate mitigation being secured.

No objection to this application, as long as the relevant avoidance and mitigation measures specified in the Appropriate Assessment are secured and that as long the applicant is complying with the requirements of Guildford's Avoidance and Mitigation Strategy for the Thames Basin Heaths SPA (through a legal agreement securing contributions to Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM). Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Thames Water: No comment received.

Internal consultees

Head of Environmental Health and Licensing: No objection Recommend informative on construction site noise.

Recycling and Refuse: Confirmed no objection.

Tree officer: Confirmed no objection to the proposals, subject to condition.

Parish Council

Send Parish Council: Object due to the following reasons:

- not an allocated site in the Guildford Borough Local Plan, and therefore the site is windfall and there is no demonstrated need for additional homes in this location.
[Officer Comment: Not being an allocated site does not mean that there is an objection in principle to the proposal]
- The proposals fail to reflect the character of the area which is at odds to the linear character of the surroundings owing to the 'small estate style of development'.
- Over development of the plot and the density of housing in the application is considered too high in comparison to the current layout of housing in Send Hill.
- Results in a change of the character of the street scene.
- The proposed properties that would face south-east would overlook neighbouring gardens result in the reduction of privacy and amenity.
- Cumulative impact of infill development on the parish, and the reduction in buffer for 5 year housing land supply from 20% to 5% since the Local Plan was adopted.

- size and mix of housing is considered inappropriate when the SNDP will be looking for housing development in Send Parish to deliver at least 80% of the dwellings as a mixture of 1-3 bedroom units
- access to this development is proposed at one of its narrowest points in Send Hill which can cause issues such as traffic congestion or poor visibility.
- Proposals will result in the removal of many trees causing a loss of wildlife habitat.
- Requests that the LPA ensures that no damage is caused to the Thames Basin Heaths SPA.

Third party comments.

26 letters of representation have been received raising the following objections:

- Impact on privacy and amenity of adjacent properties.
- The site is not allocated for housing.
- Sets a precedent for further backland development.
- Traffic congestion.
- Increase in pressure on local facilities, utilities and infrastructure.
- Loss of amenity space / garden enjoyed by Pine Cottage.
- Lack of affordable housing – 13 houses now proposed, 10% rule needs to be applied.
- Overdevelopment.
- Out of character.
- Loss of trees / hedgerows and impacts on fauna.
- Loss of amenity greenspace.
- Loss of habitats.
- Noise and air pollution.
- Impacts during construction phase.
- Lack of details on landscaping.
- Impact on the Thames Basin Heaths SPA.
- [Officer Comment: Natural England have confirmed they are satisfied with the proposals, providing that appropriate mitigation payments are secured].
- Green belt being built on.
- [Officer Comment: The land has now been inset from the Green Belt and is no longer protected by this designation].
- Lack of notification of proposals and no consultation with future occupiers of adjoining scheme.
- [Officer Comment: The application has been subject to standard statutory consultation processes with neighbour notification and 21 days to comment on the proposals. The scheme does not detail local pre-submission engagement but, while encouraged by the NPPF, it is not a mandatory requirement].

Planning policies.

National Planning Policy Framework (NPPF):

Chapter 5: Delivering a sufficient supply of homes.

Chapter 12: Achieving well-designed places.

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

Planning Practice Guidance (PPG)

National Design Guide (NDG)

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

S1: Presumption in favour of sustainable development
H1: Homes for all.
H2: Affordable homes
P5: Thames Basin Heaths Special Protection Area.
D1: Place shaping.
D2: Climate change, sustainable design, construction and energy.
ID1: Infrastructure and delivery.
ID3: Sustainable transport for new developments
ID4: Green and blue infrastructure.

South East Plan 2009:

NRM6 Thames Basin Heath Special Protection Area

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

G1 General Standards of Development
G5 Design Code
R5 Protection of Open Space
NE4 Species Protection

Neighbourhood Plans:

Send Neighbourhood Development Plan, 2019-2034:

Policy Send 1 – Design
Policy Send 2 – Housing Development
Policy Send 4 – Green and Blue Infrastructure
Policy Send 7 – Supporting Sustainable Transport
Policy Send 8 – Car Parking Provision

The Plan was adopted following its approval via referendum on 6th May 2021

Supplementary planning documents:

Residential Design Guide, 2004.
Vehicle Parking Standards, 2006.
Thames Basin Heaths Special Protected Area Avoidance Strategy, 2017
Climate Change, Sustainable Design, Construction and Energy, 2020.

Planning considerations.

The main planning considerations in this case are:

- the principle of development
- housing mix
- living environment
- the impact on the scale and character
- the impact on neighbouring amenity
- sustainability
- impact on trees and vegetation
- impact on protected species
- highway/parking considerations

- Thames Basin Heaths Special Protection Area
- legal agreement

The Principle of Development

For the purposes of Policy P2 of the Guildford Borough Local Plan: Strategy and Sites 2019 having been removed from the Green Belt following the adoption of the Local Plan. As the site is not within the Green Belt there is no requirement to assess the proposal against restrictive Green Belt policies.

Within the Send Neighbourhood Plan, Policy Send 2 sets out that development within the settlement of Send inset from the Green Belt will be supported subject to the proposals reflecting the settlement character and pattern and which avoids increase pressure on community and transport infrastructure. Design and infrastructure comments will be provided in the following sections.

The site is currently residential curtilage and is not within an area designated by the local plan. Given the site is partially a private rear garden, the land is not public open space. Policy ID4 seeks to protect all open space within urban areas that provides opportunities for recreation and sport. The scheme would retain a sufficient area of garden for the existing house.

Therefore, the principle of residential development on the site is acceptable.

Housing mix

Overall Housing Mix	No.	SHMA % Req	Provided %
1 bed	0	20	0
2 bed	1	30	20
3 bed	2	35	40
4 bed	2	15	40
Total	5		

Policy H1(1) of the LPSS is not intended to be applied in a prescriptive manner. It is a broad assessment of the needs required over the plan period and should be used to guide development proposals. However, in applying the mix as set out in the latest Strategic Housing Market Assessment (SHMA) consideration needs to be given to site specific matters which together would shape the appropriate mix on particular sites. The Send Neighbourhood Plan (SNP) supports the application of policy H1 and does not have a separate housing mix that needs to be applied.

Whilst there is an identified need for two and three bedroom homes, there is a requirement for four bedroom properties, and it is of note that the surrounding area is comprised of larger properties. Taking this into account, and the small scale of the development, on balance it is considered to be acceptable in this instance.

Living environment

Policy H1(3) 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 creation of 3 x 2 bedroom, 2 x 3 bedroom and 3 x 4 bedroom properties.

The applicants have confirmed that the development meets the National Prescribed Space Standards.

	NDSS min. GIA (storage area)	Proposed min. GIA (storage area)
Plot 1: 3 bed, 6 person	95sqm (2.5sqm)	114.64sqm (2.7sqm)
Plot 2: 2 bed, 4 person	79sqm (2sqm)	88.74sqm (2.09sqm)
Plot 3: 3 bed, 6 person	95sqm (2.5sqm)	113.71sqm (2.7sqm)
Plot 4: 4 bed, 8 person	117sqm (3sqm)	178.92sqm (2.4sqm + wardrobes)
Plot 5: 4 bed, 8 person	117sqm (3sqm)	178.92sqm (2.4sqm + wardrobes)

All the proposed dwellings would exceed the minimum space standards in terms of floor area, there are also further requirements in terms of bedroom sizes and dimensions, and it is found that the dwellings would also meet with these requirements.

The proposed garden areas would provide adequate outdoor amenity space. The retained element of the rear garden of Pine Cottage would also be adequate.

Therefore, the proposal is acceptable in this regard.

Impacts on Character and Appearance

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 Council's Open Space, Sport and Recreation Assessment 2017 identifies open space types throughout the Borough. The Assessment of Sites for Amenity Value 2017 document identifies the site within ETH_086. Part of that 'site', land adjacent to the north of this application site, is already being developed, whilst the land subject to this application for planning permission covers the remainder. Whilst the audit scored the site as having medium amenity value, the site classification did not result in the site being designated / protected as open space. The audit concluded that partial development of the site could potentially improve amenity value.

