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Contact Officer:

Sophie Butcher, Democratic Services Officer
Tel no: 01483 444056

22 December 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 5 JANUARY 2022 at 7.00 pm.**

In the light of the current uncertain trends of infection in respect of Covid-19, we are reviewing and updating our risk assessment in respect of our committee meetings. If any changes to the arrangements in respect of this meeting are made as a result, we will notify participants accordingly.

Yours faithfully

Tom Horwood
Joint Chief Executive

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 - 30)

To confirm the minutes of the meeting of the Committee held on 1 December 2021 as attached at Item 3. A copy of the minutes will be placed on the dais prior to the meeting.

4 ANNOUNCEMENTS

To receive any announcements from the Chairman of the Committee.

5 PLANNING AND RELATED APPLICATIONS (Pages 31 - 32)

All current applications between numbers 21/P/00630 and 21/P/01858 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 **21/P/00630 - Merrow Lawn Tennis Club, Epsom Road, Guildford, GU4 7AA** (Pages 33 - 42)

5.2 **21/P/00646 - Woodlands, The Warren, East Horsley, Leatherhead, KT24 5RH** (Pages 43 - 54)

5.3 **21/P/00817 - Royal Surrey County Hospital, Egerton Road, Guildford, GU2 7XX** (Pages 55 - 82)

5.4 **21/P/01683 - High Brambles, Park Corner Drive, East Horsley, Leatherhead, KT24 6SE** (Pages 83 - 94)

5.5 **21/P/01858 - Lakeside Close, Lakeside Close, Ash Vale GU12** (Pages 95 - 104)

6 NORTH MOORS ALLOTMENT FOOTPATH DIVERSION (Pages 105 - 136)

7 PLANNING APPEAL DECISIONS (Pages 137 - 148)

Committee members are asked to note the details of Appeal Decisions as attached at Item 7.

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

*Present

Councillors Guida Esteves, Susan Parker, 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 Jon Askew for whom there was no substitute, Chris Blow, The Mayor, Councillor Marsha Moseley and Maddy Redpath. The following Councillors attended as substitutes respectively; The Deputy Mayor, Councillor Dennis Booth, Graham Eyre and Deborah Seabrook.

PL2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

No disclosable pecuniary interests were declared.

Councillor Deborah Seabrook declared a non-pecuniary interest in application 20/P/00825 – Urn Field, Downside Road, Guildford, GU4 8PH owing to the fact that it abutted the ward which she represented and confirmed it would not affect her objectivity in the consideration of this application.

Councillor Deborah Seabrook declared a non-pecuniary interest in application 21/P/01683 – High Brambles, Park Corner Drive, East Horsley, Leatherhead, KT24 6SE owing to the fact that some of the neighbours involved were her close personal friends and so she would leave the meeting when it came to the consideration of this application.

PL3 MINUTES

The minutes of the Planning Committee meetings held on 20 October and 3 November 2021 were approved and signed by the Chairman.

PL4 ANNOUNCEMENTS

The Committee noted the procedures for determining planning applications.

PL5 20/P/00825 - URNFIELD, DOWNSIDE ROAD, GUILDFORD, GU4 8PH

The Committee considered the above-mentioned full application for the creation of a floodlit artificial 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 and 07.01.21 landscape visual impact, archaeology, drainage and planning statement addendum).

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

- Ms Katherine Atkinson (to object);
- Mr Charles Wilce (to object);
- Mr Steve Smith (Head Teacher of Guildford County School) (In Support) and;
- Mr David Boyd (Head Teacher of Tormead School) (In Support)

The Committee received a presentation from John Busher, Specialist Development Management Majors. The Committee noted the supplementary late sheets which included a site location plan and an updated block plan. The application related to works and improvements to the existing sporting complex. The site was located in the Green Belt as well as within an Area of Outstanding Natural Beauty (AONB) and an Area of Great Landscape Value (AGLV). The site consisted of a number of running pitches, grass running track and cricket pitches. There was also a small pavilion building and a car park. The main changes comprised of a six-lane running track to the north of the site and a new all-weather hockey pitch with fencing around its perimeter and replacing the existing football pitch. The site would be illuminated by retractable lighting columns spaced out along both sides of the pitch. The rugby pitch would also be relocated to the centre of the site, a new football pitch in the south-east corner and the existing parking area expanded to accommodate coaches with a new access and turning area and additional parking for approximately 50 vehicles provided on existing hardstanding. A small extension to the existing balcony on the pavilion building was also proposed.

The proposed lighting for the hockey pitch would be formed of columns that when extended would be a maximum of 13 metres and when retracted 2.8 metres tall. Condition 9 stated that the lights should only operate from eight o'clock in the evening on Monday to Saturday, not at all on Sundays or on Bank or National Holidays and that the columns should be fully retracted when not in use. There was also a 3-metre difference in height in the hockey pitch levels.

Planning Officers had concluded that the proposal due to its use for outdoor sport and recreation would be an appropriate form of development in the Green Belt and would not result in any material harm to its openness. As the site was also located within the AONB, the NPPF required that great weight be afforded to the conservation and enhancement of its natural beauty, the NPPF also made clear that the AONB should benefit from the highest level of protection. The majority of the proposal was not considered to impact on the wider natural beauty of the AONB and would have no long term significant adverse impact. However, it was acknowledged in the officer report that the proposed lighting would result in some harm to the special landscape character of the AONB which resulted from the visual impact of the lighting columns themselves as well as the potential impact of the illumination introducing a light source in views towards the Merrow Downs. Planning Officers had worked with the applicant to reduce this impact as much as possible through the use of the retractable lighting columns, as well as limiting the hours and days that the lighting could be used on. These measures were hoped would mitigate the impact to a degree but it would not entirely eliminate the harm to the AONB and AGLV which would result from the proposal.

It was also noted that residents had raised concerns about light pollution. The technical documents submitted with the application show that light spillage beyond the pitch would be limited. No objections had been raised by the County Highway Authority or the Lead Local Flood Authority. In terms of benefits arising from the scheme it was noted that the proposals would provide improved sporting facilities for schools as well as members of the public. The proposal would also have benefits in terms of providing greater opportunities for children to become more involved in outdoor sport and foster healthier lifestyles. It would also allow for the more efficient operation of the field. The NPPF stated that planning should support development which enabled healthier lifestyles. Planning Officers considered that the benefits of the proposal clearly outweighed the harm that would be caused to the AONB in the AGLV and accordingly the application was recommended for approval.

The Chairman permitted Councillor John Redpath to speak in his capacity as Ward Councillor.

The Committee noted concerns raised that there was no local need for the development and that any benefits for the schools must be considered against the significant harm to the protected landscape of the Surrey Hills. Policy P1 of the Local Plan in line with the NPPF required development proposals within and adjacent to the Surrey Hills AONB to conserve or enhance its special qualities. There was a big difference between what was desirable and convenient versus actual need. Both Tormead and Guildford County school can access the four grass pitches at Urnfield and both schools already had excellent facilities on site, including all weather multi-use areas with floodlighting. Competitive standard facilities existed close to both schools at Spectrum and Surrey Sports Park. Both had spare capacity. For 10 years Tormead School had been the largest external customer for hockey pitches at Surrey Sports Park but even so hockey pitch utilisation there was currently only 45 per cent. Not one local community group had been identified as in need of what this application offers. Of course Tormead would like to have its own bespoke home ground and as their own website states doing away with the need for hiring astroturf pitches at Surrey Sports Park. This development would therefore address an inconvenience not an unmet need because both school facilities already offered healthy lifestyles to their students and the community. In calculating the planning balance, the planning officer incorrectly applied great weight to NPPF paragraph 95 which is a policy designed to increase the number of local school places. This development did nothing to increase the availability of school places and so this should be removed from the balancing exercise. The only great weight to be applied in this case was set out in NPPF para 176 which was to conserve and enhance the landscape and scenic beauty of Areas of Outstanding Natural Beauty. There was no local need for this development and the benefits were marginal.

The Chairman permitted Councillor John Rigg to speak in his capacity as Ward Councillor.

The Committee noted concerns raised that the application was for a substantial development, on a sensitive site, on a widely visible 400-foot-high ridge line within a nationally protected landscape of the Surrey Hills. It included a 13-metre floodlight. Floodlighting and its reflected glare from a 1 hectare of pitch and track would pollute the surrounding AONB and dark skies. We must give great weight to conserving and enhancing scenic beauty under NPPF paragraph 176 yet the case officer has used floodlighting mitigations for an outer suburban location not an AONB. Section 1 of the Surrey Hills Management Plan stated that this was one of the most stringent legal tests that could be applied under planning law. Conservation and enhancement of wildlife was a further consideration and yet the floodlights would be in direct conflict. The applicant did not quantify any biodiversity net gain as required let alone the 20 percent expected by Surrey Nature Partnership. The only great weight is drawn from paragraph 95 by ensuring adequate numbers of places at local state funded schools. There was no great weight applicable to set against the harm. The case officer refers to potential for community use as the main public benefit, no evidence of a local need had been presented and the development would simply duplicate underused existing facilities at a great cost to the environment and landscape. This was not a minor upgrade to existing facilities. Nearly 1

hectare of chalk grassland would be excavated and covered with plastic which was an area of nature conservation interest. The carbon footprint would be considerable, floodlights would be visible for miles. The intention of paragraph 176 was that there should not be development on the AONB.

The Committee considered the application and concerns raised that the lighting and its effect on habitat and diversity was unacceptable. The need for the facilities proposed was questioned also given the high quality sports facilities already available in the area. Whilst school pupils would be able to play hockey at their local school it would be at the cost of the local wildlife. The artificial pitch proposed would also be made out of plastic which was not conducive with the setting of a natural environment. The floodlighting would also provide artificial light that would pollute a dark skies area. The Committee also noted that the quantum of development had been referred to in the report in varying ways, firstly as improvement, then as redevelopment and then as new development which made it ambiguous. Plastic grass was perceived to be out of keeping in this hilltop area.

The Committee noted that harm to the AONB and to the landscape character had already been identified in the officer's report which was not just solely related to the floodlights proposed but was also relevant to the artificial grass surface proposed. It maybe moderate harm but yet in the report it stated that considerable weight should be afforded to this as per paragraph 176 of the NPPF which also alluded to great weight. Balanced against that was the significant benefit of the facilities given to the school and there did not appear to be considerable evidence of the fact that the schools were in dire need of these facilities. The benefits of the scheme therefore did not outweigh the harm.

The Head of Place, Dan Ledger confirmed that the terminologies used in the officer's report regarding the balance of weight were all cited from the NPPF. In addition, Government required planning officers to accord great weight on the provision of school facilities.

The Committee discussed the Maddox report which stated that the facilities at the University of Surrey ran out next year and would not continue the existing arrangements. However, the University was not aware of this and confirmed that they would be happy for the school to continue to use their grounds. In addition, the effect of the proposal on roosting bats, the effect of the lorries on the pitch when carrying out the soil work removal as well as navigating down narrow residential roads to get there. The Committee was also concerned regarding noise created by the sporting facilities.

The Committee queried how many spaces the existing car park could accommodate and the associated light pollution this would create for local residents. In addition, how many electric vehicle charging points would be installed and were there any additional lighting plans for around other pitches or the car park.

The Head of Place, Dan Ledger confirmed that no other floodlighting was proposed elsewhere on the site and was just for the hockey pitch. In terms of the existing car parking spaces the application forms indicated that there were 25 existing spaces and would be extended by the proposals. Regarding the positioning of the nets, planning officers were aware of the Environmental Health comments, however given the close proximity of the football pitch to that boundary, it wasn't judged to be harmful in planning terms. It was also confirmed that lights already existed on the front of the pavilion.

The Committee agreed that the floodlights as proposed and artificial hockey pitch would fail to preserve the natural beauty of the AONB. The harm caused to the AONB/AGLV was considered to be substantial and such weight needed to be afforded accordingly in the balancing exercise. Both schools already had access to exemplar sports facilities and therefore the need to provide further enhanced facilities was questioned when balanced against the significant damage caused to the AONB by virtue of the proposal.

A motion was moved to approve the application, but not seconded. The motion therefore failed.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Colin Cross	X		
2	Graham Eyre	X		
3	Angela Gunning	X		
4	Pauline Searle	X		
5	Angela Goodwin	X		
6	David Bilbe	X		
7	Dennis Booth	X		
8	Ruth Brothwell	X		
9	Deborah Seabrook	X		
10	Ramsey Nagaty	X		
11	Chris Barrass	X		
12	Paul Spooner	X		
13	Liz Hogger	X		
14	Fiona White	X		
	TOTALS	14	0	0

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

RESOLVED to refuse application 20/P/00825 for the following reasons:

1. By virtue of the proposed floodlighting, as well as the artificial nature of the proposed hockey pitch, the proposal would fail to conserve or enhance the natural beauty and special landscape qualities of the Area of Outstanding Natural Beauty. As a result, the proposal is considered to be contrary to policy P1 of the Guildford Borough Local Plan Strategy and Sites 2019, the Surrey Hills Area of Outstanding Natural Beauty Management Plan and paragraph 176 of the NPPF.

Informatives:

1. This decision relates to the following plans 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.
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 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 worked with the applicant to improve the scheme further. However, the Local Planning Authority considers that the harm to the AONB has not been overcome, and the application has been determined as amended.

PL6 21/P/01582 - LAND AT WISLEY AIRFIELD, HATCH LANE, OCKHAM, GU23 6NU

The Committee considered the above-mentioned full detailed application for engineering operations to form a new roundabout, stub road and priority junction access.

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

- Mr Dave Burnett (to object);
- Mr Steve Loosley (to object) and;
- Mr Laurence Moore (in support)

The Committee received a presentation from Hannah Yates, Specialist Development Management (Majors). The Committee noted the supplementary late sheets which contained the relevant legal advice in relation to the Grampian conditions and the sequence in which planning applications could be determined. In relation to any objection relating to the prematurity of this development ahead of the DCO being approved, officers had sought legal advice and the law stated that it was unlawful for a local planning authority to refuse to grant planning consent on the basis that further consent maybe required to facilitate the development even when the land in question was outside of the control of the applicant and the local authority. The supplementary late sheets also included a summary of two further objections, one from a local resident and the other was from RHS Wisley. The last paragraph on page 209 of the agenda also incorrectly stated that the only public right of way across the site was a bridleway however there were also public footpaths towards the south of the site.

The Committee was informed that the application sought full planning permission for engineering operations to form a new roundabout, stub road and priority junction access. This access was proposed to be taken from the proposed lane diversion which formed part of the DCO, for this reason the application was only acceptable if the DCO was approved and built out. This was secured by the Grampian condition 4 on page 201 of the agenda. The DCA works formed the appropriate baseline to assess the impacts of this proposal. A new access was proposed to serve the former Wisley Airfield strategic site allocated under Policy 35 of the Local Plan.

The Grampian condition was a key aspect of the proposal as it was only acceptable as part of that with the lane diversion. To cover this condition 4 read that '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.' This condition had been agreed by both National Highways and Surrey County Council as an appropriate way to control the development. Due to the importance of this condition the Council obtained legal advice and it had been confirmed that the application can be determined now with the use of Grampian, even taking into consideration the considerable delay to the decision on the DCO. In relation to the Grampian conditions the PPG noted that even with the limited prospect of the action being performed within the time limit of the permission that a Grampian condition could be appropriate in principle. Whilst it was acknowledged that there was still some uncertainty about the DCO and what the decision may be the application was at an advanced stage in the process given

this it could not be argued there was no prospect at all of the DCO scheme coming forward during the life of the permission which was 3 years.

To directly address the question of why to consider the application now given the delays of the DCO, there were a number of issues to consider, one benefit of this application was that constructing the roundabout and stub road simultaneously with the Wisley Lane diversion would limit construction impacts on the local community of Wisley. There were economic and environmental benefits of doing the work together. To delay a decision on this application until after the decision on the DCO was made would put some time constraints on the developer and Council in addressing all the pre-commencement conditions. This had the potential to impact on the co-ordination of the delivery of the schemes together. The material planning issues were the same now as they would be after any grant of the DCO. The relevant question therefore was whether the proposed development was acceptable if the DCO was made and implemented. It was the planning officer's view that no significant conflict with relevant development plan policies arose from this application and therefore the development accorded with the plan, when read as a whole, the benefits outweighed the limited harms identified and the application was recommended for approval subject to the conditions.

The Chairman permitted Councillor Susan Parker to speak in her capacity as Ward Councillor.