Impacts caused by development on ETH_086 were addressed by the Inspector considering the adjacent site who observed; *"Site ETH_086 has no direct recreational value as there is no public access onto it; has limited ecological value; but, as parts can be seen from either Send Hill or the footpath behind Pine Cottage, it has visual amenity value to nearby residents and passers-by."* Noting the lack of subsequent designation in the Local Plan the Inspector gave did not give significant weight to the loss of the undeveloped character of the adjacent site. Instead it was judged that *"the loss of the current view of open grassland, would not significantly contradict the principles of Site ETH_068"*, and development *"would not be so detrimental to visual amenity as to justify refusal"*.

This site draws comparisons as a screened, private garden area, which offers no public access and is not prominent in views from public vantage points along Send Hill. It is considered that the retention of the site's character cannot be given more than limited weight.

Meanwhile the constraints of the site and its surrounds weigh against allowing partial development with public access to a proportion of the site. It is not sufficiently large enough to provide an area of recreation, and such an approach would fail to make an effective use of land (having regard to paragraphs 119 and 125 of the NPPF).

By making use of the access approved as part of the neighbouring development the site would appear as an extension to that site which offers a more cohesive approach than the development of two separate forms as previously refused.

The immediate surrounding area is residential in character, with this part of Send Hill comprising a mix of building styles and heights, including bungalows, chalet bungalows and two storey dwellings. There is no uniform building height or character. The proposal would comprise traditional materials (to be conditioned), with design elements including tile hanging at upper first floor, brick detailing to the windows, coining, dropped roofs to reduce bulk and utilises both hips and gables to add visual interest. The scheme provides a mixed palette of building designs and materials to provide a unique and visually interesting small development.

Plots 1 and 2 are semi-detached dwellings located on the south eastern side of the site facing onto the access with their rear elevations facing the rear elevation of Pine Cottage. Plot 1 benefits from a gabled roof form which adds visual interest to the street, whilst plot 2 is set back from the front building line to appear subservient to reduce the sense of overbearing.

Plot 3 is a detached dwelling located on the south eastern side of the site, adjacent to the boundary with Green Horizons. This dwelling benefits from a hipped roof form, chimney and porch canopy. A single storey garage will be located to the south west of the dwelling dispersing the scale of development along the boundary with Green Horizons to reduce visual impact and sense of overbearing from the neighbouring rear garden through the setback achieved.

Plots 4 and 5 are detached dwellings that will be located on the north western side of the and will benefit from gabled roof ends taking reference from the existing dwelling at Pine Cottage with brick and tile detailing, chimneys and hipped roof forms above first floor windows. Both properties will benefit from square bay windows at ground floor to add interest.

The previous application for 4 dwellings was refused due to concerns regarding the design and layout of the development as well as the provision of a new access route. This amended proposal overcomes previous concerns owing to the new proposed layout and the removal of the access route along the shared boundary with Green Horizons.

The layout of the previous scheme resulted in the front elevations of dwellings facing directly on to the rear gardens of neighbouring dwellings to the south west of the development site. This layout revises proposals to reduce overlooking; no primary elevations face directly onto the rear gardens of adjoining properties. The inclusion of single storey garages along the boundary that abuts the rear garden of Green Horizons reduces the perceived bulk and scale of the development when viewed from the south west by providing a setback between the two storey dwellings and the boundary, ensuring a reduced sense of overbearing.

The use of the approved access route afforded by the development located immediately to the north of the site has removed the need for an additional access proposed by the previously refused application. As a result, the visual integrity of Send Hill and its linear character is preserved as the development makes use of an existing, established access.

Furthermore, the positioning of the proposals to the rear of Pine Cottage with dispersed trees in the rear garden would limit vantage points of the development when viewed from Send Hill. As a result, the proposals would not encroach upon or interfere with the pattern of the development along the street retaining its verdant open character and rhythm of development.

Due to the scale of the site, there is limited scope for open amenity space to be provided at the site. Nonetheless, a landscape buffer has been provided in the proposals on the north eastern and north western boundaries containing enhanced native planting and retaining trees. Parking has been located in the corners of the development and behind the building line, with some immediately available visitor parking provided as you enter the site in the line with the aspirations of the Guildford Residential Design Guide SPG. The existing mature hedgerow along the shared boundary with Green Horizons would be retained. Owing to the positioning of the dwellings, there will be a good level of overlooking and surveillance over the shared access reducing opportunities for crime and anti-social behaviour.

As was recognised by the Inspector when dealing with the site to the north, here the density of the proposed development would again be higher than the established properties. That is because many of the adjacent existing houses like Pine Cottage benefit from long rear gardens, however. This scheme would be similar in layout characteristics and density to 'Land off Send Hill' (19/P/00721) which has hitherto been found to be acceptable, and is considered to be a reasonable trade off between respecting existing characteristics and (again)making effective use of land.

The proposal comprises a well designed small housing scheme, which retains the visual amenity of the site through the retention of the strip of land to the north boundary, in addition to being located discreetly to the rear of the existing building line along Send Hill. The proposals will not encroach upon the Green Belt at the rear of the site and will respect the townscape of the local vicinity through design features that assimilate with those found in the surrounds. The proposed scale and form of development would not adversely harm the scale and character of Send Hill. Having regard to the National Design Guide it is clear that the proposals respond to local identity and context appropriately through design.

The proposals are therefore considered to be acceptable in this regard and are compliant with Policies H1, S1 and D1 of the Guildford Borough LPSS, Policies G1 and G5 of the Saved Policies of the Guildford Borough Local Plan 2003 and the Guildford Residential Design Guide SPG.

The impact on neighbouring amenity

The closest neighbouring properties are Green Horizons, Hawthorn Place and the retained dwelling at Pine Cottage.

Pine Cottage

Pine Cottage is located to the south east of the site. The rear elevations of Plots 1 and 2 will face the rear elevation of this property but with sufficient separation included between both the rear building lines of the proposed dwellings and the existing dwellings. In addition, there is sufficient space between the rear elevation of the proposed dwellings and the proposed boundary between Pine Cottage and the development. As a result there will be no significant adverse effects from loss of light, overlooking or privacy. No unacceptable harm through noise and disturbance is identified.

Green Horizon

Green Horizons is located to the south west of the site. Plots 3 and 4 will be closest to the shared boundary between the development and this adjoining property. The proposed dwellings will be separated from the rear garden of this property by a mature hedge and the proposed single storey garages. Owing to the positioning and orientation of the dwellings, there will be direct overlooking towards this property. Plot 3 will have one small first floor, side facing window onto the rear garden of this property, which would serve a bathroom. Given this window will not be used by a habitable room and (it would likely be fitted with obscured glass, however a condition requiring this is proposed) it is not considered to result any unacceptable impacts on the privacy of this neighbouring property nor overlooking. Plot 4 will not contain any windows on the side elevation facing this property.

Owing to the separation of the 2 storey dwellings with the shared boundary of this property, due to the positioning of the single storey garages and mature hedgerow between the proposed development and boundary, the proposals are not considered to result in an unacceptable sense of overbearing on this property and its rear garden. Whilst inevitably there will be some loss of outlook from the rear of this property and within the garden, it is not considered to result in a significant adverse effect to its residential amenity. Given the position of the proposed dwellings to the north east of this property it will not result in a loss of and sunlight.

Hawthorn Place

Hawthorn Place is a neighbouring property located to the other side of Green Horizons from the development. Given the significant separation distances between this property and Plots 3 & 4 of the proposed development it is not considered to result in any significant or harmful loss of privacy or impact on amenity at this property.

Properties under development to the North (19/P/00721)

The proposed development sits to the south east of the under construction development of 8 dwellings to the north. Owing to the positioning of the proposed dwellings and the dwellings under construction, no unacceptable loss of privacy or overlooking will arise. Given the mature hedgerows and trees between the two sites, the proposals will be well screened when viewed from the north and as such no adverse impacts on residential amenity have been identified.

No adverse impact to neighbouring residential amenity is identified. The application is therefore acceptable in this regard.

Sustainability

Policy D2 of the LPSS sets out that new dwellings need to achieve a 20% reduction in carbon emissions.

A fabric first approach has been undertaken by the applicant, as demonstrated within the supporting sustainability statement submitted alongside the application meeting Part L1A standards and improvements of U-Values of between 10% - 50% within different elements of the building fabric. Recycled and secondary aggregates will be used where possible, whilst any mineral waste from the proposed works will be reused and recycled to ensure waste minimisation in line with the aspirations of Policy D2.