The Committee noted concerns raised that the Wisley Airfield development was contingent on the M25 junction scheme currently on hold. The DCO scheme decision was at least five months away and if it's approved it's probable it would be judicially reviewed. The DCO scheme has been delayed three times which was unprecedented at a cost of more than 400 million pounds. It was environmentally damaging to a protected habitat and given public funding constraints such as HS2 there must be a probability that it won't be approved. Deferral was not a solution already facing an appeal for non-determination. The best solution was to reject these applications now. After the junction 10 decision has come forward can we look at a subsequent properly prepared and coherent application rather than something piecemeal for a stub road for an application which may never be built. Eight of the conditions proposed were things that should be completed prior to determination and councillors should have the benefit of those to inform their decision such as a bat survey, archaeology and tree protection. Wisley Action Group had written a detailed letter setting out the extent of the impact on local roads and on the safety of other road users, impact on the ecology, flooding, on neighbouring amenities and on heritage. Following the failure to consult statutory consultees there was therefore sufficient reasons to reject this application. The legal advice we've been told by the applicant's agent was clear, however it was not clear, it was just saying that the Committee was able to approve the application. It was clearly a premature application which would actually cause physical damage to a triple SNCI. The best solution was to reject the application ask the applicant to do the necessary work and bring back a full and complete submission after the junction 10 decision had been reached.

The planning officer confirmed in relation to points raised by the public speakers that bat surveys had been carried out in 2019 and was deemed acceptable by the council's ecology consultant. Reference was also made to plan referred to by Surrey County Council in their consultation response. This plan was part of the Transport Statement and wasn't a plan that could be conditioned. In relation to a point raised by the ward councillor with regard to failure to consult a statutory consultee, this was in relation to a gas pipeline which was over 2 kilometres from the site. At this distance, the proposed development would not impact on the infrastructure and therefore no consultation was required.

The Committee discussed the application and noted comments that the Wisley Airfield development was not what was before them for consideration. However, concern remained regarding building a road at this stage with a roundabout that led to nowhere. Of particular concern was the loss of trees which were of ecological importance and that more weight should be afforded to their loss.

The Committee also noted that the DCO had already been postponed three times and was now going to cost £400 million pounds which did not account for the Wisley lane diversion. The project was a massive undertaking with insufficient traffic modelling of Ockham roundabout. The RHS also opposed the scheme.

Whilst the planning officer's report stated that each application must be determined on its own merits it also stated that this application would not pre-determine the location for the Wisley Airfield site which was however inextricably linked. The proposed roundabout was also fairly large and the application would result in more hard standing and other operational development associated with the road that will be provided by the Wisley Lane diversion. The extra hardstanding would therefore meet the needs of a future Wisley Airfield development. The Highway Authority advised that if a transport assessment was submitted in support of any future hybrid planning application on the former Wisley Airfield and it demonstrated a change in the levels of vehicular traffic then the Highway Authority would encourage the design of a more appropriately scaled junction. The Wisley Lane diversion may therefore need to be dug up in the future to accommodate any changes in vehicular traffic levels which therefore weighed negatively against the proposed works. In addition, harm would be caused to the SNCI, local amenities and surrounding landscape.

The Committee requested clarification regarding the balancing exercise undertaken with regard to the roundabout and associated engineering works. Even if the DCO was granted or not, the works proposed as part of this application were damaging particularly in relation to the considerable loss of trees.

Hannah Yates, planning officer confirmed that the proposal allowed access to an allocated site which carried material weight and was in accordance with the Local Plan. The site was allocated and therefore it was a fair assumption that at some point in the future, it would be developed, as it was no longer in the Green Belt. With regard to tree loss, no further tree loss was required beyond what was recommended as part of the DCO, which had also been confirmed by an arboricultural officer.

Dan Ledger, Head of Place also confirmed that it was an allocated site and therefore it did carry weight, not in connection with any specific application coming forward, but was judged by its ability to give access to that site and was a material consideration.

The Committee noted that conditions could be imposed to ensure the development proceeded in a certain sequence. In the report it also stated that it would be lawful to permit development subject to a Grampian condition preventing the permission from being implemented or preventing occupation. That therefore suggested that even if there were Grampian conditions they could still build and cause unwarranted damage to the trees and natural environment. The Chairman also requested clarification on this point as it was thought that the whole object of a Grampian condition was that you cannot implement the permission until that condition is fulfilled.

The Committee received clarification from the planning officer, Hannah Yates that if the DCO was not granted permission, but yet if this application was approved, the application could not be implemented as per condition 4.

The Committee requested clarification regarding what would happen if the DCO was approved without the Wisley Lane diversion. Hannah Yates confirmed that if the Wisley Lane diversion was specifically not implemented they cannot commence the development as it was tied to the Wisley Lane diversion of the DCO. If granted the application would have permission for three years after which it would lapse.

The Committee asked how the following application 20/P/01708 would be dealt with, which had been deferred from the Planning Committee held in May 2021 until a decision had been made on the DCO. The Chairman confirmed that the Committee had to consider what their decision would have been with regard to 20/P/01708 given it had gone to appeal. The Committee would receive a separate presentation and vote separately from this application.

The Committee considered that the development proposed would be detrimental to the residents of Elm Corner owing to the associated construction noise, vibration and light pollution caused. The roundabout proposed would also result in the loss of a large number of trees that were of high value and contributed to the landscape character of the area as well as resulting in the creation of a vast amount of hardstanding that would remove 0.15 hectares of land identified as a Site of Nature Conservation Importance (SNCI).

A motion was moved but not seconded to approve the application. The motion therefore failed.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Dennis Booth	X		
2	Ramsey Nagaty	X		
3	Liz Hogger	X		
4	Colin Cross	X		
5	Pauline Searle	X		
6	Chris Barrass	X		
7	David Bilbe	X		
8	Ruth Brothwell	X		
9	Paul Spooner	X		
10	Angela Gunning	X		
11	Deborah Seabrook	X		
12	Angela Goodwin	X		
13	Graham Eyre	X		
14	Fiona White			X
	TOTALS	13	0	1

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

RESOLVED to refuse application 21/P/01582 for the following reasons:

1. The development proposed will result in a detrimental impact to the amenities of the occupiers of Elm Corner from noise, vibration and light pollution related to the construction of the roundabout, stub road and priority junction access. This is due to the scale of the works in relation to the level of engineering required for this infrastructure and the proximity of a number of properties on Elm Corner to the construction compound and the site. The proposal would therefore be contrary to policy G1(3) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/2007), and the NPPF.

2. The development proposed, by reason of the large size of the of the roundabout and considerable amount of additional hardstanding and other operational development associated with the road, in combination with the removal of a large number of trees on site would be contrary to the landscape character of the area, forming and incongruous and insensitive

addition. As such, the proposal is contrary to policy D1 of the Local Plan Strategy and Sites 2019, policy LNPEN1B of the Lovelace Neighbourhood Plan and the NPPF.

3. The loss of 0.15 hectares of the Wisley Airfield Site of Nature Conservation Importance (SNCI), and its replacement with hardstanding would fail to conserve or enhance the biodiversity within this SNCI which has been selected for its importance for plants, reptiles, bats and amphibians. As such, the proposal is contrary to policy ID4 of the Local Plan Strategy and Sites 2019 and the NPPF.

Informatives:

1. This decision relates expressly to drawings: 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.

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.

In this case the Council has worked proactively with the applicant to address any comments raised by statutory consultees, which in this case was only minor issues raised by Surrey County Council as Highway Authority. Although this is the case, the Council still consider there are significant issues with the scheme as presented, where any benefits of the scheme are not outweighed by the harm caused.

PL7 20/P/01708 - LAND AT WISLEY AIRFIELD, HATCH LANE, OCKHAM, GU23 6NU

The Committee considered the above-mentioned full detailed application for engineering operations to form a new roundabout and stub road.

The application was considered by the Planning Committee at its meeting in May 2021 who agreed 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). The applicant had lodged an appeal against non-determination on this application.

The Committee received a presentation from the planning officer, Hannah Yates. The Committee noted that the proposal was for engineering operations to form a new roundabout and stub road where the priority junction was and was the only difference between this application and application 21/P/01582. In the event that the Council could have determined the application, the recommendation would have been to approve, subject to the conditions set out in the report including the updates on the supplementary late sheets.

A motion was moved to approve the application but not seconded. The motion therefore failed.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Deborah Seabrook	X		
2	David Bilbe	X		
3	Dennis Booth	X		
4	Paul Spooner	X		
5	Colin Cross	X		
6	Ramsey Nagaty	X		
7	Liz Hogger	X		
8	Pauline Searle	X		
9	Angela Goodwin	X		
10	Fiona White			X
11	Chris Barrass	X		
12	Angela Gunning	X		
13	Ruth Brothwell	X		
14	Graham Eyre	X		
	TOTALS	13	0	1

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

RESOLVED to refuse application 20/P/01708 for the following reasons:

1. The development proposed will result in a detrimental impact to the amenities of the occupiers of Elm Corner from noise, vibration and light pollution related to the construction of the roundabout, stub road and priority junction access. This is due to the scale of the works in relation to the level of engineering required for this infrastructure and the proximity of a number of properties on Elm Corner to the construction compound and the site. The proposal would therefore be contrary to policy G1(3) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/2007), and the NPPF.

2. The development proposed, by reason of the large size of the of the roundabout and considerable amount of additional hardstanding and other operational development associated with the road, in combination with the removal of a large number of trees on site would be contrary to the landscape character of the area, forming and incongruous and insensitive addition. As such, the proposal is contrary to policy D1 of the Local Plan Strategy and Sites 2019, policy LNPEN1B of the Lovelace Neighbourhood Plan and the NPPF.

3. The loss of 0.15 hectares of the Wisley Airfield Site of Nature Conservation Importance (SNCI), and its replacement with hardstanding would fail to conserve or enhance the biodiversity within this SNCI which has been selected for its importance for plants, reptiles, bats and amphibians. As such, the proposal is contrary to policy ID4 of the Local Plan Strategy and Sites 2019 and the NPPF.

Informatives:

1. This decision relates expressly to drawings: 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.

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.

In this case the Council has worked proactively with the applicant to address any comments raised by statutory consultees, which in this case was only minor issues raised by Surrey County Council as Highway Authority. Although this is the case, the Council still consider there are significant issues with the scheme as presented, where any benefits of the scheme are not outweighed by the harm caused.

PL8 21/P/01581 - WATERSIDE FARM COTTAGE, WHARF LANE, SEND, WOKING, GU23 7EJ

The Committee considered the above-mentioned full application for proposed erection of 8 dwellings (C3 use class), associated access, landscaping and parking, following demolition of Waterside Farm Cottage, outbuilding and Wharf Lane garages.

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

- Mr Dave Burnett (to object)
- Mr Steve Loosley (to object)
- Mr Laurence Moore (in support)

The Committee received a presentation from planning officer, Katie Williams. The Committee noted that the proposal was for the erection of eight dwellings, associated access, landscaping and parking following demolition of the existing dwelling outbuilding and garages. The application was the subject of a non-determination appeal and the Committee was therefore unable to formally determine the application. Instead, the Committee must resolve what they would have done had they been in the position to determine the application.

The application site was located within the settlement of Send which had been inset from the Green Belt following the adoption of the 2019 Local Plan. The site was within the corridor of the River Wey and was adjacent to the Wey Navigation Conservation Area. It was also within the 400 metre to 5 kilometres buffer zone of the Thames Basin Heaths special Protection Area and was within approximately 1 kilometre of a Site of Special scientific Interest (SSSI). The site itself was comprised of a detached bungalow and its outbuildings together with a small area of garaging and parking located to the south which was within the ownership of Guildford Borough Council. The surrounding area included residential properties along Wharf Lane to the south, a SANG to the west, an area of open space was also located to the south of the application site - Heathfield Nature Reserve and immediately to the east was a public footpath which linked through to the Wey Navigation. A towpath ran along the northern side.

A new vehicular access was proposed. A new residential cul-de-sac would be created, comprising of three pairs of two-storey semi-detached dwellings positioned along a cul-de-sac with two detached two-storey dwellings positioned at the end of the cul-de-sac backing on to the Wey Navigation. It was noted that these dwellings were not set as close to the navigation as the neighbouring dwelling to the west and Drive. The housing mix would consist of two 2 bedroom dwellings, four 3 bedroom dwellings and two 4 bedroom dwellings. A total of 21 parking spaces were proposed to serve the development including driveway spaces and car barns with two spaces for each of the two bed and 3 bed dwellings and 3 spaces for each of the

four bed dwellings and also three visitor spaces proposed along the cul de sac and also one adjacent to plot 6. There were several mature trees on the site boundaries and on the other side which were to be retained and new planting of trees was also proposed.

In conclusion, it was the planning officer's view that there was no objection to the principle of the development. The proposal would deliver a net increase of 7 new homes in a sustainable location, the development would not harm or 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 occupants of surrounding properties. Subject to the recommended conditions there would 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. Subject to the conditions as set out on page 170 of your agenda and the completion of a Section 106 to secure the necessary SANG and SAMM contributions, the application was deemed to be acceptable and had an appeal not been lodged against non-determination the application would have been recommended for approval.

The Chairman permitted Councillor Susan Parker to speak in her capacity as Ward Councillor for three minutes.

The Committee noted concerns raised that it was disappointing that the application was subject to a non-determination appeal. Send Parish Council had objected to the application including that it breached the Send Neighbourhood Plan. The waste collection team had also considered the waste collection arrangements as inadequate. This was not an allocated site and Guildford already had a 5-year housing land supply with an appropriate buffer. The site was adjacent to the River Wey navigations and Conservation Area. The Send Neighbourhood Plan required the conservation an enhancement of the Godalming Navigation Conservation Area and also formed part of the wildlife corridor. The site was also located within the SPA buffer zone and if significant harm to biodiversity cannot be avoided then planning permission should be refused. Thames Water required a permit for the discharging of sewage and its impact on groundwater which was not included in the informatives and was required given Wharf Lane was already subjected to sewage overflow issues.

The Planning Officer confirmed that in relation to comments raised by the Ward Councillor that Surrey Wildlife Trust had been consulted on the application and confirmed that the site offered opportunities for enhancement and biodiversity. This had been secured via conditions to ensure this happened via the provision of the Landscape and Ecological Management Plan. A revised layout was received which formed part of the presentation and addressed the concerns raised by the waste services team who agreed that the access arrangements for refuse vehicles were now acceptable.

The Committee discussed the application and noted concerns raised that the proposal included two four bedroom homes which contravened the Send Neighbourhood Plan and did not accommodate the greater demand for smaller properties required by first time buyers and those looking to downsize.

The Committee noted that there were eight garages which were to be replaced by a parking court with eight car parking spaces. The Committee queried whether those eight parking spaces would be allocated to the same people who currently used the garages. The Committee remained concerned about the parking provision for existing residents. In addition, the Committee asked if it approved the application did that mean that the S106 Deed of Variation would automatically be agreed? The Committee was also interested to know what sort of heating systems would be installed.

Kate Williams, planning officer confirmed that the parking spaces would still be managed and were the responsibility of the Council which has been set out in an options agreement. The housing department currently managed the garages and would continue that management in terms of the parking spaces. In terms of the housing mix, there was no specific requirement in the Send Neighbourhood Plan. However, the mix did comply with the Local Plan policies. No policies currently existed which stated that new developments could not have gas heating however there was a requirement for the details to be provided so to ensure the energy efficiency requirements as set out in the Supplementary Planning Guidance which was dealt with by condition. Dan Ledger, Head of Place also confirmed that the Deed of Variation was a separate application process from the S106 Agreement.

The Committee remained concerned that the Send Neighbourhood Plan had not been given sufficient weight in the balancing exercise undertaken by planning officers. The Committee was also reminded that it had to demonstrate the planning harm that related to the housing mix proposed.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	David Bilbe	X		
2	Ruth Brothwell		X	
3	Fiona White	X		
4	Dennis Booth	X		
5	Chris Barrass		X	
6	Pauline Searle	X		
7	Graham Eyre	X		
8	Colin Cross		X	
9	Deborah Seabrook	X		
10	Angela Goodwin	X		
11	Paul Spooner	X		
12	Liz Hogger	X		
13	Ramsey Nagaty		X	
14	Angela Gunning	X		
	TOTALS	10	4	

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

RESOLVED:

- (i) That in the event that the Council could have determined this application 21/P/01581 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 SAMM contributions;
 - Provision of SANG land to mitigate the impact of the development on the TBHSPA.

If the terms of 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.

PL9 21/P/01658 - PINE COTTAGE, SEND HILL, SEND, WOKING, GU23 7HR

The Committee considered the above-mentioned full application for proposed erection of 5 dwellings (1no. 2 bed, 2no. 3 beds and 2no. 4 beds) with access through the development to the north east approved under application 19/P/00721 along with all associated works.

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

- Mr Chris White (Applicant) (In Support)

The Committee received a presentation from the Planning Officer, Hannah Yates. The application sought full planning permission for the erection of five dwellings. The site was 0.3 hectares in area and comprised a large part of the garden area of Pine Cottage. The site was on land inset from the Green Belt and was within 400 metres to 5km of the Thames Basin Heaths Special Protection Area (TBHSPA).