New development is required to minimise waste, in accordance with the waste hierarchy. A commitment is made in the sustainability statement submitted with the application, however, no specific measures have been provided so a condition for further details would be appropriate to secure this.

With regards to water efficiency, measures have been incorporated to ensure water use is less than 110 litres per person per day including water efficient taps, toilets and showers, water meters and flow restrictors to ensure water pressure achieves optimum levels.

Climate change adaptations include the utilisation of traditional building methods to enable cooling conditions within the summer period with double glazing optimized to balance maximising winter solar gain versus minimising summer overheating. Permeable paving will be utilised to minimise runoff, with soakways and infiltration trenches to slow release water into the ground. Provision has been made for EV charging points.

Whilst the proposals do not make full use of solar gain through positioning the properties to face south, such would cause unacceptable impacts on neighbouring amenity and therefore on balance in this instance this is acceptable.

The impact on trees and vegetation

No objection is raised from the Council's Arboricultural Officer subject to condition which is attached to this recommendation.

The proposal would retain the trees and mature hedgerows to the site boundaries. Tree removals will be limited to two Douglas Fir for the access arrangement, which will in turn enable the retention and protection of the boundary English Oak tree. Given the high number of Douglas Fir trees on the shared boundary, the proposed removals will not lead to a detrimental impact on the landscape.

Root Protection Areas will be protected from construction activities with barriers erected to create a construction exclusion zone. Ground protection methods will be utilised where works will encroach upon the RPAs. The proposed driveways of Plots 1 and 5 will have a no dig surface to ensure sensitive construction can be carried out to protect the amenity of the trees.

The impact on protected species

An ecology report accompanies the application, setting out proposed mitigation measures. The site comprises amenity grassland with hard standing, scattered trees, hedgerows and ornamental planting which are of local level importance. Whilst no bats were recorded emerging from the site, it does have local value for foraging and commuting bats. As part of the mitigation, trees and hedge rows will be retained where possible and replanted where lost. Any vegetation will be cleared outside of nesting season to protect birds, whilst hedgehog links will be provided within new fencing. Ecologists will be brought to the site for advice if any protected species are encountered. In order to ensure the ecological value of the site is enhanced, the proposals incorporate additional native planting, the installation of wildlife boxes and a dedicated grass and log pile.

It is considered reasonable to attach a condition to ensure the development is carried out in accordance with the proposed mitigation to ensure the proposal would not result in harm to any protected species and would therefore be compliant with policy ID4 of the LPSS, 2015-2034, policy NE4 of the saved Local Plan, 2003 and the requirements of the NPPF, 2019.

Surrey Wildlife Trust (SWT) and Natural England have been consulted on the application. Natural England raise no objection subject to securing appropriate mitigation in line with the Council's adopted Strategy. SWT meanwhile advocate the use of a LEMP condition and this is agreed to be reasonable. A condition requiring this at the appropriate stage is included.

Highways and parking considerations

This application is accompanied by a Transport Note prepared by Paul Basham Associates (July 2021). This considers the existing highway conditions, infrastructure and impacts of the proposals including from additional traffic generation.

The proposal would use the existing access arrangement approved under planning application 19/P/00721, which will provide access from the north east of the site through the adjoining development onto Send Hill. The link to the adjoining development under construction will be provided through an existing gap in the hedgerow.

This proposal and the impacts of the development have been reviewed and concluded to be acceptable by Highways Officers at Surrey County Council who have confirmed that the proposals will result in a small increase in vehicle movements to and from the site and therefore will not result in a significant increase in vehicular trips on the surrounding highway network.

The proposal provides 12 parking spaces to serve 5 dwellings, this allows for 2 spaces per unit as well as 2 visitor spaces. Cycle parking is also proposed with 2 secure cycle parking spaces provided at each dwelling in the attached garages / outbuildings. Therefore the proposals are considered to be in line with the requirements of the Guildford Parking Standards SPD.

With regards to refuse and waste collection, comments have been made by the Refuse and Waste Officer at the Council which have been carefully considered. No objection was made to the proposals.

Thames Basin Heath Special Protection Area (TBHSPA) and Appropriate Assessment (AA)

The proposed development may adversely impact the TBHSPA due to the net increase in residential units at the site. The Council's adopted TBHSPA Avoidance Strategy 2017 requires a SANG contribution of £32,054.06 and an Access Management (SAMM) contribution of £3,795.24 to avoid any adverse impact in line with the tariff within the annual updating of off-site contributions document.

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. An AA has been produced and this would comply with standing advice from Natural England.

Legal agreement requirements

The three tests as set out in Regulation 122 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 5 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.

As set out above any subsequent section 106 legal agreement would require the applicant to make payment in line with the SANG and SAMM contributions as set out by the TBHSPA Avoidance Strategy 2017 and the associated tariff within the annual updating of off site contributions to Special Protection Area Mitigation and Open Space.

If the application was deemed to be acceptable, the Council is of the opinion that the TBHSPA requirements would meet the three tests set out above.

Conclusion

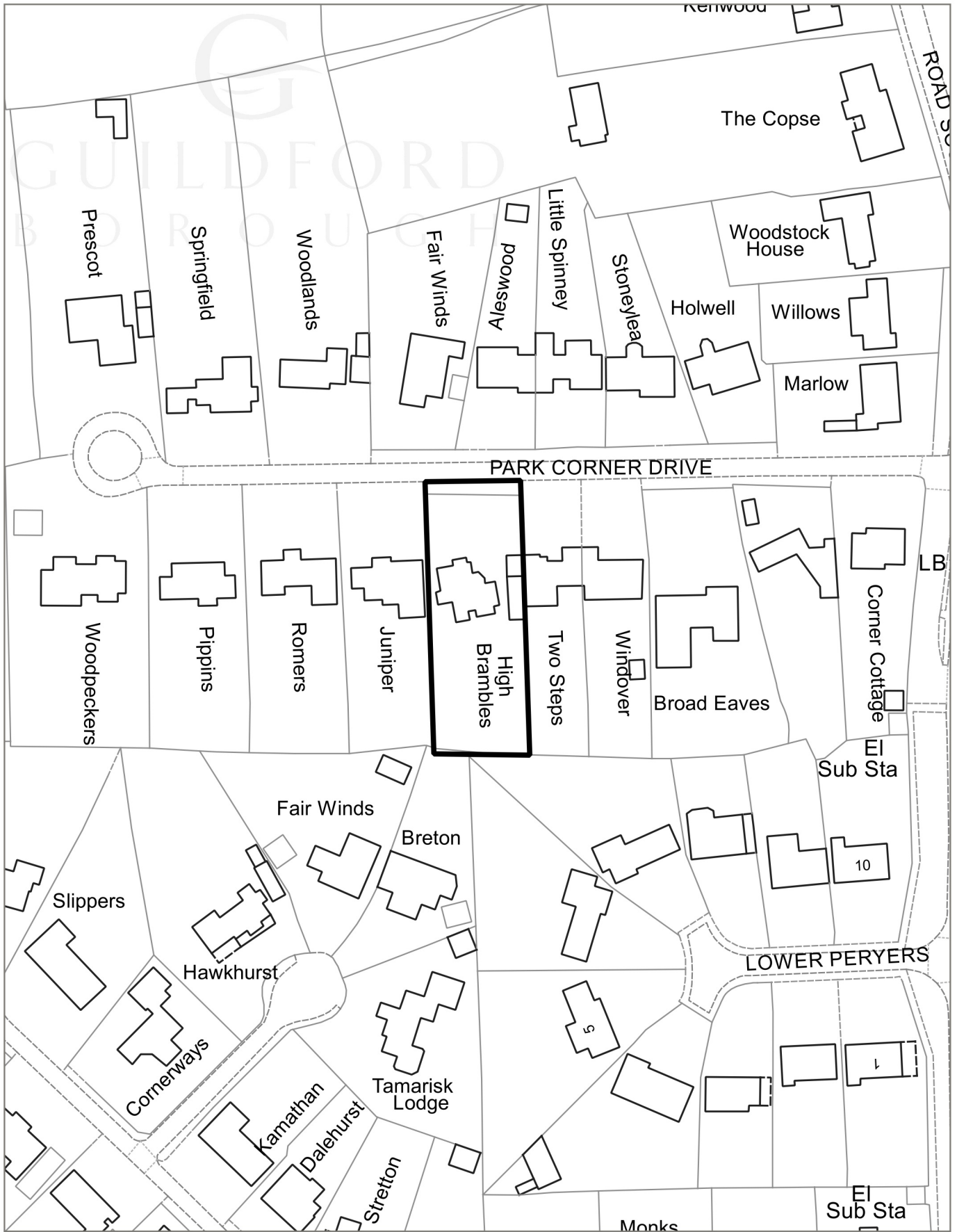
The site has been inset from the Green Belt. The site comprises privately owned open land within the curtilage of an existing dwelling and is in a sustainable location where residential development is acceptable in principle in line with development plan policies.

The land is part of a site which has been identified to have amenity value. The consideration by the appeal Inspector on the site to the north is noted, and the conclusions from that decision (referenced above) are a material consideration. The site is not visible directly from the street, with no public access. While it makes a limited contribution passing the site along the PROW to the north west in combination with development to the north any contribution the land makes, other than from the mature planting on the boundary (which would be retained in addition to the proposed landscape buffer) is not considered to be significant enough to warrant refusal when weighed against the benefits of the scheme.

The benefit of 5 additional dwellings would in the balance outweigh the limited identified harm. The scale, layout and design of the development is sensitive to its location and represent good quality design. No unacceptable harm is identified to residential amenity or in other respects subject to conditions and planning obligations.

Subject to the following conditions and a S106 agreement that secures appropriate mitigation for identified harm to the Thames Basin Heaths SPA the proposals are considered to be acceptable and planning permission should be granted.

21/P/01683 - High Brambles, Park Corner Drive, East Horsley, Leatherhead



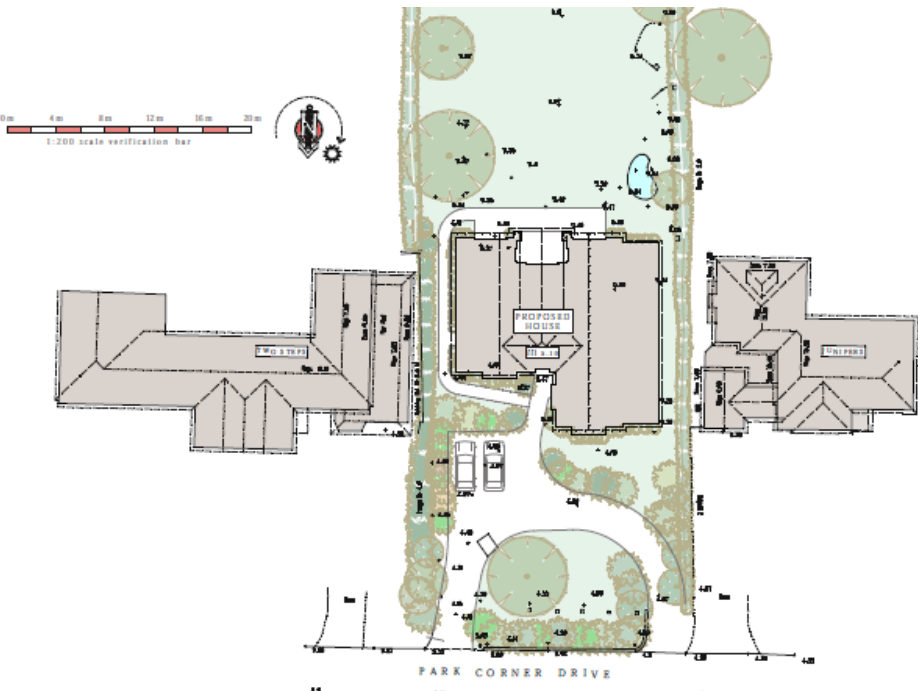
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Print Date: 17/11/2021



Agenda item number: 5(6)
21P01683 High Brambles Park Corner East Horsley KT24 6SE



Not to scale



App No: 21/P/01683 **8 Wk Deadline:** 27/09/2021
Appn Type: Full Application
Case Officer: James Overall
Parish: East Horsley **Ward:** Clandon & Horsley
Agent : Mr Bandosz **Applicant:** Mrs Larter
D&M Planning Ltd c/o Agent
1A High Street
Godalming
GU7 1AZ

Location: High Brambles, Park Corner Drive, East Horsley, Leatherhead, KT24 6SE

Proposal: Variation of condition 2 of planning application 20/P/01954 approved 06/01/21 to replace approved drawings with those submitted to create a part two storey part single storey rear extension.

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

Variation of condition 2 of planning application 20/P/01954 approved 06/01/21 to replace approved drawings with those submitted to create a part two storey part single storey rear extension.

The proposed plan amendments seek to extend the depth of the property to the rear by 2.99 metres.

Summary of considerations and constraints

This application is submitted under Section 73 of the Town and Country Planning Act (as amended). The provisions of Section 73 relate to the variation or removal of planning conditions attached to a grant of planning permission. The intention is that such matters would represent a minor material change to the original grant of planning permission.

The application must be determined on the basis of the effect of varying/removing the specified conditions. No other matters can be taken into account for example the principle of the original permission cannot be re-visited. Additionally it is not appropriate to dismiss a proposal simply on the grounds that conditions were originally proposed and therefore by default should be retained. The local planning authority must consider whether any planning harm would result from the variation.

In this instance, the main concerns relating to the proposed amendments are considered to be:

- The impact upon the character of the area
- The impact upon neighbouring amenity

The application has been considered against Policy D1 (Place Shaping) of the LPSS and Saved Policy G1 (3) (Protection of Amenities Enjoyed by Occupants of Buildings) of the Local Plan 2003.

The resulting conclusion is that the proposed alterations will all occur at the rear of the property, and therefore the impact upon the character of the area will be insignificant.

As for the impact upon neighbouring amenity, the alterations will not cause detrimental harm with regard to overlooking, overshadowing or outlook.

Given the above, the application is considered to be compliant with Policy D1 (Place Shaping) of the LPSS and Saved Policy G1 (3) (Protection of Amenities Enjoyed by Occupants of Buildings) of the Local Plan 2003; and is therefore 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 the original planning permission 20/P/01954 dated 06.01.2021.

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:
 - HB5 P1
 - HB5 P3
 - HB4 P1received on 17 November 2020.

- HB5 P3B

received 2 August 2021.

- HB5 P2B

received 24 August 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 above slab level shall take place until details and samples of the proposed external facing and roofing 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 development above slab level shall take place until 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 in accordance with Policy D2 of the Guildford Borough Local Plan : Strategy and Sites (adopted 25 April 2019) and the Council's Climate Change, Sustainable Design, Construction and Energy SPD 2020.

5. 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.

6. The development hereby approved shall not be occupied unless and until the proposed dwelling is provided with a fast-charge Electric Vehicle charging point (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: The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and are in recognition of Section 9 "Promoting Sustainable Transport" in the National Planning Policy Framework 2019.

7. 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 hereby permitted or within its curtilage.

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

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.

Pre-application advice was not sought on the original scheme (20/P/01954) prior to submission and minor alterations were required to overcome concerns, these were sought and the applicant agreed to the changes.

For the Section 73 application (21/P/01683) pre-application advice was not sought prior to submission and the application was acceptable as submitted.

Officer's Report

Site description.

The site is located within an area inset from the Green Belt, within the Identified Settlement of East Horsley. It is also within the 400m to 5km buffer zone of the Thames Basin Heath Special Protection Area.

High Brambles is a two storey dwellinghouse, with catslide roofs on the side elevations; situated on a large plot located within a residential cul-de-sac comprising of detached and semi-detached two storey dwellings and bungalows of varying styles. The road slopes up gently from east to west, so the dwelling at High Brambles is at a higher ground level to the neighbouring property at Two Steps.

Properties in the road are characterised by mature hedging and trees to the side and rear boundaries and soft landscaping to front gardens.

Proposal.

Variation of condition 2 of planning application 20/P/01954 approved 06/01/21 to replace approved drawings with those submitted to create a part two storey part single storey rear extension.

The proposed plan amendments seek to extend the depth of the property to the rear by 2.99 metres.

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
20/P/01954	Erection of cottage (amended plans received 14 December 2020).	Permitted 06/01/2021	N/A
19/P/00191	Erection of a detached house following demolition of existing bungalow.	Refuse 08/03/2019	DISM 02/10/2019

Consultations.

Statutory consultees

County Highway Authority:

There are no proposed changes to the access or parking under this application. Therefore the County Highway Authority has no highway concerns.