Each dwelling had two proposed parking spaces and there was also two business spaces for the development. As a whole the proposal was comprised of a small extension to the adjacent development, the layout proposed allowed the new dwellings to face each other across the access road leaving a back-to-back relationship with the existing Pine Cottage. The development would not adversely harm the scale and character of this part of Send Hill or the adjacent Green Belt. The development sought to draw from a wide range of local detailing whilst bringing individuality to each plot. Key features of the dwellings included chimneys with contrasting brick corners and the use of hips and gables to add interest to rooflines.

In relation to site access the proposal had been deemed acceptable by Surrey County Council Highways adding only a few additional vehicle movements. The applicant has also demonstrated that all vehicles would need to enter and exit the development could do so in an acceptable manner. As detailed by the refuse tracking plan, the GBC Waste and Recycling team had raised no objection on this basis.

The application proposed one, two bed property, two, three bed properties and two. four bed properties. It was acknowledged that the housing mix did not meet the requirements of the SHMA and did propose a high proportion of larger properties. There was however still an identified need for four bed properties and due to the small scale nature of the site it was considerable acceptable in this instance.

The planning officer concluded that the benefits of the development outweighed the harm identified and therefore the application was recommended for approval subject to a S106 Agreement and association conditions.

The Chairman permitted Councillor Guida Esteves to speak in her capacity as Ward Councillor for three minutes.

The Committee noted concerns raised that the housing mix did not meet the identified housing needs of Send. It was not an allocated site or one in the land availability assessment and therefore an unacceptable form of backland development which was out of keeping with the linear pattern of development in the area. Whilst the Committee had to consider this application according to its merits it was noted that this site was to be linked to an adjacent development which would create thirteen homes in total with no affordable homes allocated.

The developer had submitted piecemeal planning applications which resulted in the five dwellings now proposed being a cramped form of development which was incongruous with the neighbouring character and appearance of the semi rural village setting. The access road was intended to accommodate traffic and visitor parking for the original eight homes, it was not intended to support the additional traffic of 60 per cent more homes. There was no turning head on the site and the layout would therefore not allow residents, visitors and delivery vans to enter easily, turn and leave in forward gear.

Another application had been registered for another four bedroom home next to the existing Pine Cottage which might in part explain why the layout was so cramped. The turning head and tandem parking arrangements on the site would result in a development extending across the full width of the plots. There was also no condition or provision for High Speed Fibre Network to the premises which was now a critical utility in all homes.

The development would harm the prevailing character of the surrounding area resulting in the urbanisation of the semi rural village which was contrary to policies H1 and D1 of the Guildford Local Plan, Policy G5 of the saved Local Plan and the Send Neighbourhood Plan.

The Committee considered the application and noted that planning permission had been 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. Another application, 19/P/01686 for the proposed erection of four new detached two storey dwellings had been refused. This application had overcome the first two reasons for refusal as they related to access issues which had been resolved via the new access provided as part of the approved scheme 19/P/00721. The final reason for refusal related to agricultural information which had now been provided and satisfied the Council's Tree Officer. An affordable housing contribution could also not be sought.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Ramsey Nagaty	-		X
2	Deborah Seabrook	-	X	-
3	Liz Hogger	X		
4	Pauline Searle	X		
5	Paul Spooner	X		
6	Chris Barrass	X		
7	Colin Cross	X		
8	Fiona White	X		
9	Dennis Booth			X
10	Angela Goodwin	X		
11	Angela Gunning	X		
12	David Bilbe	X		
13	Ruth Brothwell		X	
14	Graham Eyre	X		
	TOTALS	10	2	2

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

RESOLVED to approve application 21/P/01658

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.

PL10 21/P/01683 - HIGH BRAMBLES, PARK CORNER DRIVE, EAST HORSLEY, LEATHERHEAD, KT24 6SE

Owing to the late hour, the Committee regrettably agreed to defer this application for consideration at the next Planning Committee meeting scheduled on 5 January 2022.

PL11 PLANNING APPEAL DECISIONS

The Committee noted the planning appeal decisions.

The meeting finished at 10.45 am

Signed
Chairman

Date

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Agenda item number: 5

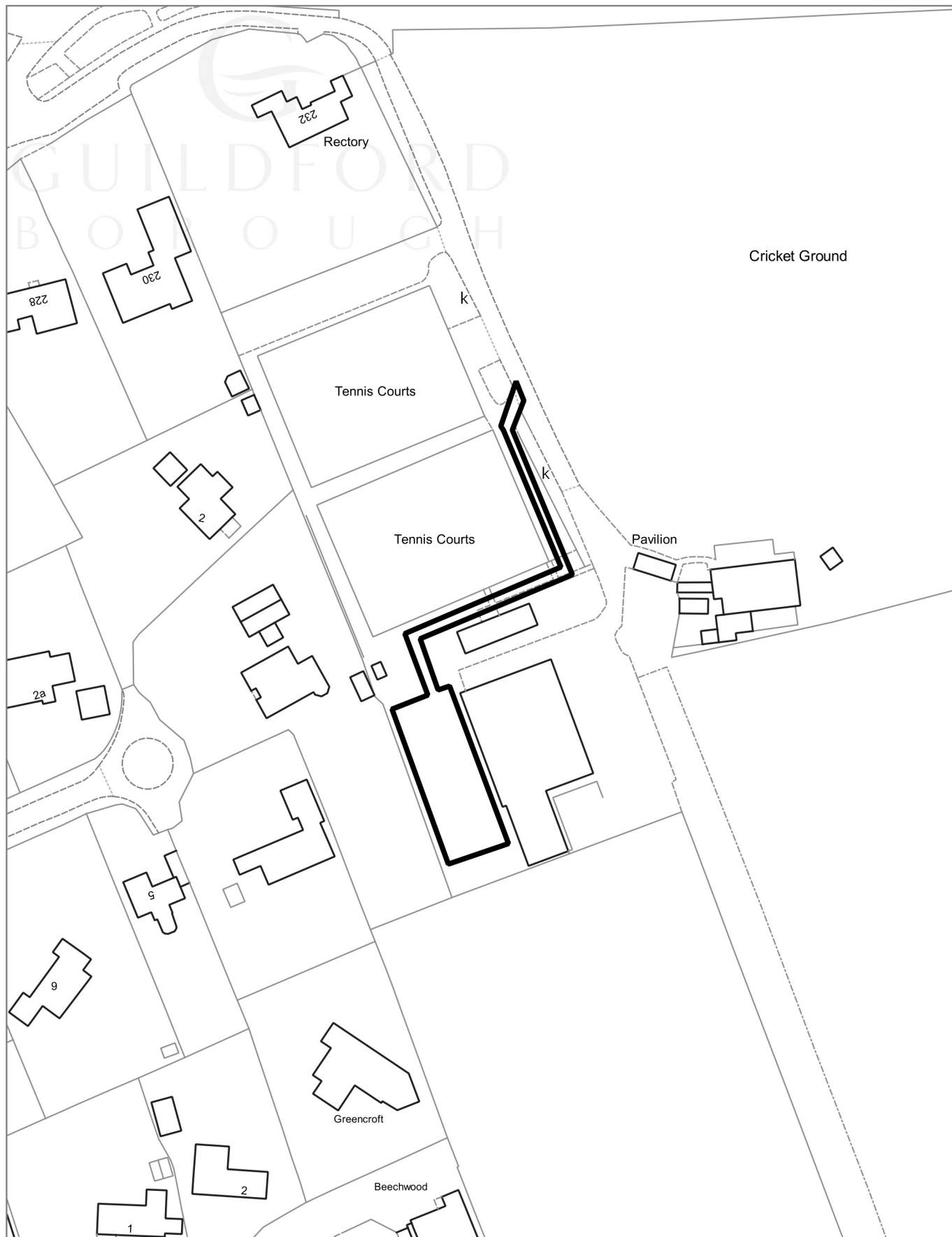
GUILDFORD BOROUGH COUNCIL
PLANNING COMMITTEE INDEX
05/01/2022

Item No.	Parish	Applicant	Location	App.No.	Rec.	Page
5.1	Merrow	Mr Clarke, Merrow Lawn Tennis Club	Merrow Lawn Tennis Club, Epsom Road, Guildford, GU4 7AA	21/P/00630	REF	33.
5.2	East Horsley	Mr & Mrs Lonie, c/o D&M Planning Ltd	Woodlands, The Warren, East Horsley, Leatherhead, KT24 5RH	21/P/00646	REF	43.
5.3	Onslow	Prime (UK) Developments Ltd, Unit 5 The Triangle	Royal Surrey County Hospital, Egerton Road, Guildford, GU2 7XX	21/P/00817	S106	55.
5.4	East Horsley	Larter	High Brambles, Park Corner Drive, East Horsley, Leatherhead, KT24 6SE	21/P/01683	APPC	83.
5.5	Ash	Ms Rachel Harper, Guildford Borough Council	Lakeside Close, Lakeside Close, Ash Vale GU12	21/P/01858	REF	95.

Total Applications for Committee 5

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21/P/00630 - Merrow Lawn Tennis Club, Epsom Road, Guildford



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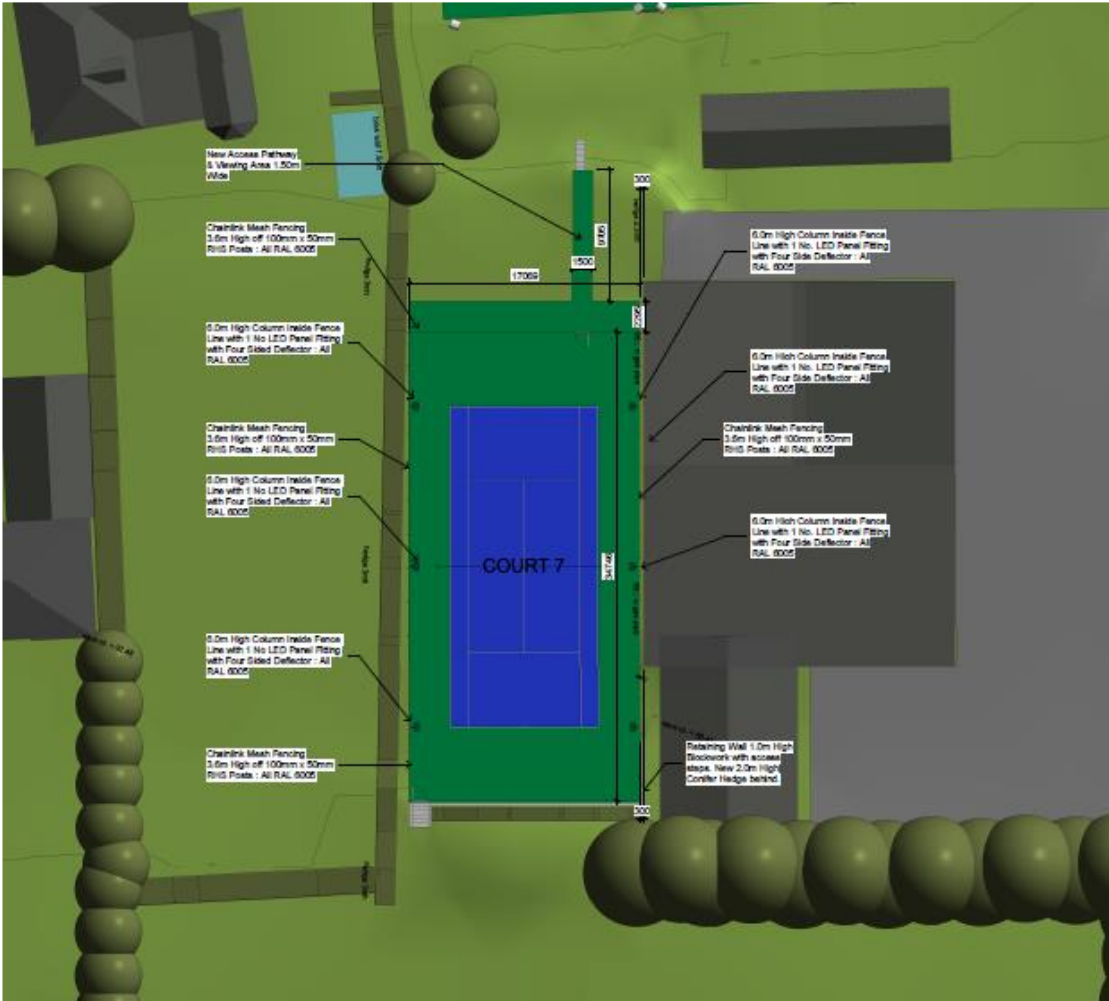
Print Date: 21/12/2021



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21/P/00630 – Merrow Lawn Tennis Club, Epsom Road, Guildford



App No: 21/P/00630 **8 Wk Deadline:** 17/06/2021
Appn Type: Full Application
Case Officer: Sakina Khanbhai
Parish: Merrow **Ward:** Merrow
Agent : Mr West **Applicant:** Mr Clarke
S.F.P.A.D. Limited
39 Hemwood Road
Windsor
SI4 4YX
Merrow Lawn Tennis Club
Epsom Road
Guildford
GU4 7AA

Location: Merrow Lawn Tennis Club, Epsom Road, Guildford, GU4 7AA
Proposal: The conversion of one outdoor natural grass tennis court to one outdoor porous asphalt tennis courts with the installation of LED floodlighting and associated works.

Executive Summary

Reason for referral

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

Key information

The conversion of one outdoor natural grass tennis court to one outdoor porous asphalt tennis courts with the installation of LED flood lighting and associated works.

The site comprises of a parcel land within the tennis club grounds. The site is located within the Green Belt and within an Area of Great Landscape Value. The site is directly adjacent to No.3 Abbots Way to the west and a fitness sports gym to the east. Within the wider area, Clandon Golf Club is located towards the south and east of the site and residential dwellings on Abbots Way are located west of the site.

Summary of considerations and constraints

The installation of additional flood lighting in the proposed location would result in adverse harm to the visual amenities of the rural character of the wider landscape. The proposed lighting scheme results in light over spill to No.3 Abbots Way's rear garden. Furthermore, the creation of an additional tennis court in close proximity to residential properties would result in noisy activity at an intensity that would be harmful to neighbouring amenity in terms of noise disturbance. The Council's Environment Health Officer has objected to the proposals and considers the development would have an adverse impact on neighbouring residents.

RECOMMENDATION:

Refuse - for the following reason(s) :-

1. The flood lighting would fail to conserve the existing dark skies within the area south

of the site and would disrupt and conflict with the rural landscape character of the local environment. The proposal would have a detrimental visual impact on the character of the area and would be inconsistent with the intention of protecting the distinctive landscape character of the Area of Great Landscape Value. The proposal is therefore contrary to policies P1 and D1 of the Guildford Borough Local Plan: Strategy and Sites 2019, policy R6 and G1(8) of the saved Local Plan and the NPPF 2021.

2. The addition of flood lighting in the proposed location, results in light spill outside the site boundary resulting in unacceptable light levels affecting the residential amenity of surrounding neighbouring properties. The Council does not consider that adequate controls can be applied to limit the light over spill through the use of planning conditions. The proposal would be contrary to policy G1(3) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007) and the NPPF 2021.
3. The proposed addition of another outdoor tennis court in the proposed location, results in further intensification of the site and results in inherently noisy activity along the shared boundary with the residential property No.3 Abbots Way at an intensity that has a harmful impact on the amenities of this neighbouring property and other residential properties to the south and west of the site. The Council does not consider that adequate controls can be applied to limit the effect of the noise through the use of planning conditions. This would be contrary to policy G1(3) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction 24 September 2007) and the NPPF 2021.

Informatives:

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

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

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

2. This decision relates expressly to drawing(s) 2020 CAS 044 012A, 2020 CAS 044 013 B, 2020 CAS 044 016, 2020BCAS 044 018 B, 2020 CAS 044 019 B, 2020 CAS 044 011, 2020 CAS 044 014, 2020BCAS 044 015 A, 2020 CAS 044 010 and additional information received on 22/03/2021.

Officer's Report

Site description.

Merrow Lawn Tennis Club is a well established tennis club located off the Epsom Road in Merrow. The Tennis Club comprises six existing all weather tennis courts and is set back off the main road and positioned adjacent to Merrow Cricket Ground and a fitness centre. Residential dwellings in Abbots Way and Epsom Road also adjoin the site. There is existing flood lighting serving all six tennis courts.

The Tennis Club itself and six tennis courts are located within the urban area. The application site and proposed location of development lies within the Green Belt and an Area of Great Landscape Value.

Proposal.

The conversion of one outdoor natural grass tennis court to one outdoor porous asphalt tennis courts with the installation of LED flood lighting and associated works.

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
11/P/00756	Replacement of flood lighting on courts 1, 2 and 3 at Merrow Lawn Tennis Club.	Approve 23/06/2011	N/A
09/P/01183	Installation of flood lighting to tennis courts 4, 5 and 6.	Approve 16/09/2009	N/A
08/P/02203	Installation of flood lighting to tennis courts 4, 5 and 6	Withdrawn 26/01/2009	N/A
02/P/00256	Installation of 5 metal lighting bollards adjacent to car park area operated by 3 infra red sensors together with associated underground wiring Merrow Tennis Club. -	Approved with conditions	
86/P/01313	Erection of six 10 metre high flood lighting columns to provide lighting for 3 all weather tennis courts	Approved with conditions.	

Consultations.

Statutory consultees

Sports England: No detailed response provided.

Internal consultees

Environment Health Officer: The lighting impact assessment indicates that areas of neighbouring residential property may experience levels above the ILP's guidance.

Potential for noise nuisance from increased activity which has the potential to cause detrimental effect on residents. The change in noise levels should be considered with this application.

Non-statutory consultees

Surrey Wildlife Trust: No comment to make on the application.

Amenity groups/Residents associations

Merrow Resident's Association:

- Impact on Green Belt
- Impact on AGLV
- Impact on neighbouring amenity due to light pollution
- Noise and disturbance to residents
- Impact to wildlife

Third party comments:

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

- Noise disturbance
- Light pollution impact on neighbouring residents
- Overdevelopment
- Damage to hedge (officer note this is not a material planning consideration)
- Limited space around the court for access and maintenance (officer note this is not a material planning consideration)
- Impact to wildlife
- Impact on rural nature and character of the wider area
- Impact to AGLV
- Increased traffic and congestion on access road
- Impact on the Green Belt

24 letters of support have been received outlining the following positive comments:

- Beneficial for the community and members of the tennis club
- The lighting to the new court has been designed to use the latest art lighting technology causing minimal light pollution
- The planning application will have no impact on road usage
- Supports health and physical well-being
- The club is at its maximum capacity so an extra court would ease pressure on court bookings.

Planning policies.

National Planning Policy Framework (NPPF):

Chapter 2: Achieving sustainable development.

Chapter 12: Achieving well-designed places

Chapter 13: Protecting Green Belt land

Chapter 15: Conserving and enhancing the natural environment

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

Policy D1:	Place shaping
Policy D2:	Sustainable design, construction and energy
Policy P1:	Surrey Hills of Outstanding Natural Beauty and Area of Great Landscape Value
Policy P2:	Green Belt

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

G1	General Standards of Development
G5	Design Code
R6	Intensification of Recreational Use

Supplementary planning documents:

Vehicle Parking Standards (2006)
Guildford Landscape Character Assessment (2007)

Planning considerations.

The main planning considerations in this case are:

- the principle of development and the impact on the Green Belt
- the impact on neighbouring amenity
- the impact on the visual amenity and character of the area/AGLV
- impact on biodiversity/wildlife
- highway / parking considerations

Principle of development

The proposal is for the conversion of one redundant outdoor natural grass tennis court to one outdoor porous asphalt tennis court with the installation of 6 LED flood lights at Merrow Lawn Tennis Club.

Policy R6 (Intensification of Recreational Use) of the saved Local Plan is relevant. This states that planning permission will be granted for increased use of recreational facilities through the introduction of flood lighting / and all weather surfaces where the environmental, traffic and visual impact is acceptable.

The application site is located within the Green Belt.

Paragraph 149 of the NPPF allows for outdoor sport facilities in connection with the existing use of land which preserve the openness of the Green Belt. The proposed development is, therefore, acceptable in principle providing there is no harm to the openness or visual amenity of the Green Belt.

The construction of the tennis court is an engineering operation which is acceptable development in the Green Belt in terms of Paragraph 150. The tennis court would be of porous asphalt construction with perimeter chainlink mesh fencing measuring 3.6m high off rectangular posts. The tennis court will be located on land between existing built development on land which is part of the tennis club grounds. The new surfacing and associated works for the construction of the proposed tennis court would have some impact on the openness of the Green Belt. However, the court would constitute a facility for outdoor recreation which is appropriate development in the Green Belt and the design of the fence would minimise the impact on the openness of the Green

Belt.

The proposal also includes the installation of 6 x 6m high lighting columns. The lighting columns would be lower in height than the existing flood lighting poles serving the other tennis courts. The proposed floodlighting would enable greater use of the proposed tennis court during part of the year. As such, it would be an appropriate facility for outdoor sport. Furthermore, the lighting columns themselves are not considered to cause a material loss of openness due to their slender form and the spacing left between each floodlight.

As such, it is considered that the proposals would not have a detrimental impact on the openness of the Green Belt and would constitute appropriate development in the Green Belt.

There are concerns relating to the visual amenity and rural character of the wider area and AGLV which will be discussed in the next sections of the report.

The impact of the development on visual amenity and the character of the area, AGLV

The application proposes the creation of a formal outdoor tennis court with LED flood lighting. The flood lighting comprises of 6 x 6m high poles and has been designed with flood light deflectors to minimise the amount of light spillage. The proposed flood lights would be lower than the existing 8 metre high flood lighting poles currently serving courts 1, 2 and 3.

The application site is situated within the rural-urban fringe character area and the landscape type is cited as type D: Clandon Open Chalk Farmland (Ref Guildford Landscape Character Assessment 2007) . The site adjoins the development edge which is characterised by houses screened by a mix of hedgerows and fields extending up to boundaries. The site forms a small part of a much wider rural character area which includes views up to the wooded downs and functioning as a backdrop to the lower lying claylands.

The main tennis club and existing courts are situated within the urban area. Beyond the urban area boundary, the character of the area begins to transition to a more open and rural landscape. Currently the application site is undeveloped and it is considered that the absence of flood lights on this parcel of land provides a visual separation between the main tennis courts and the area to the south of the tennis club building which is in the AGLV. It is considered that the installation of additional flood lighting in the proposed location would erode the wider visual amenity of the surrounding open character of the area. The combined impact of existing flood lighting and the proposed lighting scheme would erode the visual buffer between the urban area and Green Belt in the night sky particularly during the winter months. It is considered the introduction of additional flood lighting in the proposed location would fail to preserve or enhance distinct character of the AGLV and cause visual harm to the wider landscape which is of a rural nature.

It is concluded that the proposal would have an unacceptable wider visual impact on the surroundings. The proposal is therefore contrary to policies P1 and D1 of the adopted Local Plan, policy R6 and G1(8) of the saved Local Plan and the NPPF.

Impact on neighbouring amenity

The application site is located immediately adjacent to 3 Abbots Way. To the west Nos 4 and 5 Abbots Way and to the south west Greencroft on Three Pears Road are also in close proximity to the application site. There are also a number of dwellings situated north of the site on Abbots

Way where the existing and proposed flood lighting would be visible.

Lighting

This proposal seeks permission for the installation of 6 x 6m columns around the proposed tennis court.

It is acknowledged that on page 15 of the lighting report that obtrusive light measurements in terms of illuminance in Lux (5lux max in zone E2 pre-curfew (11pm)) and luminous intensity in Cd are both met in accordance with the Institution of Lighting Professionals (ILP) guidance and therefore the lighting scheme be acceptable when solely looking at the ILPs guidance when assessing nuisance.

However, concerns have been raised by the Council's Environment Health Officer that the proposed flood lighting would cause unacceptable over spill of lighting beyond the site boundary into the garden of No.3 Abbots Way. Pages 8-10 of the lighting reports indicates that the light spill caused outside the site boundary would be up to 14.6 lux in parts. The level of light spillage would cause adverse material harm to the No.3 Abbots Way.

The lighting report on pages 8-10 indicates that light spill would be caused outside of the site boundary up to 14.6 lux in parts. This level of light spillage;age to No.3 Abbots Way is unacceptable and would infringe on the residential amenities of No. 3 Abbots Way.

It is also noted that the previous application for flood lighting ref 11/P/00756 stated that there would be no light spillage to neighbouring properties and conditions were imposed to ensure there would be no light spillage given the close proximity of residential properties to the tennis club. Officers acknowledge that there are ongoing issues and a complaint relating to the compliance of the conditions and mitigation measures associated with the approved 2011 flood lighting scheme. Given that the current proposals would result in light spillage which currently exceeds that given within the ILP guidance resulting in a large amount of over spill into No.3 Abbots Way garden, it is concluded that the lighting scheme would have an unacceptable impact on neighbouring amenity in terms of light pollution.

Noise

The applications proposes an additional tennis court adjacent to the rear garden of No.3 Abbots Way.

The proposal has the potential for noise nuisance from the increase in tennis players and noisy activity due to the proposed intensification and use of the site and tennis club as a whole. The placement of the new court is adjacent to the fitness centre and the garden of No.3 Abbots Way. The Environment Health Officer notes that the sound from players has the potential to cause a detrimental effect on the amenity of No.3 and surrounding neighbouring residents. No noise impact assessment has been submitted as part of the application to assess the impact of the change in noise levels.

Whilst acknowledged that audible noise on it's own is not an indication of planning harm, the long periods of outdoor tennis play and increased intensity of the site would give rise to concerns of noise disturbance and noise nuisance. It is considered that the proposal would result in unacceptable level of noise and disturbance to neighbouring residents .

Impact on biodiversity/wildlife

Surrey Wildlife Trust has not provided any adverse comments on the application. Given that the

site lies within the existing tennis club grounds, the proposal is not expected to result in any material harm to biodiversity and wildlife.

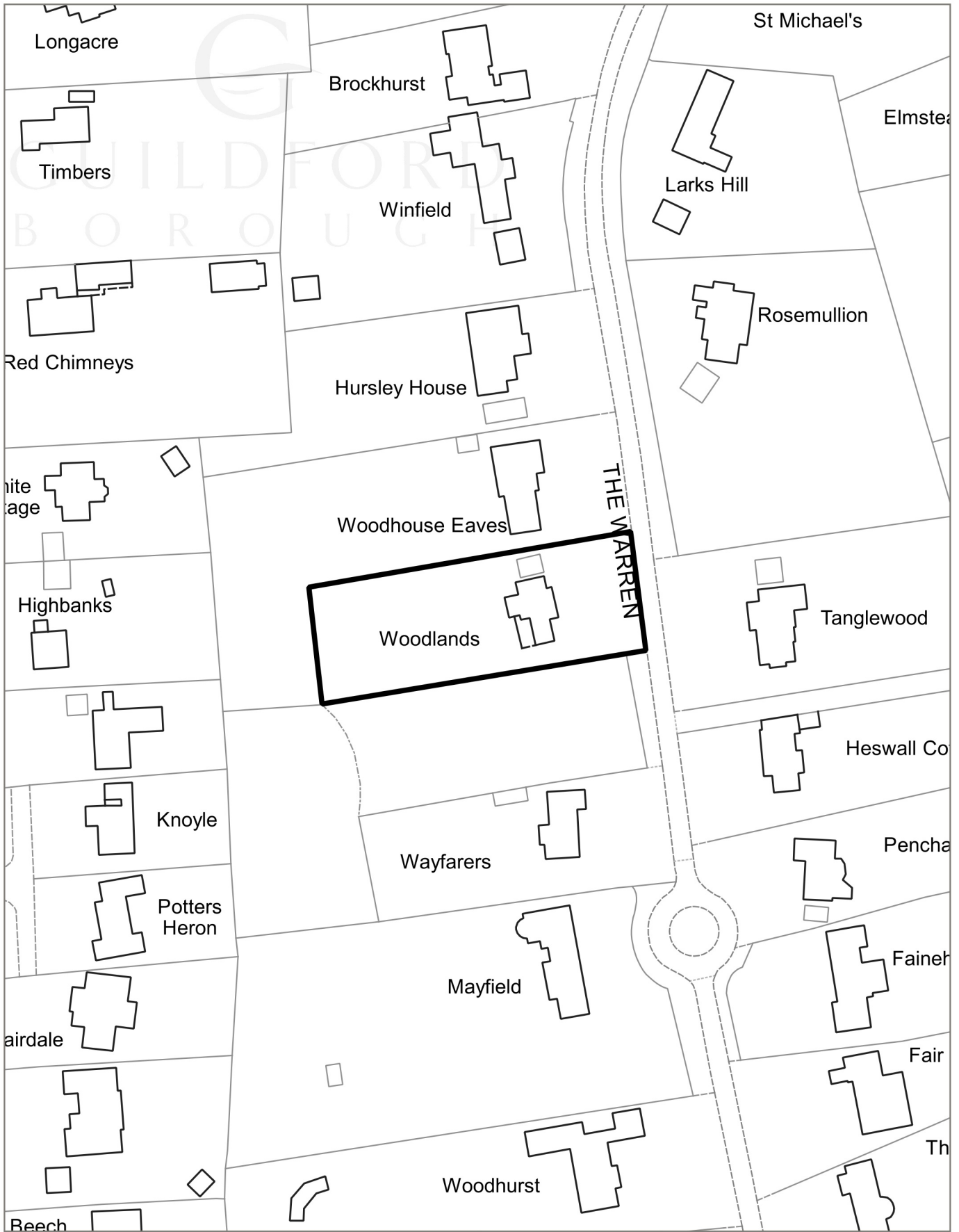
The impact on traffic and parking

The tennis club benefits from existing parking spaces serving members and visitors. The creation of an additional tennis court is not considered to generate a significant increase in the comings and goings to the site or result in a significant increase in parking. The proposed development is considered acceptable in accordance with policy ID3 of the adopted Local Plan and the NPPF.

Conclusion.

It is recognised that a new tennis court with LED flood lighting would provide an additional facility for outdoor tennis for tennis club members and there is no doubt playing sport has many associated benefits. However, this is outweighed by the harm in respect of the detrimental impact on the character of the area and AGLV and impact on neighbouring amenity.

21/P/00646 - Woodlands, The Warren, East Horsley, Leatherhead



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GUILDFORD
BOROUGH

21/P/00646 – Woodlands, The Warren, East Horsley, Leatherhead



App No: 21/P/00646 **8 Wk Deadline:** 06/08/2021
Appn Type: Full Application
Case Officer: Carolyn Preskett
Parish: East Horsley **Ward:** Clandon & Horsley
Agent : Mr Andrew Bandosz **Applicant:** Mr & Mrs Lonie
D&M Planning Ltd
1A High Street
Godalming
GU7 1AZ
c/o D&M Planning Ltd
1A High Street
Godalming
GU7 1AZ

Location: Woodlands, The Warren, East Horsley, Leatherhead, KT24 5RH
Proposal: Erection of a replacement dwelling together with alterations to parking and vehicular access arrangements (revision of 20/P/00952).

Executive Summary

Reason for referral

This application has been referred to the Planning Committee by Councillor Young for the following reasons:.

- the building will not be materially larger as the size, height and scale have all been reduced and will remain in the same use
- the proposed design is in keeping with the established pattern of development in East Horsley and the style of properties surrounding the application

Key information

The proposed development is for a four bedroom detached property following the demolition of the existing dwelling in the Green Belt.

Summary of considerations and constraints

The proposal represents inappropriate development in the Green Belt, there are no very special circumstances and the proposed development is contrary to Policy P2 of the Guildford Borough Local Plan : Strategy and Sites (2015-2034) and the requirements of Chapter 13.

The proposed dwelling would be materially larger than the dwelling it would replace.

The recommendation is for refusal.

RECOMMENDATION:

Refuse - for the following reason(s) :-

1. The proposed replacement dwelling would, due to its scale, mass and three dimensional form, notably the significantly volumetric increase, be materially larger than the existing building. It therefore represents inappropriate development which is by definition harmful to the Green Belt. No very special circumstances exist to outweigh this harm. The proposal is contrary to policy P2 of the LPSS, 2015-2034, and Chapter 13 of the National Planning Policy Framework, 2021.

Informatives:

1. This decision relates expressly to drawings: 1502/105B ; 1502/102H; 1502/103H; and 1502/104D received 23 March 2021 and 1502/108B received on 6 April 2021.

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 there are significant objections to the application that minor alterations would not overcome, it was not considered appropriate to seek amendments through the course of this application.

Officer's Report

Site description.

The site is a large detached two storey property located on The Warren, a private residential road. The site is located in the Green Belt and outside of an identified settlement boundary. The property is set in a large, elongated plot. The surrounding area is residential in character and comprises of two storey detached properties of individual styles and design.

Proposal.

Erection of a replacement dwelling together with alterations to parking and vehicular access arrangements (revision of 20/P/00952).

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
20/P/00952	Proposed erection of a two-storey replacement dwelling together with alterations to parking and vehicular access arrangements.	Refuse 26/08/2020	N/A

20/W/00023	Prior notification for a single storey side and rear 8.00 metre extension, 2.4 metres in height with an eaves height of 2.5 metres and a single storey rear 8.0 metre extension, 2.4 metres in height with an eaves height of 2.5 metres.	Prior Approval Not Required 12/03/2020	N/A
19/W/00113	Prior notification for a single storey 8.0 metre side and rear extension, 2.40 metres in height and with an eaves height of 2.40 metres.	Refuse 24/01/2020	N/A
19/W/00111	Prior notification for a single storey 8 metre rear extension, 2.4metre in height and with an eaves height of 2.4metre	Refuse 24/01/2020	N/A
18/P/01718	Erection of a replacement four bedroom dwelling together with alterations to parking and vehicular access arrangements.	Refuse 21/11/2018	DISM 09/08/2019
18/P/01033	Certificate of Lawfulness for a proposed development to establish whether a garden shed would be lawful.	Approve 31/07/2018	N/A
05/P/02338	New enlarged rear conservatory following demolition of existing conservatory.	Approve 29/12/2005	N/A

Consultations.