Parish Council

East Horsley Parish Council object to the application for the following reasons:

- a) Excessive scale, bulk and mass
- b) Not in keeping with the character of the locality
- c) Detrimental impact on neighbouring amenity

Third party comments:

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

- Overdevelopment
- Overlooking due to extending beyond the rear building line
- Breach of approved plans

[**Officer Note:** The proposed extension has been marked out on the ground, and a few RSJs protrude 2.99 metres at first floor level. Whilst this is not in accordance with the approved plans, this application seeks to gain approval for the altered scheme. Construction has halted until this application has been determined.]

- Permitted development should not be enacted before the house build is completed

[**Officer Note:** This application is not seeking a Lawful Development Certificate]

- Out of character - bulky appearance
- Overbearing due to extending beyond the rear building line
- Permitted development should be removed if this application is approved
- Would set a precedent

[**Officer Note:** All applications are assessed on their own merits.]

- Overshadowing
- The structure at the rear of the garden should not be ignored from calculations

- Construction nuisance
- would not be permitted development
[**Officer Note:** this application is not seeking a Lawful Development Certificate]
- A Section 73A application is not appropriate, as not 'minor'
[**Officer Note:** S73 application is considered acceptable for the proposed plan alterations.]
- contrary to Policy EH-H8 of the NDP - infill development to have size and massing no greater than that of the surrounding properties
- The proposed extension will bring the property less than 1% smaller (GIA) than that dismissed at appeal under 19/P/00191

Planning policies.

National Planning Policy Framework (NPPF):

- Chapter 1: Introduction
- Chapter 2: Achieving sustainable development
- Chapter 4: Decision Making
- Chapter 5: Delivering a sufficient supply of homes
- Chapter 12: Achieving well designed places
- Chapter 15: Conserving and enhancing the natural environment

South East Plan 2009:

Policy NRM6: Thames Basin Heath Special Protection Area

Guildford Borough Local Plan: Strategy and Sites 2015 - 2034 (adopted 25 April 2019):

- Policy D1: Place Shaping
- Policy D2: Sustainable design, construction and energy
- Policy ID1: Infrastructure and Delivery
- Policy ID3: Sustainable transport for new development
- Policy ID4: Green and Blue Infrastructure

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

- G1(3) Neighbouring Amenity
- G5 Design Code

Neighbourhood Plans:

- EHH7 East Horsley Design Code
- EHH8 Residential infilling

Supplementary planning documents:

- Residential Design Guide 2004
- Planning Contributions SPD 2017
- Climate Change, Sustainable Design, Construction and Energy SPD 2020
- Vehicle Parking Standards SPD 2006
- Thames Basin Heath SPA Avoidance Strategy 2017

Planning considerations.

This application is submitted under Section 73 of the Town and Country Planning Act (as amended). The provisions of Section 73 relate to the variation or removal of planning conditions attached to a grant of planning permission. The intention is that such matters would represent a minor material change to the original grant of planning permission.

The application must be determined on the basis of the effect of varying/removing the specified conditions. No other matters can be taken into account for example the principle of the original permission cannot be re-visited. Additionally it is not appropriate to dismiss a proposal simply on the grounds that conditions were originally proposed and therefore by default should be retained. The local planning authority must consider whether any planning harm would result from the variation.

Section 73, gives two options when considering such applications:

- d) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and
- e) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

Under Section 73(a) officers should not limit themselves to assessing just the specific variation or removal suggested by the applicant. If an alternative change to the conditions would be acceptable then permission should be granted to that effect.

Part of the assessment under Section 73(b) should also be whether this would cause more than a minor material change to the original permission. In such cases permission should also be refused.

In this instance the application suggests the variation of condition 2 of planning permission 20/P/01954 which states:

"The development hereby permitted shall be carried out in accordance with the following approved plans: HB5 P1, HB5 P3 and HB4 P1 received on 17 November 2020 and amended plans HB5 P2A and HB5 P3A received 14 December 2020.

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

The proposal seeks to amend the approved plans, and thus if permitted, condition 2 will be varied to the following wording:

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

- *HB5 P1*
- *HB5 P3*
- *HB4 P1*

received on 17 November 2020.

- *HB5 P3B*
received 2 August 2021.

- *HB5 P2B*
received 24 August 2021.

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

The primary considerations resulting from this change would be:

- The impact on the character of the area
- The impact upon neighbouring amenity

The impact on the character of the area

The application site fronts on to Park Corner Drive which consists of variety of sizes and styles of dwellings. The prevailing character is of spacious plots and generous spacing to boundaries, mature landscaping on the boundaries and soft landscaped frontages.

The National Planning Policy Framework (NPPF) attaches great importance to the design of the built environment. Paragraph 134 states that permission should be refused for development of poor design that fails to reflect local design policies and government guidance on design.

This Section 73 application seeks to vary the approved plans for application 20/P/01954 to allow the permitted dwellinghouse to extend a further 2.99 metres out from the rear elevation.

Looking into the history of the application site, it is evident that a number of 'new dwelling' schemes have been proposed over the past few years, with a result of one approval in January 2021. A number of the previously submitted applications have been reviewed by the Planning Inspectorate, and the last application reviewed by the Planning Inspectorate, before a successful scheme was submitted was 19/P/00191. With regard to this application's impact upon the character of the area, the Planning Inspector stated:

"The proposed two storey dwelling would be set in from each side boundary. However, despite the side spacing proposed and the inclusion of a set back single storey element, the taller sections of the building would be perceived as relatively close to the boundaries with neighbouring dwellings. This visual effect would arise from the catslide roof design of the single storey element continuing from the crown roof and front gable with an intervening chimney closest to Two Steps, and the inclusion of a side hipped roof with chimney adjacent to Junipers. The associated increase in built form arising from the replacement of the existing bungalow, whilst stepped up in height relative to Two Steps due to the difference in land levels, would result in the dwelling having a substantial form and roof with a similar overall height to Junipers despite that latter property being at a slightly higher land level. As a consequence, the introduction of the dwelling as proposed would appear bulky and would undermine the existing characteristic transition between the building heights of the semi-detached properties and those at higher land levels, whilst also obscuring some existing views of the tree-lined backdrop to the site.

The resultant dominance of the dwelling within the site and its contrast with those immediately surrounding, would be emphasised by the prominent gable features within the front elevation. Although front gables are a common feature of the street scene, they are generally a more subservient component of the varied architectural styles and massing of neighbouring buildings. In contrast, whilst the gable features proposed would provide a balanced appearance to the frontage, their overriding proportions would accentuate the height, scale and bulk of the property. Consequently, when taken with the associated chimneys, the front gables would introduce an overly vertical emphasis to the property that would harmfully contrast with the horizontal emphasis which characterises those nearby. The incompatible scale and proportions of the dwelling would be exacerbated by the raised land levels relative to Park Corner Drive, whilst the extensive surfaced areas on the frontage to provide driveways and parking would also accentuate the contrast of the proposal with the verdant and spacious character of its surroundings. The proposal would, therefore, be viewed as a discordant, dominant and harmful addition to the street scene and would appear out of place".

Since this appeal decision, the applicant submitted application 20/P/01954, which successfully overcame 'character of the area' concerns noted by both the LPA and the Planning Inspectorate.

This Section 73 application proposes an alteration, which does not change the front elevation, nor does it alter the design of the dwellinghouse with regard to its elevations. The proposed alterations ensure that the dwelling will continue to follow the line of existing development either side of the host property; and whilst the proposed alteration will see the host dwelling extend past the rear building line; the protrusion is relatively minor, and will not harm the character of the area.

The proposal does not see any additional height, or increase in dominance against the boundaries of the neighbouring properties, as the dwelling will continue to sit 3.5 metres from the boundary with the neighbouring property 'Two Steps' and 3 metres off the boundary with the other neighbouring property 'Junipers'.

The catslide roof on the eastern elevation sloping down to single storey level will be retained; and this design feature combined with the separation distances to the boundary results in a dwelling that is in keeping with the character of the area and has an acceptable relationship with its immediate surroundings.

The retention of design of the dwelling, and sole alteration revolving around an additional 2.99 metre protrusion to the rear of the dwelling does not see any detrimental harm with regard to character of the area.

As the design of the property is not being amended, but simply a slight increase in its depth, the application is supported by Neighbourhood Plan Policy EH-H7(a)i which requires designs to be in keeping with the established character of East Horsley and with the style of properties surrounding the development.

Whilst it is acknowledged that the GIA increase brings the dwelling to a similar size of the previously refused applications, the design of the dwelling is retained and therefore ensures that it continues an acceptable relationship with its immediate surroundings. Therefore the increase in GIA does not have a detrimental impact upon the character of the area, as it has been incorporated into the dwelling in a sympathetic and acceptable manner.

Accordingly, the proposal meets with the requirements of national planning policy as contained in the NPPF, Guildford Borough Local Plan: Strategy and Sites (adopted 25 April 2019) Policies D1 and P2, East Horsley Neighbourhood Plan policy EHH7 together with the Council's SPG on Residential Design 2003. These policies seek to ensure that residential development is designed to a high standard, in that they complement and respect the character of their surroundings.

However, with the acceptability of the depth increase of the dwellinghouse, it is deemed appropriate to remove permitted development rights for extensions and roof extensions, to ensure that the dwellinghouse cannot add additional bulk, without first applying for planning permission.

The impact upon neighbouring amenity

The proposed alterations ensure that the host dwelling will still follow similar building lines to existing properties either side of the application site.

The proposed alterations maintain sufficient spacing to the side boundaries to ensure that there would be no detrimental impact to the neighbouring properties either side, in terms of any detrimental loss of light or overbearing impact.

The proposed alterations see no increase in number of windows, and the only change with regard to overlooking is the relocation of the rear windows to protrude a further 2.99 metres rearward. This is considered to reduce any immediate overlooking to neighbouring properties to the side boundaries, and the long separation distance to properties at the rear will be retained as the 2.99 metre extension will not reduce this distance to a detrimental degree. In addition to this, the curtilage boundaries of the site are well screened by tall trees. There are therefore no concerns regarding loss of privacy to the neighbouring residents, or any other detrimental adverse impact on neighbouring properties.

The proposal therefore accords with policy G1(3) of the Guildford Borough Local Plan 2003 (as saved by CLG Directive 24.09.2007).

Conclusion.

The resulting conclusion is that the proposed alterations will all occur at the rear of the property, and therefore the impact upon the character of the area will be insignificant.

As for the impact upon neighbouring amenity, the alterations will not cause detrimental harm with regard to overlooking, overshadowing or outlook.

Given the above, the application is considered to be compliant with Policy D1 (Place Shaping) of the LPSS and Saved Policy G1 (3) (Protection of Amenities Enjoyed by Occupants of Buildings) of the Local Plan 2003; and is therefore recommended for approval.

Planning Committee

1 December 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)

1.	<p>Mr Alexander Stewart Clark Valentines Farm, Rose Lane, Ripley, Woking, GU23 6NE</p> <p>19/P/01881 – The development proposed is the enclosure of Barn B and change of use of the whole barn (comprising Barn A and Barn B) from light industrial use to a mix of general industrial (B2) and storage and distribution (B8) uses, the division of the barns into 8 No. separate units (4 No. units in Barn A and 4 No. Units in Barn B) and the installation of 2 No. extractor fan chimneys on the south-facing roof of Barn A.</p> <p>Delegated Decision: To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The main issues are whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies. • The effect on the character and appearance of the area, • The effect of development related traffic on highway safety, • The effect on the living conditions of neighbouring occupiers in relation to noise, disruption and fumes. • The enclosure of Barn B with cladding and the sub-division of both barns amounts to alterations to the building. These alterations have not increased the internal floor area of the building nor its mass. As a result, these alterations do not amount to disproportionate additions over and above the size of the original building and the development falls within this stated exception. • I have been provided with a number of references to appeal and High Court judgements: notably, <i>Lee Valley Regional Park Authority, R (on the application of) v Epping Forest DC and another</i> and ; <i>Bromley LBC v SSCLG judgement [[2016] EWHC 595]</i> and; appeal decision <i>Ref APP/G2245/W/19/3243177</i>. In the <i>Lee Valley</i> judgement it was determined that “<i>once a particular development is found to be, in principle, appropriate, the question of the impact of the building on openness is no longer an issue.</i>” • I conclude on this issue that there is no need to further assess the effects of the development in relation to openness and that the development is not inappropriate within the Green Belt. 	*ALLOWED
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	<ul style="list-style-type: none"> • The enclosure of Barn B, the subdivision of both barns and the likely associated greater activity outside the building does not result in a material change to the character and appearance of the site or to a material adverse impact on the rural surrounds. The proposal does not therefore conflict with Policy D1 of the LPSS or with those parts of Saved Policy G1 of the Guildford Borough Local Plan (2003) (GBLP) that require development to reflect the distinct local character of an area. Neither would there be conflict with the parts of LPSS Policy E5 and the Framework that support economic growth including within rural areas. • The Council has referred to changes in character arising from significant storage associated with the uses, the ever increasing expansions to the south and west and the metal enclosure of the barns as opposed to the timber cladding shown on the plans for the change of use. It would be possible to control external storage with a planning condition as with the implemented permission. If there are breaches of planning control associated with the present appearance of the site, then it is open to the Council to consider the expediency of appropriate enforcement action, but the site nonetheless now has an industrial character. • Paragraph 111 of the Framework states that “<i>development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe</i>”. The impacts would not be unacceptable in my judgement. The proposal would not be contrary to section nine of the Framework, to the objectives of Policy ID3 of the LPSS or to the third Surrey Local Transport Plan (2011) in relation to highway safety. • The nearest residential properties are The Cottage, a detached house close to the access on to Rose Lane, and The Paddocks, a caravan site on the opposite side of the access track. Vehicles accessing the appeal site would pass near to these residences but even allowing for some change in the number and nature of these vehicle movements, the impact in relation to increased noise and disruption is unlikely to be materially different from that arising in relation to the lawful industrial use of the site. • The barns are sited a considerable distance from these nearest residences. Traffic noise from the adjacent busy A3 would to some degree mask any noise arising from activities within the barns, even with the doors to individual units open. The B2 general industrial activities proposed have the potential to result in a greater level of noise and disturbance than the lawful B1(c) light industrial use which by definition would be compatible with location within a residential area. But the site is not located within a residential area and the distance to the nearest residences is such that some increase in noise at the barns would be most unlikely to significantly affect the living conditions within these residences. • The paint spray booth installed in one unit could affect occupiers of the nearest residences through odour or fumes, but any such nuisance would be likely to be much greater for other users of the barns due to their proximity. However, a planning condition could be used to mitigate such impacts as the Council has suggested in the event that the appeal is allowed. Conditions could also be used to control operating hours in the units, the times of deliveries to and dispatch from the site and to mitigate noise within the units to protect the living conditions of the nearest residential occupiers. • The development is not therefore be contrary to Saved Policy G1(3) of the GBLP that seeks to protect the amenities enjoyed by the occupiers of 	
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	<p>buildings in respect of matters including noise, vibration, pollution, dust and smell. Neither would there be conflict with the Framework which at Paragraph 130(f) promotes a high standard of amenity for existing and future users.</p> <ul style="list-style-type: none"> • For the reasons set out above, I find no conflict with the Council's relevant policies or the Government's policy set out within the Framework. As a consequence, the appeal is allowed. 	
<p>2.</p>	<p>Wimbledon Common Rifle Club Land to the rear of Hut 60, Queens Road, Bisley Camp, Brookwood, GU24 0NP</p> <p>20/P/01553 – The development proposed is erection of a rifle clubhouse accommodation block.</p> <p>Delegated Decision: To Refuse</p> <p>Summary of Inspector's Conclusions:</p> <ul style="list-style-type: none"> • The main issues are whether or not the proposal would be inappropriate development in the Green Belt as defined by the Framework and development plan policy; • the effect of the proposal on the openness of the Green Belt; and • if the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it. • The proposal is for purpose-built accommodation providing 2 bedrooms with shower and wc facilities to be used on a short-term basis in conjunction with the Wimbledon Common Rifle Club clubhouse, which is due to be relocated to the site of Hut 61 adjacent to the appeal site. The clubhouse, which will include a weapon range, scatt training facility, workshop, common room, office, committee room, kitchen and toilet facilities, replaced a former building, and was approved¹ on the basis that it was an appropriate facility for outdoor sport. • The appeal proposal is an amended scheme to that refused by the Council in July 2020², which was the subject of a dismissed appeal³. The appeal Inspector's decision occurred after the date of the refusal of the current appeal scheme planning application and prior to the current appeal submission, and I attach significant weight to it in reaching my decision, having regard to the similarities between the two schemes. • The appeal site lies within the Bisley National Shooting Centre (BNSC), where multi-day duration events occur throughout the year, overnight accommodation is prevalent amongst other shooting clubs, and where the Council has previously accepted, in approving other schemes, that there is a reasonable requirement for overnight accommodation in connection with the sport. The appellant's long-standing presence within the BNSC, the extensive range of facilities to be provided with the approved new clubhouse facilities to be built adjacent to the site, and the lack of any evidence to suggest that the appellant would not be participating in such multi-day events, lead me to concur with the view of the previous appeal Inspector that, in respect of the appeal site, in principle, short-term accommodation linked to shooting would provide an appropriate facility for outdoor sport and recreation in the Green Belt. • However, I need to be assured that the proposed building is appropriate for its intended use. The previous scheme failed to satisfactorily demonstrate 	<p>*DISMISSED</p>