Statutory consultees

County Highway Authority: The application site is accessed via a private road and does not form part of the public highway, therefore it falls outside The County Highway Authority's jurisdiction. The County Highway Authority has considered the wider impact of the proposed development and considers that it would not have a material impact on the safety and operation of the adjoining public highway.

Internal consultees

Council's Tree Officer - No objections

East Horsley Parish Council

No objection

Third party comments:

6 letters of support have been received outlining the following positive comments:

- in keeping with other houses on the road in both appearance and size

- sympathetic design
- scale proportionate
- better for the environment

Planning policies.

National Planning Policy Framework (NPPF) 2021:

Chapter 2: Achieving sustainable development.

Chapter 12: Achieving well-designed places.

Chapter 13: Protecting green belt land.

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

P2: Green Belt.

D1: Place shaping.

D2: Sustainable design, construction and energy.

ID4: Green and blue infrastructure.

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

G1	General Standards of Development
G5	Design Code
NE4	Species Protection
NE5	Dev. Affecting Trees, Hedges & Woodlands

East Horsley Neighbourhood Plan - 2017-2033

- Policy EH-EN4 - Biodiversity
- Policy EH-H7 - East Horsley Design Code

Supplementary planning documents:

Residential Design Guide, 2004.

Planning considerations.

The main planning considerations in this case are:

- the principle of development and impact on the green belt
- the impact on the character of the area
- the impact on neighbouring amenity
- highway/parking considerations
- the impact on trees and vegetation
- biodiversity and the impact on protected species
- sustainability

The principle of development and impact on the green belt

The site is located within the Green Belt. The NPPF identifies that new buildings will be deemed inappropriate unless for specific purposes as set out in paragraph 149. The replacement of an existing building for another building in the same use is identified as one such purpose, provided

that the building is not materially larger than that it replaces. The test of whether a replacement building is materially larger is not an openness test nor does it relate to the visual impact of the development. Neither is it a relative assessment to the size of other buildings in the surrounding area. Instead it requires a quantitative assessment, factors can include the floorspace uplift and three dimensional factors such as footprint, increases in height, width, depth and building shape. Where more than one building exists on site i.e. domestic outbuildings, the starting point should be to NOT include outbuildings in the materially larger assessment. Whether other buildings on the site would be removed as part of the application can be a material consideration but this should come after the materially larger assessment, essentially whether there is an overall reduction in built form or improvement to the character of the site that could contribute to very special circumstances in the balancing exercise.

Policy P2 of the adopted Local Plan confirms that Green Belt policy will be applied in line with the NPPF and for replacement buildings further confirms that replacement buildings should overlap with the existing structure, unless it can be clearly demonstrated that the replacement building would not harm the openness of the Green Belt.

A comparison of the existing dwelling (excluding the garage) and the proposed dwelling, is set out in the table below:

	Existing (pre PAs)	Existing (as current)	Previously proposed (18/P/01718)	Previously Proposed (20/P/00592)	Proposed (21/P/00646)	Difference (Existing as current to Proposed)	Difference (Existing pre PAs to Proposed)
Height (Max)	7.55 metres	7.6 metres	8.78 metres	8.8 metres	8.78 metres	+ 1.18 metres (15.5%)	+1.23 metres (16.3%)
Width (Max)	16.0 metres	20.1 metres	17.1 metres	17.8 metres	16.98m	- 3.12 metres (15.5%)	+1 metre (6.25%)
Depth (Max)	10.4 metres	18.4 metres	11.9 metres	12.8 metres	12.2m	- 6.2 metres (33.6%)	+1.8 metres (17.3%)
Floor area	227.2 sq m	303.8 sq m	356.3 sq m	371.2 sq m	340.1 sq m	+ 36.3 sq m (11.9%)	+ 112.9 sq m (49.7%)
Volume	844.6 cu m	1028.4 cu m	1288.9 cu m	1330.6 cu m	1233.7 sq m	+ 205.3 cu m (19.96%)	+ 389.1 cu m (46.1%)

The replacement dwelling would be located in the same position as the existing albeit with a larger footprint. The size of the proposed dwelling is smaller than that proposed under application 18/P/01718 which was refused and subsequently dismissed on appeal and smaller than the most recent refused scheme 20/P/00952.

Since the 2018 application prior approval has been sought for two open sided wood framed extensions which have been constructed. These have resulted in the addition of 76.6 square metres of covered floor area. However, whilst these extensions have foundations they are open sided wooden structures with the one to the side of the dwelling appearing as a car port type structure and the one at the rear appears as a veranda type extension.

The Council does not dispute their existence, nor that they carry weight as part of the existing building. However, it must be considered whether these are a comparable form of development to a replacement dwelling when making the materially larger assessment. Floor area is only one indicator of a materially larger dwelling, it is arguably the bulk and three-dimensional form of a building that provides a clearer measure of whether a replacement building is materially larger or not. In the consideration of planning application 20/P/00592 the Officer Report stated *"This process is a blatant attempt to undermine Green Belt policy in a situation where a proposed development has already been refused and dismissed at appeal. The applicant has made no effort to address the previous reasons for refusal. "*

The applicant's agent in their planning statement submitted with this current application states: *"...Officers suggest that the process of applying for the additional timber extensions was 'a blatant attempt to undermine Green Belt policy in a situation where a proposed development has already been refused and dismissed at appeal.' The timber extensions were legitimately granted permission under the GPDO 2015 regulations and are now lawful structures and there was no reason why these structures could not be accounted for in the assessment of a new proposal."* The Council stand by their conclusions relating to the previous planning application 20/P/00952.

In this case and taking into account the prior approval extensions the volumetric increase would still equate to 19.96% which is significant and will result in the construction of a much larger building with a substantial increase in bulk. Considering that the prior approval extensions are not enclosed it is not found that these are directly comparable to enclosed brick built form which is the nature of the replacement dwelling, as such if the volumetric increase of the brick built form on site was considered solely, the increase would be 46.1% (Officer note: In the consideration of planning application 20/P/00952 the Officer Report stated the volumetric increase of the brick built form would be 36.5% based on the plans submitted. This figure should have read 57.5%, so whilst the current scheme is smaller it still illustrates how much larger the proposed new dwelling would be in comparison to the existing brick built form of the existing dwelling) as the dwelling would be significantly greater in all respects, with increases in height, width, depth, floor area and volume.

Further, the existing dwelling is predominantly two storey but the design features a significant cat-slide roof form with dormer to the northern side elevation, therefore, the extent of first floor accommodation (approximately 90 square metres) is much less than the level of habitable accommodation at ground floor. The proposed property would have a significantly greater level of first floor accommodation (approximately 169.6 square metres) when compared to the existing which represents an 88.5% increase in this level of accommodation. This increase is a clear indicator that the proposed property would be of much greater bulk particularly at first floor level. The recently constructed prior approval extensions are ground floor additions and this again reinforces the argument that the extensions are not comparable to the level of proposed development.

The concerns raised into the previous application in relation to the volume of the proposed dwelling have not been addressed by the applicant. Whilst the current proposal is smaller than that proposed under planning reference 20/P/00952,

The proposal, by virtue of its bulk and three dimensional form, would result in a dwelling which is materially larger than the one it replaces and as such represents inappropriate development. Therefore, the proposal results in harm by reason of inappropriateness and harm to the openness of the Green Belt. Paragraph 147 of the NPPF states that 'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special

circumstances'.

No very special circumstances have been identified. The proposal due to its footprint, scale, bulk and mass represents inappropriate development which is by definition harmful to the Green Belt. The proposal fails to comply with policy P2 of the LPSS, 2015-2034, and Chapter 13 of the NPPF, 2021.

The impact on the character of the area

The existing property is a detached dwelling, of limited architectural merit, set within a spacious plot. The proposed replacement dwelling would be sited to overlap with the existing footprint of the dwelling. The surrounding area is characterised by significant detached dwellings of varying styles and designs. The proposed design approach of the replacement dwelling would respect the character of the area and as such no objection is raised in this regard. The material palette would include: red stock facing bricks, Portland stone lintels and sill banding, dark stained timber exposed rafters, black stained fascia and soffit, black cast aluminium rain water gutter and down pipes. Not all materials are fully detailed on plans and as such it is appropriate to include a condition to request details and samples of materials.

The site features modest vegetation to the front of the plot which softens the appearance of the dwelling. The appropriate design would not result in the replacement dwelling appearing unduly prominent within its surroundings and as such the character and appearance of the locality would not be harmed by the proposal.

The proposal is found to be compliant with policies D1 of the LPSS, 2015-2034, G5 of the saved Local Plan, 2003 (as saved by CLG Direction on 24/09/2007), EH-H7 of the East Horsley Neighbourhood Plan, 2017-2033 and the requirements of the NPPF, 2021.

The impact on neighbouring amenity

The closest neighbouring property is Woodhouse Eaves, to the north of the application site. The proposed dwelling would be set 6.75 metres from the boundary with the existing garage retained immediately adjacent to the boundary and 10.35 metres from the side elevation of this neighbouring property. Owing to the positioning of the proposed dwelling and the location of the neighbouring dwelling, the proposal would not cause any material harm to light levels received or present any overbearing impact. Three ground floor side windows are proposed and two first floor side windows, the first floor windows would be obscure glazed and as such would offer limited potential for any overlooking. A balcony is proposed at the first floor to serve the master bedroom, the balcony would not extend further than the first floor rear building line and would not offer any greater opportunity for overlooking than the proposed first floor rear windows.

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

Highway/parking considerations

The existing access will be retained with an additional access created, the proposed site plan demonstrates parking space for two vehicles on the driveway, although it is acknowledged that the driveway could accommodate further additional vehicles and the existing garage would also be retained. Therefore, the proposal is found to be acceptable in this regard.

Impact on trees and vegetation

The proposal includes the removal of two existing trees to the front of the site, these are not of significant quality to warrant retention. The proposed replacement dwelling would not be situated within the root protection area of the existing trees.

Therefore, the proposal would comply with saved policies G1 and NE5 of the Guildford Borough Local Plan 2003 and the NPPF, 2019.

Impact on protected species

A Bat Survey including dawn and dusk emergence surveys has been submitted with the application. The surveys were carried out in 2017 and again in 2020. The survey in 2020 found that the host property hosts a single soprano pipistrelle day roost which is of low conservation significance and therefore demolition of the dwelling, which would destroy the roost, could not legally commence until a licence for development works affecting bats has been obtained from Natural England or the site had been registered under the Bat Mitigation Class Licence (Bat Low Impact). The report includes a mitigation plan that would ensure that there would not be a detrimental effect on the favourable conservation status of bats and subject to a condition preventing the development without the prior acquisition of a licence from Natural England, the proposal would be in accordance with planning policy in relation to bats. This information could be secured by way of a condition were the proposal found to be acceptable.

The lack of any measures for biodiversity net gain was a reason for refusal on the last application 20/P/00952. The Government announced it would mandate net gains for biodiversity in the Environment Bill in the 2019 Spring Statement. The Environment Bill received Royal Assent on 9 November 2021. Mandatory biodiversity net gain as set out in the Environment Act applies in England only by amending the Town & Country Planning Act (TCPA) and is likely to become law in 2023, the absence of this change to TCPA and no Development Plan policy regarding biodiversity net gain. It would be unreasonable to maintain this reason for refusal, in this instance. However, as para 175 of the NPPF sets out the principles that should be applied to habitats and biodiversity and policy ID4 of the LPSS seeks to contribute to biodiversity along with Send 4 of the SNP which seeks to enhancement of green and blue infrastructure, it would be appropriate to require biodiversity enhancements by condition, if the application was recommended for approval.

Sustainability

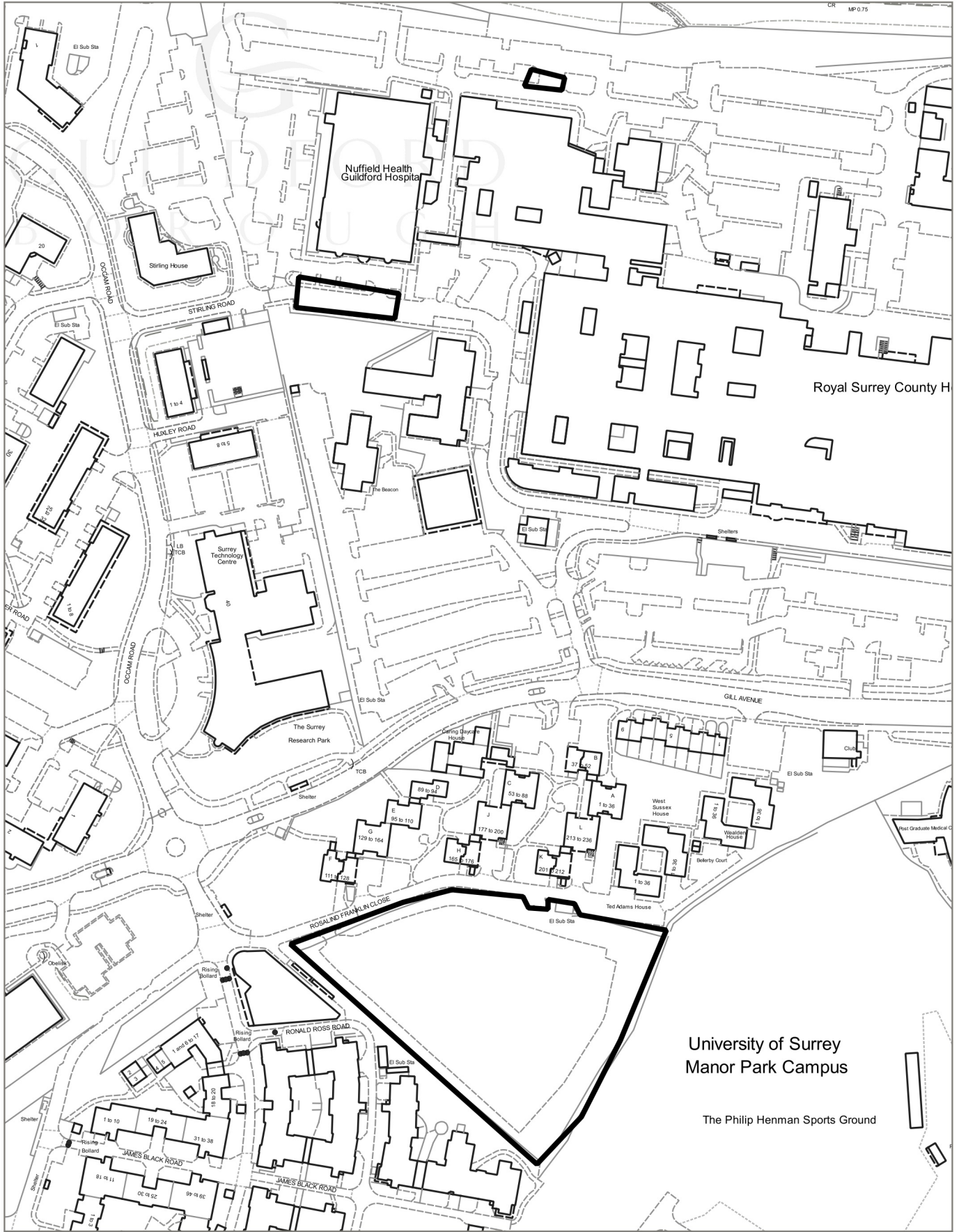
In order for the development to comply with the Council's Sustainable Design and Construction SPD 2011 and Policy D2 of the LPSS, 2015-2034, the new dwellings would need to achieve a 20% reduction in carbon emissions through the use of renewable energy. Some information has been provided by the applicant in respect of the design, construction and operational phases of the development. Further more detailed information could be secured by way of a condition were the proposal found to be acceptable.

Conclusion.

The application has been found to represent inappropriate development in the Green Belt. No very special circumstances have been identified. Therefore, the proposal has been found contrary to both local and national planning policy and is recommended for refusal.