	<p>this, and I have noted the previous Inspector's concerns about how the central third of the building would be used for accommodation, having regard to a disproportionately large hall, a substantial storage area and an empty mezzanine structure above.</p> <ul style="list-style-type: none"> • The current proposal has largely addressed these concerns by proposing a building with a smaller footprint/floor space in comparison to the previous scheme, together with a proposed ground floor layout which is more specifically directed towards providing overnight accommodation, including a doubling of the number of bedspaces through the provision bunkbeds, and the inclusion of a corridor access arrangement, toilet/shower facilities, and storage within the bedrooms which are appropriate for the number of beds proposed. As such, I am satisfied that the ground floor element of the building would be appropriate for short-term accommodation. • However, I share the previous Inspector's concerns about the proposed building height. Whilst the empty mezzanine has been removed from the scheme, and the first floor element of the building has been reduced in size, there would still be a notable area of internal space at upper level. I am not persuaded that this space is reasonably required for the purpose of displaying honours boards, and that these could not be more appropriately hung in the new clubhouse. Also, whilst I have noted the appellant's supporting letter from ACT Energy which states that the roof orientation and inclination was designed to maximise the solar PV potential of the building, it does not specifically provide any justification for the proposed height of the central part of the building. • For these reasons, and notwithstanding the changes that have been made to the previously refused scheme and my conclusions in respect of the proposed ground floor accommodation, although I am satisfied that overnight accommodation would be an appropriate facility for outdoor sport and recreation, I am not satisfied that the proposed building is entirely appropriate for this intended purpose. The proposal would therefore be inappropriate development in the Green Belt, in conflict with LP Policy P2 and the Framework. • There are buildings associated with the BNSC complex extending close to virtually the whole length of 2 of the site boundaries. However, the appeal site itself is undeveloped. The evidence before me is that it was, until recent years, heavily vegetated and unlikely to have been associated with the commercial use of the adjacent buildings. This is characteristic of the location of the site on the southern edge of the complex of commercial and recreational facilities associated with the BNSC complex. The closest buildings to the other 2 site boundaries are in connection with a sporadically located group of residential properties set at a lower level than the appeal site, and within a wooded area surrounding the edge of this part of the BNSC site. • The visual impact of the proposal in wider views of the site would be confined to a degree by the surrounding buildings on 2 sides and vegetation around much of the remaining site boundary. However, this would not completely eliminate the visual impact on Green Belt openness due to the three-dimensional element of the proposal. • Also, whilst the visual impact of the loss of openness would be limited, openness in terms of the Green Belt has a spatial as well as a visual aspect. Notwithstanding the reduced size of the proposed building footprint from that previously refused, the proposal would be sited in similar position to that of the previous scheme, and would introduce built development into a previously undeveloped area of the Green Belt, beyond the current lines 	
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	<p>of development on the Bisley Camp and the immediate cluster of buildings. The new building would cover a large part of the undeveloped appeal site. As such, I find that the proposal would amount to encroachment into the undeveloped area, resulting in a loss of spatial openness of the Green belt.</p> <ul style="list-style-type: none"> • For the reasons above, the proposal would fail to safeguard the countryside from encroachment, one of the 5 purposes of the Green Belt, and would not comply with the fundamental aim of Green Belt policy to prevent urban sprawl by keeping land permanently open, as set out in the Framework. • In conclusion, I have identified that the scheme comprises inappropriate development in the Green Belt as defined by the Framework. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In addition, there are adverse impacts on the openness of the Green Belt and the purpose of safeguarding the countryside from encroachment. Substantial weight should be given to harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm are outweighed by other considerations. • As explained above, I conclude that very special circumstances to outweigh this harm do not exist here. The proposal would therefore be contrary to Policy P2 of the LP and Chapter 13 of the Framework which seek to protect Green Belt land. • I conclude that the appeal should be dismissed. 	
<p>3.</p>	<p>Denton Homes Land to the rear of 5 Send Barns Lane, Guildford, Surrey, GU23 7BT</p> <p>19/P/02149 – The development proposed is 28 dwellings with associated landscaping and parking following the demolition of 5 Send Barns Lane. Creation of a new access off Send Barns Lane.</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 appeal scheme on the character and appearance of the area; • Whether the appeal scheme makes an appropriate contribution towards affordable housing; and • Whether the appeal scheme would provide adequate mitigation for the TBHSPA. • The appeal site is located on the northeast side of Send Barns Lane and comprises the site of a detached two-storey house which fronts onto, and has vehicular access from, the road, together with a large, land-locked, irregular-shaped area of undeveloped and largely overgrown land to the rear. The host property forms part of a ribbon development of residential properties extending along both sides of Send Barns Lane, including dwellings to both sides of the site. The site is bounded by the rear gardens of residential properties in Send Marsh Road and Send Barns Lane as well as undeveloped open countryside, reflecting the prevailing semi-rural nature of the area. The Council has confirmed that the site has been inset from the Green Belt. • The area is characterised by residential development directly fronting Send Barns Lane, Send Marsh Road and Send Hill, together with tributary short residential roads leading off these village spine roads. This residential 	<p>*ALLOWED</p>