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21/P/00817 - Royal Surrey County Hospital, Egerton Road, Guildford



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

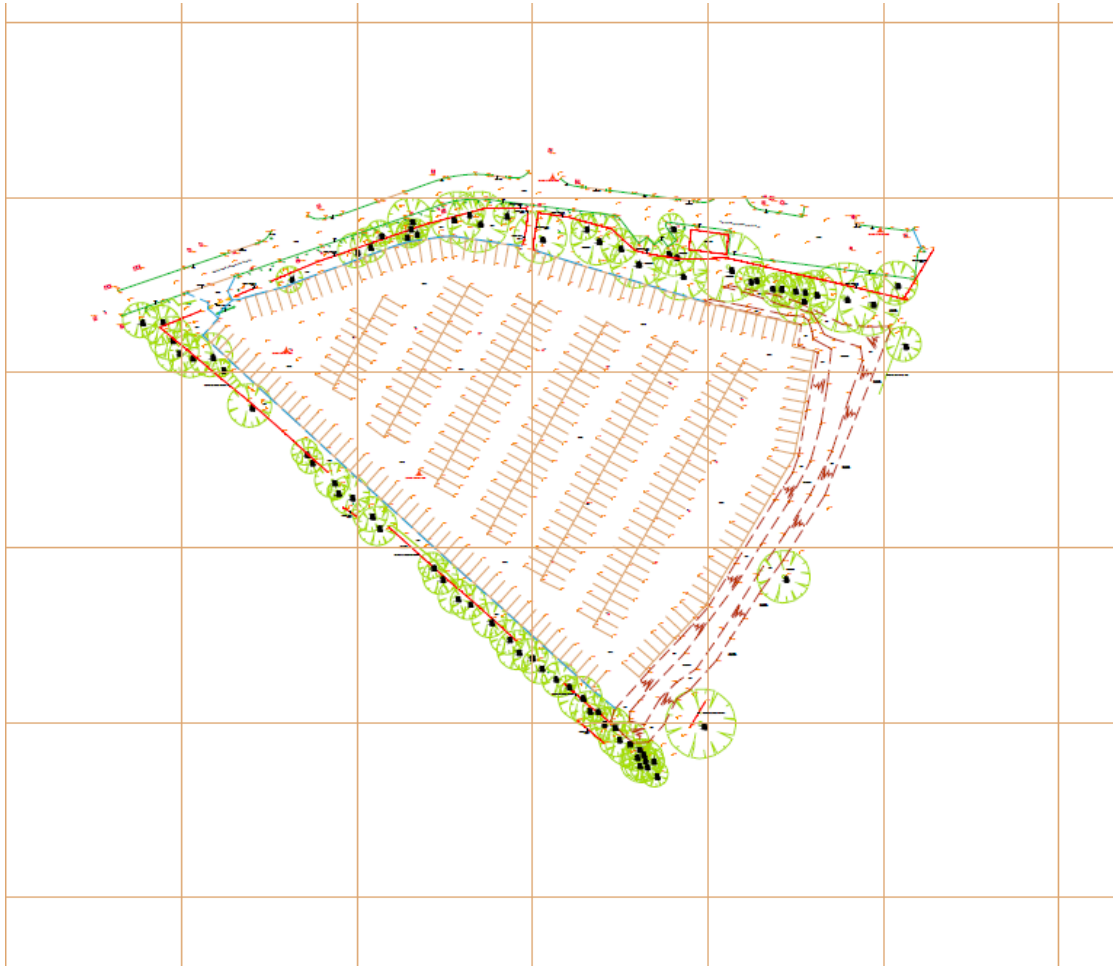
Print Date: 21/12/2021



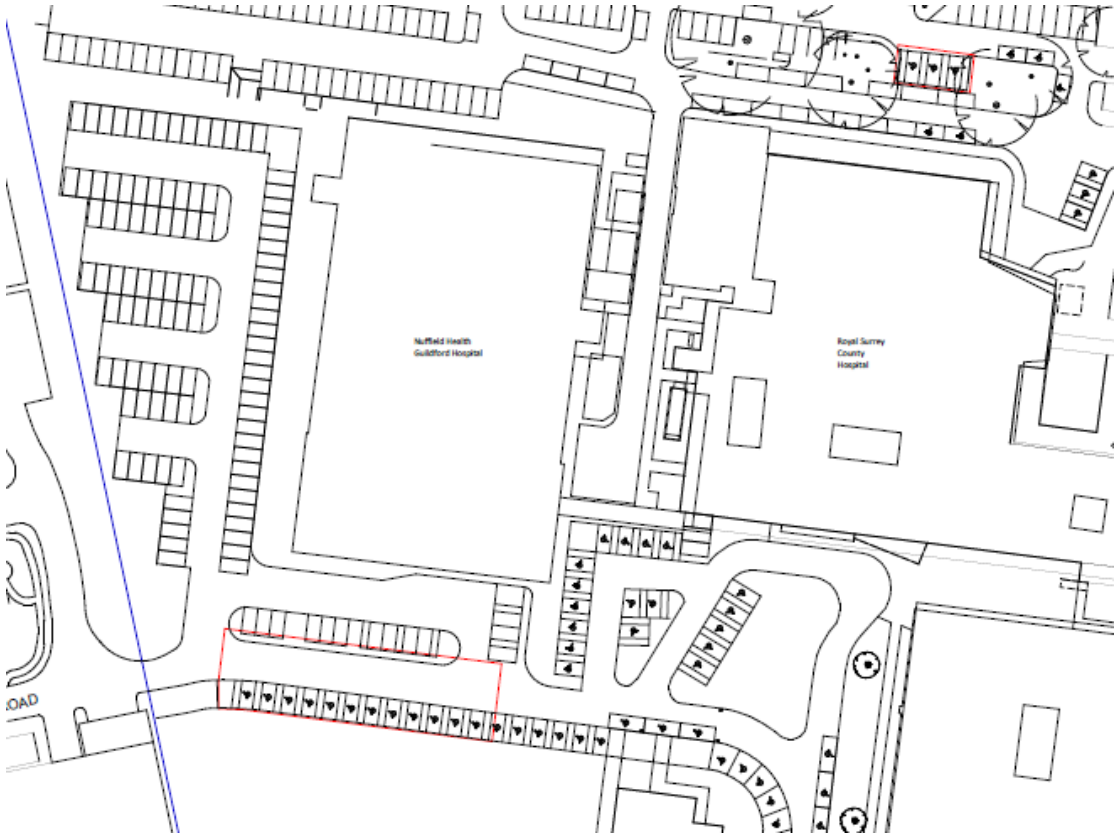
Page 55 Not to Scale



21/P/00817 – Royal Surrey County Hospital, Egerton Road, Guildford



21/P/00817 – Royal Surrey County Hospital, Egerton Road, Guildford



Not to scale

App No: 21/P/00817 **8 Wk Deadline:** 04/08/2021
Appn Type: Hybrid Application
Case Officer: Paul Sherman
Parish: Onslow **Ward:** Onslow
Agent : Mr Chris Wilmshurst **Applicant:** Prime (UK) Developments Ltd
Vail Williams LLP
One Crown Square
Church Street East
Woking
GU21 6HR
Unit 5 The Triangle
Wildwood Drive
Worcester
WR5 2QX

Location: Royal Surrey County Hospital, Egerton Road, Guildford, GU2 7XX
Proposal: Hybrid planning application for the development of land known as Plot 23 (land south of Rosalind Franklin Close) comprising: A. Full planning permission for six level multi storey car park to accommodate 598 staff parking spaces and a security office on land at the south of Plot 23 and the creation of 15 disabled parking spaces on main hospital site with associated landscaping, B. Outline planning permission with, matters of landscaping reserved, for new cancer centre and associated car parking on land at the north of Plot 23.

(Amended plans now include detail of access, layout, scale and appearance of cancer centre now submitted)

Executive Summary

Reason for referral

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

Key information

The application is a hybrid planning application. Full planning permission is sought for the multi storey car park (MSCP) and outline planning permission with only landscaping reserved is sought for the new cancer centre.

The MSCP would be six stories with a maximum height of 18 metres providing a total of 598 parking spaces.

The new clinical building would be mainly two storey and include a dedicated parking area with 30 parking spaces and a landscaped sensory garden.

The proposals would replace the existing temporary car parking area.

Summary of considerations and constraints

The site is within the A17 site allocation area within the Adopted Local Plan which seeks to support hospital related development.

Whilst the development comprises two substantial buildings, in the context of the surroundings these do not appear out of place and whilst there would be some harm caused by the MSCP this is outweighed by the collective benefit of the development in terms of improving the hospital related development in the area and improvements to character by the removal of the existing temporary car park.

The development is located in a particularly sensitive area in terms of relationship with the strategic and local highway networks. Highways England and Surrey County Council have raised no objections subject to appropriate conditions and given this, it is considered that the development would not have an adverse impact on either network. The development would also provide a contribution to junction improvement works and other highway works in the area.

The development would also support the delivery of part of the sustainable movement corridor (SMC) with a legal agreement securing land from future development.

RECOMMENDATION:

(i) Subject to a Section 106 Agreement securing:

- **Submission of an updated Master Travel Plan**
- **Contribution towards the auditing of Master Travel Plan**
- **Contribution towards relevant junction improvement works with the A3**
- **Requirement to undertake a travel study and implement the findings**
- **Contributions to local highway improvements**
- **Safeguarding land for Sustainable Movement Corridor**

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

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

(iii) In the event that a satisfactory legal agreement is not completed the Head of Place be allowed to refuse the application

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: 0101 PL_PL04; 0102 PL_PL04; 0103 PL_PL04; 0104 PL_PL04; 0105 PL_PL04; 0106 PL_PL04; 0107 PL_PL04;

0200 REV PL04; 0201 REV PL04; 0300 REV PL_PL04; 0600 REV PL04; 0900 REV PL05; 090001 REV PL04; 0901 REV PL04; 0905 REV PL04; 0905 REV PL04; 09120 REV PL03; 09140 REV PL03; 09160 REV PL03; 09301 REV PL03; received on 8 June 2021.

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

3. Prior to the commencement of development above the damp proof course (dpc) level 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.

4. The MSCP development hereby approved shall not be occupied unless and until the charging points shown on Drawing No. 153905-STL-01-00-DR-A-XXXX-0101 are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) and a further 5% of parking spaces provided with passive charging points. This required infrastructure shall be permanently 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.

5. The MSCP 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, 153905-STL-01-00-DR-A-XXXX-0101, 0102, 0103, 0104, 0105, 0106 and 0107, for vehicles to be parked, for vehicles to turn so that they may enter and leave the site in forward gear and the controlled accesses implemented. Thereafter the parking, turning and controlled 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 MSCP development hereby approved shall not be first occupied unless and until directional signage has been erected within the local area to direct staff, visitors, ambulances, deliveries and drop-offs to ensure the free flow of vehicles within the application site, in accordance with a scheme to be submitted to and approved in writing by The Local Planning Authority.

Reason: To ensure an acceptable flow of traffic.

7. No development including any works of demolition or preparation works prior to building operations shall take place on site until a Construction Transport Management Plan has been submitted to, and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period and shall include:
 - (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) HGV deliveries and hours of operation
- (f) measures to prevent the deposit of materials on the highway
- (g) on-site turning for construction vehicles 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.

8. No development shall commence until a Temporary Visitor Car Parking Management plan, to include details of management of visitor parking during construction of the multi-storey car park 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.

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

9. No development shall commence until a Temporary Staff Car Parking Management plan, to include details of:
- a) management of staff parking during construction of the multi-storey car park
 - b) temporary park and ride facilities have 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.

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

10. No development shall be occupied until confirmation has been provided 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 development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.
Reason - The development may lead to no / low water pressure 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.

Reason: To ensure sufficient capacity exists.

11. Prior to first occupation of the development hereby permitted, the improvement to the A3 Egerton Road Roundabout will be carried out in accordance with *Drawing B/NHSROYALSURREY.1/03* or such other scheme of works or variation substantially to the same effect, as may be

approved in writing by the Local Planning Authority (in consultation with Highways England and Surrey County Council).

Reason: To mitigate any adverse impact from the development on the A3. To ensure that the A3 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

12. The development of the MSCP or the cancer care building hereby permitted shall not commence until details of the design of a surface water drainage scheme for the relevant building 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 (+20% 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 discharge rates and storage volumes shall be provided using a maximum discharge rate of 3.1 l/s.
 - 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 from increased flood risk.
 - 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 that the principles of sustainable drainage are incorporated into the development.

13. Prior to the first occupation of the MSCP, 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 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 constructed to the National Non-Statutory Technical Standards for SuDS.

14. Prior to the first use of the MSCP both hard and soft landscape measures

set out on the approved plans (with the exception of planting, seeding and turfing) shall be implemented 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.

15. All planting, seeding or turfing approved as part of this permission 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.

16. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before expiration of two 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.

17. No development shall commence until a Site Waste Management Plan has been submitted to an 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.

18. The development hereby permitted shall be constructed in accordance with the measures in the 'Energy and Sustainability Statement' prepared by Hydrock dated 30 March 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.

19. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

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

20. The development hereby permitted shall be carried out in accordance with the following approved plans: PL001; PL002; PL010; PL011; PL101; PL102; PL200; PL201; PL300; PL301; PL400; PL401; 020.067 EX01 REV P2; 020.067 EX02 REV P2; 020.067 EX03 REV P1 received on 27 July 2021.

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

21. Prior to the commencement of development above the damp proof course (dpc) level until 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.

22. The cancer centre development hereby approved shall not be occupied unless and until the charging points shown on Drawing No.4767, PL.011 are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply). This required infrastructure shall be permanently 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.

23. The cancer centre 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.4767, PL.011, for vehicles/cycles to be parked, for vehicles to turn so that they may enter and leave the site in forward gear and the controlled accesses implemented. Thereafter the parking, turning and controlled areas shall be retained and maintained for their designated purposes.

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

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

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

2. This development involves work to the public highway (strategic road network and local road network) that can only be undertaken within the scope of a legal Agreement or Agreements between the applicant and Highways England (as the strategic highway company appointed by the Secretary of State for Transport) and, as necessary and appropriate, the Local Highway Authority. Planning permission in itself does not permit these works. It is the applicant's responsibility to ensure that before commencement of any works to the public highway, any necessary Agreements under the Highways Act 1980 are also obtained (and at no cost to Highways England). Works to the highway will normally require an agreement or agreements, under Section 278 of the Highways Act, with Highways England and the Local Highway Authority.

3. **Highway Informatives**

- 1) 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).
- 2) 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
- 3) 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.
- 4) Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
- 5) All bridges, buildings or apparatus (with the exception of projecting signs) which project over or span the highway may be erected only with the formal approval of the Transportation Development Planning Team of Surrey County Council under Section 177 or 178 of the Highways Act 1980.
- 6) The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local

Highways Service.

Officer's Report

Site description

The application site comprises approximately 1.3ha of land located to the south of Rosalind Franklin Close and forms part of the wider Royal Surrey County Hospital (RSCH) estate. The site is bounded by Rosalind Franklin Close to the north with staff accommodation associated with the RSCH located beyond. To the south the site bounds the University of Surrey's Manor Park Campus with a number of large buildings containing student accommodation adjacent to the boundary of the application site.

Access to the site is from Rosalind Franklin Close via Gill Avenue; both of which are private roads within the ownership of the RSCH. Gill Avenue adjoins the public highway at the junction with Egerton Road. The site is currently used as staff car park for the RSCH and provides approximately 406 car parking spaces; this is subject to a temporary planning permission granted (on appeal against an Enforcement Notice) on 12th July 2019. This planning permission will expire in July 2024.

Other than the hard surfacing and various lighting columns and signage associated with the use of the site as a car park the application site contains little existing development. The majority of the site has also been cleared of vegetation although the trees and hedges marking the boundaries of the site have generally been retained. In particular the northern boundary of the sites is marked by a number of mature trees of reasonable quality. The site also includes a noticeable level change falling from the high point at the access to the south and east of the site, with total level changes across the site of 5.1m and 7.4m respectively.

The application site is located within the urban area and is allocated for development by Policy A17 of the Guildford Local Plan: Strategy and Sites 2015-34. The site is also within the 400m to 5km Zone of Influence of the Thames Basin Heaths Special Protection Area.

Proposal

The application is a hybrid application which seeks full planning permission for the erection of a multi-storey car park (MSCP) and outline planning permission for a new cancer centre associated with the RSCH.

The outline application for the cancer centre includes matters of access, layout, scale and appearance with landscaping the only matter being reserved. The application describes this building as being a new 'cancer centre' to be operated by Genesis Care, a private sector provider of cancer treatments who are currently located at the Mount Alvernia Hospital on Harvey Road. While the applicants intention is for the building to be used by Genesis Care, and used to provide cancer treatments, Genesis Care are not the applicant for the development and the applicant has not sought to limit the use of the new building to cancer treatment. In any event, it would not be reasonable for the Council to prescribe the clinical uses that the building would be used for or whether this be used directly by the NHS or by a provider of healthcare. Accordingly, this application should be considered as providing new clinical facilities and should not be considered to be limited to being a cancer treatment centre or that it would be limited to the private occupier currently intended to occupy it (i.e. Genesis Care). In the event that the building was to be used for another clinical use, be it by the NHS directly or by another private provider of health care, this

would likely not require a further planning permission.

Access to the site would remain from the existing access point on Rosalind Franklin Close and this access would serve both the proposed new MSCP and the new cancer centre. The MSCP would be located to the rear of the site adjacent to the boundary with the Manor Park Student accommodation while the proposed clinical building would be located to the front of the site, between the MSCP and the RSCHs staff accommodation on Gill Avenue.

The MSCP would comprise a large rectangular building approximately 80m in length and 35m deep. It would have a height of between 15m and 18m and will include 6 split level parking decks providing a total of 598 car parking spaces. The building would have two cores with lift and stair access located at the north and south ends of the building with a security office also located in the north section of the building at lower ground floor level. Vehicle access to the building will be from the south west corner of the building while pedestrian access and egress will be from the north of the building and will link to a new footpath linking the building to Rosalind Franklin Close, in turn this will pass through the staff accommodation site and across Gil Avenue to the RSCH. The building would have a functional appearance with the stair cores constructed from cast concrete and the elevations of the building clad a metal mesh skin and solid anodised aluminium panels to serve as headlight screens. The trees on the boundaries of the site will be retained with additional planting provided adjacent to the eastern site boundary which is shared with Manor Park Campus.

The clinical building would be predominantly two-storey but would include a roof mounted plant room over part of the building. The building would have height of 8.6m with a maximum height of 11.1m including the roof top plant. It would have a length of approximately 48m with a depth of approximately 27m. The building would have a contemporary appearance with elevations of dark brick at ground floor level with lighter coloured aluminium cladding used on the upper sections of the building. The first floor would also be cantilevered to provide an overhang giving shelter to pedestrians accessing the building and a glazed curtain wall feature making the entrance and reception areas. The building would benefit from a dedicated parking area, providing 30 car parking spaces, which would be located to the front of the building. There would also be landscaped sensory garden between the car parking area and the entrance to the building which would be available for staff and patients / visitors. The landscaping on the site boundaries is also shown to be retained and supplemented where necessary.

Relevant planning history

15/P/00976 - Temporary parking provision for 388 spaces for a period of 2 years at land off Rosalind Franklin Close for hospital use.
Approved (11/11/2015)

17/P/02554 - Variation of condition 1 of 15/P/00976 approved 11/11/2015, to allow the continued use of land to south of Rosalind Franklin Close as parking provision for 388 spaces for a period of 3 years.
Refused (14/03/2021)

ENF/17/00405 - Unauthorised use of the land as a car park following expiry of temporary permission 15/P/00976 on 31st December 2017.
Enforcement Notice issued (16/03/2018), appeal allowed and enforcement notice quashed (12/06/2019). Planning permission granted for a temporary period of 5 years.

19/P/01869 - Variation of Condition 2 (parking layout) and 3 (travel and parking plan) of planning application as approved on appeal (APP/Y3615/C/18/3200526) on 12/07/2019.
Approved (24/01/2020)

Consultations

Statutory consultees

National Highways (formally Highways England): No objection subject to a planning condition to secure an improvement to the A3 Egerton Road Roundabout.

County Highway Authority: No objection subject to conditions and a legal agreement to secure improvements to the local highway network and measures to promote sustainable travel.

Environment Agency: No comments received at the time of writing

Internal consultees

Head of Environmental Health and Licensing: No objection subject to conditions to control light spill from the proposed car park.

Non-statutory consultees

Surrey Police Crime Reduction Officer: I am pleased to report that I have been working with the development team for this project, based on the work we have completed the Car park is on track subject to a final inspection I am confident this will achieve a Park Mark Accreditation.

Amenity groups / Residents associations:

University of Surrey Students Union: Object to the application due to the impact on safety and privacy of students residing in Manor Park.

Guildford Society: Objects on the following grounds:

- design
- traffic impact
- light pollution
- sustainability

Third party comments

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

- impact on the occupants of the adjoining student accommodation
- impact of noise, light, and air pollution
- impact on the wellbeing of the occupants of the student accommodation
- overlooking / impact on privacy
- loss of currently pleasant views from the student accommodation units
- loss of daylight to adjoining student accommodation
- increase traffic on local roads
- increased congestion limiting access to the Research Park
- lack of need for additional parking

- impact on pedestrian safety
- poor design / impact on the character of the area
- detrimental to public transport / sustainability
- scale of the building is inappropriate to the local area
- fails to consider impacts of climate change
- restricted access to Research Park will have wider economic impact

154 letters of support have been received principally outlining the following positive comments:

- need for extra parking at RSCH
- benefit of additional clinical facilities
- improved working conditions for staff
- no adverse impact on local highway network
- benefits for staff and visitors to the site
- reduced parking in surrounding residential streets
- need to support NHS / hospital related development

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.

Planing policies

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 P4: Flooding, flood risk and groundwater protection zones

Policy D1: Place Shaping

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

Policy ID1: Infrastructure and delivery

Policy ID3: Sustainable transport for new developments

Policy ID4: Green and blue infrastructure

Policy A17: Land south of Royal Surrey County Hospital, Rosalind Franklin Close, Guildford

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

South East Plan 2009

Policy NRM6: Thames Basin Heaths Special Protection Area

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 public consultation.

The National Planning Policy Framework

The following sections of the NPPF are considered to be most relevant to this application:

- Chapter 2: Achieving sustainable development
- Chapter 4: Decision-making
- Chapter 6: Building a strong, competitive economy
- Chapter 8: Promoting healthy and safe communities
- Chapter 9: Promoting sustainable transport
- Chapter 11: Making effective use of land
- Chapter 11: Achieving well-designed places
- Chapter 14: Meeting the challenge of climate change, flooding and coastal change
- Chapter 15: Conserving and enhancing the natural environment

National Planning Practice Guidance

The following sections of the NPPG are considered to be most relevant to this application:

- Air quality
- Climate change
- Design: process and tools
- Flood risk and coastal change
- Health and safe communities
- Light pollution
- Natural environment
- Travel Plans, Transport Assessments and Statements
- Use of planning conditions

Other National Planning Guidance Documents

The following Written Ministerial Statements are material considerations:

- Sustainable Drainage Systems (House of Commons: Written Statement HCWS161)
- Parking / Planning Update (House of Commons: Written Statement HCWS488)

Supplementary Planning Documents

- Climate Change, Sustainable Design, Construction and Energy SPD
- Planning Contributions SPD
- Vehicle Parking Standards SPD

Planning considerations

The main planning considerations in this case are:

- the principle of development
- the impact on the character of the area
- the impact of the development on residential amenities
- the impact of the development on the local and strategic highway networks
- the impact of the development on the need to promote sustainable transport choices
- the impact of the development on air quality
- the impact of the development on Flood Risk and Sustainable Drainage
- sustainable design and construction
- legal agreement requirements

The principle of development

The application site is located within the urban area where the principle of development is generally considered to be acceptable. The site is allocated for development by Policy A17 of the Local Plan which states seeks to support 'hospital related development' on the site as well as development which supports the operation of the Royal Surrey County Hospital (RSCH).

Policy A17 of the Local Plan requires that any proposals for the site should:

- be for development related to the RSCH
- must ensure that the proposed layout does not prevent the provision of the Sustainable Movement Corridor (SMC), and
- must contribute towards encouraging use of the SMC

The Local Plan policy also identifies opportunities for the development of the site which include, the provision of staff accommodation, the provision of medical facilities and to encourage cycling and pedestrian movements within the local area. Key considerations for applications are identified as being the existing use of the site as a temporary car park and the impact of any development on the local and strategic highway network.

The application proposes the use of the site for a Multi-Storey Car Park (MSCP) as well as new clinical facilities. The development proposed would clearly meet the requirement for being related to the RSCH in that it would provide new clinical facilities as well as parking for staff working at the RSCH. The proposed development would not be located on land needed for the SMC and would not prevent or impair the provision of this piece of essential infrastructure. The final consideration is therefore whether the proposed development, in particular the creation of a new MSCP, would encourage use of the SMC and whether this would be compatible with the need to promote sustainable modes of transport. These matters will be considered in the relevant sections of the report set out below.

Having regard to the above, it is clear that the proposed development would clearly meet the requirement that the development be hospital related. The implications of the development on the SMC and whether the proposal meets the requirement to support the use of sustainable modes of transport will be assessed in the following sections of this report. Subject to these considerations, the development is considered to comply with the objectives of Policy A17 as well as the objectives of Policy ID3 of the Local Plan. Accordingly, it is concluded that the development is acceptable in principle subject to the consideration of the impact on transport sustainability and the SMC.

The impact of the development on the character and appearance of the area

The application site is located to the west of Gill Avenue and south of Rosalind Franklin Drive; the site is currently largely undeveloped and is in use as a temporary car park associated with the RSCH. The site comprises part of the wider RSCH site but while the main hospital site is characterised by unplanned development which has responded to the needs of the hospital, the development in the surrounding area generally comprises large buildings set in well landscaped plots. This character is evident on the existing development to the west of Gill Avenue as well as the existing buildings on the research park, and the development on the University's Manor Park campus.

The development proposed includes the erection of a new clinical building and a MSCP. While this is a hybrid application there is nothing binding in the application to suggest that both elements of the scheme would be built at the same time, or even that both elements of the scheme would be built. Accordingly, it is necessary to consider the impact of each element of the scheme, as well as the cumulative impact of the developments, on the character and the appearance of the area.

For the purposes of this application, the applicant has split the site in to two elements. The southern part of the site is to be used for the MSCP while the northern part of the site is to be used for the clinical facilities building. The application for the MSCP is made in full and while the application for the clinical building is at outline, only matters of landscaping are reserved at this stage. Given that matters of layout, scale, design and appearance are provided there is considerable detail available to assess the impact of this building, such details would be secured by condition in the event that planning permission was to be granted.

The application site is located in an area that includes a wide range of building scales and types. The site is adjoined by RSCH staff accommodation which is predominantly three-storey as well as student accommodation at the University of Surrey's Manor Park Campus which includes large buildings of up to five-storeys. The wider area also includes the large buildings of the RSCH and a number of large commercial buildings located on the Surrey Research Park.

The MSCP would comprise a very large building measuring 80m in length and 35m in depth; it would include 6 car parking decks and would have a total height of approximately 18m. The proposed building would be set to the rear of the site and on the lowest part of the site and although the existing buildings largely screen the development from Gill Avenue the proposed structure would be visible from Rosalind Franklin Close and in glimpsed views from Alexander Fleming Road, James Black Road and Daphne Jackson Road within the University's Manor Park Campus. The MSCP would have a functional appearance and while the use of metal mesh cladding and solid aluminium panels goes some way to break up the visual mass of the building it would still appear as a large and somewhat imposing building. It is however also accepted that the very nature and requirements of the building make interesting architectural design challenging and large car parks are inherently unlikely to be of the highest architectural or design quality.

In this instance, while it is undeniably a large and uncompromising building, its impact on the character of the area is limited by its location and it would be seen against, and in the context of, other large buildings in the local area most notably the large student accommodation blocks on the Manor Park campus. The impact of the development could also be further mitigated by additional planting on the site boundaries which while this would not screen the full height of the

development it would soften the appearance of the development in shorter range views. Accordingly, it is considered that while the development would have a minor adverse impact on the character or the appearance of the area this impact is not so severe as to warrant the refusal of the application on these grounds alone. This adverse impact should be weighed against the benefits of the scheme and the presumption in favour of delivering hospital related development on this site.

The proposed clinical building would be located broadly within the centre of the site with an area of parking and a landscaped sensory garden area located to the front of the building and south of Rosalind Franklin Close. The building would be two-storey (with a roof top plant area) and while the proposed building would have a relatively large footprint it would be broadly consistent in height with the existing RSCH staff accommodation and would be lower than a number of the University buildings which adjoin the site to the south. The scale and location of the building mean that it would be almost entirely screened from the principal routes within the Manor Park Campus and from Gill Avenue. Views from Rosalind Franklin Close would be limited to those from the access point with other views largely screen by existing and proposed landscaping. The building would have a contemporary appearance and has been carefully designed to provide a high-quality building that would sit comfortably within its site and the wider area. The development would also remove the existing temporary car park and the provision of the building and a high quality hard and soft landscaping scheme would enhance the character and appearance of this part of the hospital's estate.

It is therefore considered that while the proposed MSCP would give rise to a minor adverse impact on the character and the appearance of the area these should be weighed against the benefits of the proposal and the policy presumption in favour of hospital related development on this site. The clinical building would be of a high design quality and would enhance the character and the appearance of the area and accordingly it is concluded that individually these elements are acceptable in this regard. In the event that both elements of the scheme were to be built out it is noted that the proposed clinical building would also have the benefit of providing additional screening or the MSCP in views from the north and from Rosalind Franklin Close. There are no cumulative adverse impacts from the development of both buildings and there would be some benefit from both of the buildings being constructed.

Having regard to all of the above it is concluded that the developments, individually and cumulatively, meet the objectives of Policy D1 of the LPSS and the relevant guidance set out in the NPPF. In the event that planning permission is to be granted suitable conditions to control the use of external materials and the hard and soft landscaping of the sites should be included.

The impact of the development on residential amenities

The application site is located on a parcel of land located between the University's Manor Park campus and the hospitals staff accommodation located south of Gill Avenue. The development proposed has the potential to impact on the residential amenities currently enjoyed by the occupants of the residential developments though the scale of the proposed buildings, the potential increase in the intensity of the use of the site, as well as from environmental impacts such as increased noise and light pollution.

The application seeks permission for two distinct elements, namely the clinical facilities to be located within the northern part of the site and the MSCP located within the southern part of the site. Given that the application is a hybrid application, and that it is possible that either one of the applications could be implement without the other, it must be shown that both individually and

cumulatively, the development would not result in a material adverse impact on the amenities enjoyed by the occupants of the surrounding residential properties.

The multi storey car park is located to the eastern part of the site and is in close proximity to a number of student accommodation blocks. Whilst it is of a significant size, the relationship to nearby student buildings is sufficient to ensure that the structure itself would not adversely impact on the amenities of these occupiers. Furthermore, additional landscaping can be provided around the site boundary to soften the appearance of the building. Therefore in this respect the development would not be harmful. In terms of the use of the building as a car park, there would be some noise generation, however, this would not be significant and the building is designed to minimise light spillage to the surrounding properties.

The clinical building is located further to the west of the site and its proximity from nearby properties is such that it would not negatively impact in terms of loss of light etc. Whilst it benefits from a modest car park the vehicle movements associated would not be significant and are unlikely to give rise to concerns over neighbouring amenity. The use of the building as a clinical facility is unlikely to give rise to significant levels of noise and disturbance.

In the event that both elements of the scheme were to be implemented it is not considered that this would result in any greater impact on the residential amenities of the occupants of the surrounding residential properties identified above. The MSCP would screen the clinical building from the occupants of the student units and the clinical building would also create a buffer between the MSCP and the adjoining hospital staff accommodation. Given that both elements of the scheme have been considered to be acceptable in their own right, there is no reason to consider that the combined impact of the two elements is not acceptable. While this would increase the intensity of the use of the site it is not considered that this would be to such a significant degree that it would result in any material disturbance of occupants such as to be detrimental to the amenities of the occupants of these properties.

The impact of the development on the local and strategic highway networks

While as is noted above, the two elements of the scheme could be provided individually or cumulatively, the impact on transport matters is very much more relevant in terms of the impact from the MSCP. While the proposed clinical facilities would result in additional vehicle movements these are de-minimis in terms of the existing clinical facilities which are provided by the RSCH while the creation of new parking spaces within the MSCP has the potential to significantly increase the number of car trips to the hospital and increase the number of movements on the already congested road network.

The application site is accessed from Rosalind Franklin Close; this is a private road which is accessed from Gill Avenue which is also a private road owned and controlled by the applicant. Gill Avenue joins the public highway network at the junction with Egerton Road. Both the MSCP and the clinical building will use the proposed access from Rosalind Franklin Close with the vehicle movements split within the site to give individual access to the MSCP and the clinical building. The application site is located on a part of the highway network which is known to be congested. In addition to the hospital, Gill Avenue also serves the Surrey Research Park which is another major employer in the borough and a significant contributor to the traffic on the local road network. Both the RSCH and Surrey Research Park are accessed along Gill Avenue where queues form leading into the sites in the AM peak and away from the sites in the PM peak.

Both the NPPF and the Local Plan seek to ensure that new development does not impact on the

operation of the Local Highway Network; neither document seeks to extend this consideration to the impact of development on private roads. The NPPF also makes clear that planning permission should not be refused on transport grounds unless the impact on the highway network is severe. Policy ID3 of the LPSS seeks to ensure that new development does not adversely impact on the local highway network and supports development which would contribute to the delivery of an accessible and safe transport system which maximising the use of the sustainable transport modes such as walking, cycling and the use of public transport.