	<p>development is set within a green backdrop of undeveloped land, to which the majority of the appeal site currently contributes, so that the area has a strong semi-rural character. A loose-knit urban grain exists within the village, with a variety of dwelling types and a prevalence of soft landscaping within plots, reflecting the proximity of the built development to open countryside.</p> <ul style="list-style-type: none"> • The indicative layout plan proposes to introduce an urbanising form of development onto the site, which would be strongly at odds with the semi-rural character of the area. The proposed straight, dense and regular arrangement of the majority of the new dwellings within a long L-shaped access road would be out of keeping with the more informal, loose-knit, spacious layout of built development which prevails within the locality. • The amount of building footprint of the proposed dwellings and the significant amount of space taken up by the access road, parking and turning areas, means that built development would dominate the scheme, to the detriment of the semi-rural character of the area. This would be particularly evident within the street scene, since a large number of the dwellings would have frontages which are dominated by hardsurfaced parking, with little room for any meaningful frontage landscaping. Parking would also dominate the approach to the flats block in the northernmost corner of the site, with parking and hardstanding ‘wrapping around’ plots 7 – 10. In addition, it appears from the evidence before me, that it is likely that the development will require additional visitor car parking, of an amount which has not yet been determined by the Council. • Tandem parking to the side of a number of the dwellings would result in built development extending across the full width of a number of the plots. This, combined with the semi-detached nature of the majority of the houses, and the narrow spacing between these houses and their side boundaries, would give rise to a cramped and formal arrangement of buildings. This would be incongruous within the surrounding more spacious ad-hoc layout of built development, where dwellings are set in spacious and soft-landscaped plots, so that built development sits comfortably within a semi-rural environment without being visually dominant. • It has not been satisfactorily demonstrated through the submitted documents, that a less formal alternative arrangement of dwellings to the proposed angular L-shaped cul-de-sac arrangement would be possible on the site, and that the site could be developed with the number of dwellings proposed in a manner that would reflect that of neighbouring built development, and would not contrast strongly with the adjacent open undeveloped fields against which it would be closely located. As such, the proposal would introduce a discordant feature within this edge of settlement location, which would be at odds with the prevailing pattern of development. • Whilst some new tree planting is shown adjacent to the road entrance, the narrow width of the remainder of the road and its lack of pavements would restrict the ability of the scheme to provide a tree-lined new street, as required by the Framework. The appellant’s intention to plant a number of new large individual specimen trees is noted. However, the illustrative layout does not include any meaningful green communal open space within the development, and I am not persuaded that the proposed amount of hardsurfacing of buildings, roadway and parking would provide sufficient space for effective tree planting that would benefit the public realm. • I acknowledge that the illustrative layout which is the subject of the appeal, has arisen following changes to previously proposed layouts in response to advice received from the LPA, including the relocation of some built form 	
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	<p>away from the eastern site boundary. However, this does not justify or overcome the harm I have identified in respect of the appeal scheme.</p> <ul style="list-style-type: none"> • For the above reasons, I therefore conclude that the appeal scheme would result in material harm to the character and appearance of the area. As such, it would conflict with Saved Policies G1 and G5 of the <i>Guildford Borough Local Plan (2003)</i> (the GBLP) and Policy D1 of the <i>Guildford Borough Local Plan: Strategy and Sites 2015 – 2034 (2019)</i> (the LPSS). These policies, amongst other things, require new development to achieve a high quality design that responds to the distinctive local character of the area in which it is set, respect established street patterns, enhance existing natural features on the site, minimise the visual impact of traffic and associated access and parking, ensure that buildings and spaces at pedestrian level provide visual interest and a sense of place and identity, ensure that new spaces created through development have an attractive and identifiable character, and provide a high quality public realm. • The submitted UU confirms that the appellant is prepared to provide either 10 or 11 affordable housing units within the development. 11 units accords with the requirements of LPSS Policy H2 and 10 units is the figure put forward in the appellant’s supporting viability appraisal, which the appellant proposes to provide should I accept the appellant’s viability case. Given my conclusion in respect of the first main issue, I am not satisfied that the site is capable of accommodating the proposed number of dwellings without materially harming the character and appearance of the area. As such, there is no requirement for me to consider the viability of the scheme to provide affordable housing as part of the determination of this appeal, since this will not affect the outcome of the appeal, and addressing my concerns in respect of the first main issue, is likely to result in changes to the scheme which would impact on its viability. • The site is within 5km of the TBHSPA, where a net increase in housing development, either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects, has the potential to significantly adversely impact on the integrity of the TBHSPA. The Council has carried out an Appropriate Assessment (AA) under the Habitats Regulations, concluding that the adverse impacts would be avoided if mitigation is provided through the payment of a financial contribution towards the provision of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring (SAMM) in accordance with the Council’s adopted TBHSPA Avoidance Strategy. Payment would be secured by means of a financial contribution secured by a section 106 Legal Agreement. • Therefore, when assessed against the policies in the Framework taken as a whole, the adverse impacts would significantly and demonstrably outweigh the benefits. Therefore, the proposal would not be a sustainable form of development. The conflict with the development plan is not outweighed by other considerations, including the Framework. • I conclude that the appeal should be dismissed. <p>COSTS DECISION</p> <ul style="list-style-type: none"> • Application made by Denton Homes against Guildford Borough Council for an award of costs. <ul style="list-style-type: none"> • The applicant’s claim on procedural grounds relates to the Council’s behaviour during the determination of the planning application, particularly in regard to the length of time taken to process the planning application and 	<p>REFUSED</p>
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	<p>the nature of communication with the applicant, which culminated in an appeal against non-determination.</p> <ul style="list-style-type: none">• The evidence before me is that, albeit that it was protracted, on-going engagement did take place between the Council and the applicant during the course of the planning application. This included the submission of revised and/or additional plans, viability information and supporting reports which were considered by the Council. There were several agreed extensions of time for the determination of the application, and the Council confirmed in early January 2021 that the application would be refused under delegated authority.• I appreciate the applicant's frustration in respect of the time the Council has taken to respond to various documents and correspondence submitted during the course of the application, and to provide updates on the progress of the application. However, I have taken account of the unprecedented impact on the work environment in general associated with Covid-19. I have also noted that the applicant did not seek pre-application advice from the Council, as advocated in the <i>National Planning Policy Framework 2021</i>, the willingness of the Council to engage with the applicant during the application process and accept and respond to additional/new information submitted by the applicant, and the formal agreement of several extensions of time between the Council and the applicant.• Accordingly, I conclude that the Council did not act unreasonably in failing to determine the application prior to the applicant submitting the appeal, which was lodged in accordance with established procedures in respect of non-determination appeals. Moreover, my appeal decision, which accompanies this costs decision, explains why I have dismissed the appeal. As such, the delay in determination has not resulted in an appeal which could have been avoided altogether.• The Council has provided an Officer Report (OR) and refusal notice confirming the Council's reasons why planning permission would have been refused, had the applicant not appealed against non-determination. The OR was sent to ward Councillors on 28 January 2021 under a 7-day notification process, the day before the Council were aware that an appeal had been lodged. The decision notice was issued on 24 February 2021, including notification to the Planning Inspectorate and to the applicant, prior to confirmation by the Planning Inspectorate that the appeal was valid on 8 March 2021.• I find that the Council's stated reasons for refusal, had it determined the application, as set out in the Officer Report, decision notice and subsequent appeal statement, to be complete, precise, specific and relevant to the application, and to clearly set out which development plan policies and national planning policy guidance against which the Council considers the proposal would be in conflict, and to be adequately substantiated by the Council.• The Guidance states that examples of unreasonable behaviour by local planning authorities which may give rise to a substantive award of costs include not determining similar cases in a similar manner. The applicant considers that the Council has acted unreasonably by finding the appeal scheme layout to be unacceptable when, in the view of the applicant, it is very similar to that of a nearby approved development at Clockbarn Nursery. My accompanying decision explains why I have found notable differences between the schemes, and why, in any event, the current appeal must be determined on the merits of the scheme before me.	
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	<ul style="list-style-type: none"> • For the above reasons, I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Guidance, has not been demonstrated. 	
<p>4.</p>	<p>Mr Sohaib Safilliu Halfpenny House, Halfpenny Lane, Guildford, GU4 8PZ</p> <p>20/P/01839 – The development proposed is a single storey side extension.</p> <p>Delegated Decision: To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The main issues are; whether the development is inappropriate development in the Green Belt; • the effect of that development on the openness of the Green Belt; and • if the development is inappropriate, 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. • Policy P2 of the Local Plan2 concerns development in the Green Belt. It states that the construction of a new building in the Green Belt will constitute inappropriate development unless the building falls within the list of exceptions identified by the Framework. Paragraph 149 of the Framework lists the exceptions, which include the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. • The new building would be in the same use as the building it would replace. The Officer Report sets out the difference in dimensions, floor area and volume between the current proposal and the one it would replace. The current proposal is said to represent a 50% increase in floorspace and a 96% increase in volume over the dwelling it would replace. The appellant has not disputed these figures. • The previous dwelling has now been demolished and therefore, for comparison purposes, I have had to have regard to the drawings provided. These show the position and footprint of this previous dwelling and confirm that the replacement building has a significantly larger footprint and building envelope. Although the new building has a lower ridge height than the previous building, having regard to the evidence before me, I conclude that the proposal results in a materially larger building. • Consequently, the dwelling would not fall within the exception listed in paragraph 149 of the Framework. I therefore conclude that it would be inappropriate development in the Green Belt, contrary to Policy P2 of the Local Plan and the Framework. By definition, inappropriate development would be harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 of the Framework states that in considering a proposal substantial weight should be given to any harm to the Green Belt. • Although the proposal overlaps in part with the siting of the previous dwelling, as required by Policy P2 of the Local Plan, the building has been reorientated from a predominantly north-south alignment to more of an east-west alignment. In combination with the increased floorspace and volume, the building now has greater prominence from more distant views of the site and closes the gap between the dwelling and the existing barn/outbuilding on the site. Taking these factors together with the overall floorspace and volume of the new dwelling, this would result in a significant loss of openness. 	<p>DISMISSED</p>

	<p>Accordingly, I conclude that the proposal would conflict with Paragraph 137 of the Framework.</p> <ul style="list-style-type: none">• The proposal would constitute inappropriate development in the Green Belt and would harm openness. As such, the Framework requires that the harm by reason of inappropriateness be given substantial weight and that inappropriate development should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt and any other harm is clearly outweighed by other considerations.• The weight I give to the considerations cited in support of the proposal is limited and accordingly they do not outweigh the harm the development would cause. The very special circumstances necessary to justify the proposal do not exist.• The development is contrary to the Framework and to the development plan which seek to protect the Green Belt. I have considered all other matters raised but none outweigh the conclusions I have reached.	
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