The application site is currently used for car parking associated with the RSCH and provides approximately 406 car parking spaces. The current car parking is subject to a number of controls and restrictions, enforced by a permit system, which are intended to ensure that the majority of trips to and from the site are outside of peak hours with the intention being that the impact on the public highway is reduced as far as possible. While the site is currently used for car parking this is only subject of a temporary planning permission and the appeal decision which granted this temporary permission was clear that the use of this site for car parking contributes to the congestion on the network and that the period for the temporary permission should be used to agree a permanent solution to the parking difficulties associated with the RSCH while mitigating the impact on the transport network. While these measures are controlled by planning conditions it is not clear how effectively these are working as when officers have visited the site a number of vehicles have been seen to be parked without the correct permit and a number of vehicles were observed to be parked outside of the bays.

The RSCH is one of the major employers in the borough with approximately 5000 members of staff, including those directly and indirectly employed. There are currently approximately 1100 parking spaces available for use by staff which includes c.700 on the main hospital site and the c.400 spaces on Plot 23. This means that there is parking for 23% of staff although it must be acknowledged that not all of the 5000 members of would be working at the same time and therefore a higher proportion of staff are likely to be accommodated during their shifts.

The development proposed would see the current provision of c.400 temporary car parking places replaced with a new permanent MSCP providing 598 permanent car parking spaces for use by staff at the RSCH, this would be in addition to the 30 spaces intended to serve the new clinical building. The proposal also includes changes to the parking arrangements on the main RSCH site which would see 170 existing staff parking space be made available for visitor parking. The development would therefore increase the number of visitor parking spaces from c.460 to c.630 while the number of staff parking spaces would increase by 28 (including those spaces subject to temporary planning permission).

The Councils Parking Strategy SPD sets out a maximum parking standard of 1 car parking space per 4 members of staff plus 1 parking spaces per 3 daily visitors. It should however be noted that these parking standards date back to 2006 and that the Written Ministerial Statement on parking has suggested that maximum parking standards should not be rigidly applied unless there is clear and up to date justification to do so. The scale and the complexity of an organisation such as the RSCH also makes applying a specific parking standard problematic given the number of different ways and staff numbers can be considered, shift working patterns and number or timing of visitors attending the site. It is beyond doubt that the RSCH has struggled for some time to be able to offer the number of spaces that both staff and visitors to the site expect to be provided and this is evidenced by the applicant in a number of staff and visitor surveys undertaken over several years. It is also clear that there has been an impact from the current pandemic both on the number of people using services at the RSCH but also on the ability of people to feel safe in using public transport to access the site. It is therefore considered that it would be inappropriate

to seek to apply a maximum parking standard to the RSCH and a more flexible bespoke consideration to the level of staff and visitor parking should be applied.

The need to control, and not to over-provide car parking spaces has a number of legitimate objectives and this includes seeking to ensure that sustainable transport choices are prioritised. The restriction on parking availability should ensure that people use other modes of transport available and this in turn should ensure vehicle movements on the local highway network do not increase to the point that it would have an unacceptable impact on the operation of the network. It is therefore considered that rather than applying a specific parking standard to the RSCH, the level of parking should not be viewed as unacceptable provided it can be shown that all reasonable measures to promote sustainable transport choices have been taken and that the additional trips generated by the additional parking would not have an adverse impact on the operation of the local or strategic road network.

The strategic highway network, in this instance the A3, is managed by National Highways. The principal concern of National Highways in respect of this application is the impact of the development on the operation of the A3 and in particular traffic seeking to leave the A3 at the Egerton Road junction and whether this would cause delays on the slip road backing back on to the A3 carriageway. This junction has recently been upgraded with a longer slip road to order to alleviate a pre-existing issue and to improve the flow of traffic on the strategic road network.

National Highways have been consulted on the application. While it initially raised concerns with the proposed development the applicant has provided additional information and proposed mitigation to the Egerton Road / A3 junction. Following consideration of this information National Highways has advised that they have no objection to the proposed development subject to conditions which would ensure that the Egerton Road / A3 junction was re-lined to increase its capacity. Subject to this condition National Highways has confirmed that it has no objection to the development based on the impact on the strategic road network.

The local road network is managed and controlled by Surrey county Council however its remit is limited to consideration of the impact of developments on the adopted public highway. In this instance the public highway begins at the signalised junction of Egerton Road and Gill Avenue; Gill Avenue and Rosalind Franklin Close are private roads owned by the applicant.

The County Highway Authority has considered the application and has advised that, based on the information provided, the provision of the MSCP will not result in significant increase in staff numbers travelling to the site by private car. While this may be true, and the changes to the number of staff parking spaces may be modest, it is necessary to ensure that the objective to reduce private car travel to the hospital is maintained and this would be secured through planning conditions which will be discussed in the next section of this report.

While the total increase in staff parking numbers is relatively modest, the development would include the rearrangement of much of the on-site parking to provide c.170 additional visitor car parking spaces. While it is a clear benefit to visitors to be able to park on site this benefit needs to be balanced, if necessary, against the objective of ensuring the safe and efficient operation of the local highway network. The applicant has suggested that there has been a reduction in visitors and staff on site due to the current pandemic, and that this will continue post-covid due to appointments being able to be undertaken remotely and which should therefore result in a reduction of trips associated with the site on the network. While this is at best uncertain, if true, it would appear to undermine the need for additional parking which is the cornerstone of this application.

Given that the application results in a significant increase in the number of parking spaces on site, be it staff or visitors, it is reasonable to assume that this would lead to a responding increase in the number of vehicle trips on the local highway network. While the applicant states this would not be the case for a number of reasons, including the pandemic limiting face-to-face meetings, this is likely to be a short / medium term impact and it seems unlikely that a public sector organisation would provide additional parking if it did not feel that this would be used in the longer term. The provision of these spaces has a cost, in particular the cost associated with the creation of the MSCP, and while the applicant states that there would be minimal additional vehicle movements associated with the proposed development it is unlikely that the applicant would provide c.170 additional visitor car parking spaces if these were unlikely to be used and if they were unlikely to contribute to parking revenue generated on the site.

Notwithstanding the claims by the applicant, it is clear that the proposed development has the potential to increase the number of trips by private car to the RSCH and the impact of these additional trips on the local highway network should be mitigated to ensure that the proposed development does not have an adverse impact. The County Highway Authority have advised that any planning permission for the new MSCP should include conditions in respect of sustainable transport (assessed below) and to secure highway improvements in the vicinity of the site. This would include a contribution to improve the A3 / Egerton Road junction (also requested by NH) as well as a contribution of £100,000 towards improvement works to the public highway within the vicinity of the site. Subject to these conditions and contributions the County Highway Authority is satisfied that the development would not impact on the safe and efficient operation of the local highway network.

A number of representations, including those raised by the University of Surrey, have identified concern with the impact of the development on the operation of the roundabout junction of Gill Avenue / Priestly Road/ Occam Road as well as the capacity of Gill Avenue to accommodate the additional vehicle movements associated with the proposed development. It is evident from site visits undertaken by officers that Gill Avenue is subject to queuing both in the AM and PM peak with vehicles trying to access or egress these sites through the Egerton Road junction. It is however noted that these impacts arise on private land and accordingly the County Highway Authority has not commented on these potential issues. While the development has the potential to exacerbate some existing issues on these private roads, these are matters for the relevant landowners to address and neither the LPSS or the NPPF give the Local Planning Authority scope to consider the impact of development on private roads. While the development could result in additional queuing and delays on these roads, there is no suggestion that this would be detrimental to public safety and accordingly there is no scope for the LPA to withhold planning permission on these grounds. Officers would instead encourage the relevant parties to engage and to explore what improvements could be made to the relevant junctions, although this is likely to fall outside the scope of this planning application.

Having regard to all of the above it is concluded that the development should not be assessed strictly against the maximum parking standards currently in place and that the development should be supported provided that the impact on the local and strategic highway network is acceptable. In this regard, neither National Highways nor Surrey County Council have objected to the proposal (subject to conditions) in respect of the impact of the development on their highway networks. While the development would enable additional trips to the site by private car, this is not in itself unacceptable, provided that all reasonable options for encouraging sustainable modes of transport are supported. For these reasons the development is considered to comply with the objectives of Policy ID1 and ID3 of the LPSS and the relevant objectives of the NPPF.

The impact of the development on the need to promote sustainable transport choices

As part of the documents supporting this planning application the applicant, the RSCH, has reaffirmed their support for seeking to encourage sustainable transport and this is said to include support for the Sustainable Movement Corridor (SMC) and the provision of a new train halt on land adjacent to the hospital. The applicant has also reaffirmed their commitment to creating a wide reaching Travel Plan to cover the existing RSCH operations and the elements of the new development. Notwithstanding this, the provision of a new MSCP and an increase in parking provision on the site is likely to encourage, and enable, more staff at the hospital to travel to the site by private car. Policy ID3 of the Local Plan requires that development seek to promote use of sustainable transport choices and accordingly the provision of additional parking for private vehicles is likely to be contrary to the objectives of Policy ID3 unless it can be shown that suitable compensatory measures are included which would also promote sustainable transport.

The application site is located in close proximity to Gill Avenue which is identified by the LPSS as forming part of the proposed Sustainable Movement Corridor. While the development itself does not impact on land needed for the SMC it is essential that a development which would have the effect of promoting vehicle trips by private car should also contribute to the delivery of the SMC. Following discussions with the applicant, it has been agreed that an area of land adjacent to Gill Avenue would be safeguarded from any further development and that this land would be made available for improved pedestrian and cycleway infrastructure in the future, which would form part of the SMC works. While a detailed design of this part of the SMC is not currently fixed, and would likely be dependant on other development in the area, the commitment of the applicant to safeguard this land and to make it available for pedestrian and cycle movements associated with the SMC provides a clear benefit to off-set the car focused nature of the current scheme. The land identified and the mechanism for securing its release for future sustainable transport uses are to be included in a Planning Obligation that should be completed before any planning permission for the development is issued.

While officers have also considered the need for the dedication of land to support the delivery of the Guildford West rail halt, this project is not suitably advanced to either determine the exact location of the rail halt or to know what land may be of benefit to delivering the project. While this application therefore does not seek to secure the dedication of this land, Officers are encouraged that the RSCH has made clear their intention to work with the Council and other landowners to deliver the proposal in the future.

In addition to enabling the delivery of physical improvements to the walking and cycling network it is also necessary that the applicant make all reasonable efforts to promote sustainable transport choices by their staff and those who will use the proposed development; this includes the MSCP and the new clinical building. The RSCH has a long standing Travel Plan which seeks to meet these objectives but the current proposal, in particular the provision of a large MSCP should ensure that the Travel Plan for the site is reflective of this significant change of circumstances on the site. Accordingly a condition is recommended to secure the submission and approval of a new Master Travel Plan which would cover the wider hospital site as well as the new development now proposed. This should be in place before the MSCP is first brought into use, should include measurable targets for reducing trips by private car, regular reporting, and enforcement measures that can be taken by the Council or the County Council in the event that the requirements of the Travel Plan are not implemented.

The impact of the development on air quality

The application site is not located in an area which is known to be of poor air quality and there is no Air Quality Management Area (AQMA) in the vicinity of the site which is likely to be impacted by the proposed development. The proposal is however adjacent to a number of sensitive receptors for air quality which includes the student accommodation on the Manor Park Campus and the staff accommodation located on Gill Avenue. The proposed development, in particular the MSCP is likely to increase vehicle trips to and from the site as well as movements on the surrounding road network and has the potential to increase vehicle base emissions.

The application is supported by a detailed Air Quality Assessment which assess the potential impacts of both the MSCP and the clinical building, as well as the in-combination impacts. This advises that the modelled background concentrations at the site are well below the relevant air quality objectives for NO₂, PM₁₀ and PM_{2.5}. It also notes that the closest GBC NO₂ monitoring locations to the site also illustrate concentrations well below the annual mean NO₂ objective. The report concludes that even with the proposed development operational the relevant air quality objectives would not be exceeded and would remain well within acceptable levels. The Councils Environmental Health Officers have reviewed the application and the Air Quality Assessment provided and agree with the reports conclusion that the development would not result in any adverse air quality impacts in the vicinity of the site.

The application site is also located in close proximity to the A3 which has recently been assessed as suffering from significant issues around air quality. Given that the proposal would increase the number of parking spaces available at the RSCH it is likely that additional vehicle movements will take place on the road network and a proportion of these additional movements are likely to use the A3 to travel from and to the site. While this section of the A3 suffers from a known air quality issue it has not been designated as an AQMA and National Highways, who are responsible for the truck road network including the A3, has not raised any concerns in respect of the development on air quality grounds. It should also be noted that while the development may increase vehicle movements on the A3 any increase is likely to be negligible in the context of the current volume of traffic using the A3 and would be imperceptible both in terms of the number of movements and the emissions currently generated. Accordingly, there is no evidence to suggest that the development would result in a worsening of air quality on this section of the A3 and no justification to withhold planning permission for the development on these grounds.

Having regard to all of the above it is concluded that the development would not give rise to an adverse impact on air quality and would not increase the number of people exposed to vehicle emission relates pollution. For the same reasons the development is considered to comply with the objectives of Policy P4 of the LPSS and the relevant guidance set out in the NPPF.

The impact of the development on Flood Risk and Sustainable Drainage

The application site is located within Flood Zone 1 as identified by the Environment Agency and as such is not in an area that is at risk of fluvial flooding. The application site is however large, and the proposal for a major development, and accordingly it is necessary to ensure that the proposed development is not at risk of surface water flooding and that the proposed development does not increase surface water runoff and put other properties at risk from surface water flooding. The existing site is largely surfaced with compacted aggregate and it is not clear what, if any, measures have been included in the construction of the temporary car park to drain surface water to control run-off from the site.

The application is supported by a Drainage Strategy Report which assess the foul and surface

water drainage options for the MSCP as well as Addendum Foul and Surface Water Drainage Strategy Report which seeks to assess the drainage impacts of the part of the site containing the clinical building. Surrey County Council, in its role as Lead Local Flood Authority, has 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. It has advised that it is satisfied that the proposed drainage schemes, both individually and cumulatively, meet its requirements and recommended that planning conditions are included to ensure that the SuDS schemes are properly implemented and maintained throughout the lifetime of the development.

Thames Water have also been consulted on the application in respect of foul drainage requirements of the proposed developments. Thames Water has advised that they have been unable to confirm that existing capacity is available in the surrounding area to accommodate the needs of the proposed developments, either individually or cumulatively, and has request a Grampian style condition which will require any necessary off-site mitigation is provided prior to the developments first being brought in to use. Subject to this condition it has advised that they raise no objection to the proposed developments in respect of foul water drainage.

It is therefore considered that, subject to suitable conditions, the proposed development would not be subject to an adverse risk of surface water flooding, would not increase the risk of flooding to adjoining properties and would not adversely impact on the local foul sewer network. Accordingly, the development is considered to comply with the objectives of Policy P3 of the LPSS and the relevant guidance set out in the NPPF and the nPPG.

Sustainable design and construction

The NPPF emphasises the need to plan proactively for climate change and new developments are required to meet the requirements of para. 152 through climate change adaption, provision of green infrastructure and reduction of greenhouse gas emissions. Para. 155 then states new development should comply with local requirements for decentralised energy supply and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Policy D2 of the LPSS is the Council's policy to require new development to take sustainable design and construction principles into account, including by adapting to climate change, and reducing carbon emissions. The Council has adopted the Climate Change, Sustainable Design, Construction and Energy SPD in December 2020. This carries full weight in decision making. This application was submitted after April 2019, therefore, compliance with policy D2 is required. The applicant has submitted an Energy and Sustainability Statement.

Energy

The scheme achieves a carbon reduction of 38%. Through the use of a fabric first approach which would comprise air tightness and use of natural ventilation. The use of the building would not require heating.

This can be ensured by condition.

Waste

Separating waste into reuse, recycle and dispose is the established best practice approach. The applicant has confirmed they would follow the waste heirarchy however, no details have been provided, so details of a waste management plan shall be secured by conditio.

Sustainable lifestyles

30 electric vehicle charging points would be provided 5% of the total parking spaces (598). This would be satisfactory.

This would meet the requirements of the Climate Change, Sustainable Design, Construction and Energy SPD 2020, policy D2 and the NPPF.

Legal agreement requirements

As is noted above, there is a clear need for development in this area to contribute to the delivery of the SMC. There is also a clear need for development in the vicinity of the SMC to ensure that development promotes and maximises the use of the SMC. In this instance, the development proposes the erection of a new MSCP which could, if not mitigated, encourage people to drive to the RSCH rather than to use public transport or sustainable transport which are currently available, or those which the Council and the County Council are seeking to support in the future.

While the proposed development is not located in an area which would prejudice the delivery of the SMC in terms of land use, the provision of new parking facilities is highly relevant to the objective of promoting the use of the SMC and the objective to ensure people use sustainable transport options.

Conclusion

The application seeks a hybrid planning permission; this includes an application for full planning permission for the erection of a new Multi-Storey Car Park and an outline planning permission for a new clinical building notionally stated to be a new cancer centre. Given that the elements of the scheme are distinct and separate consideration must be given to whether the schemes are each acceptable in their own right as well as whether the combined impact of the scheme is acceptable.

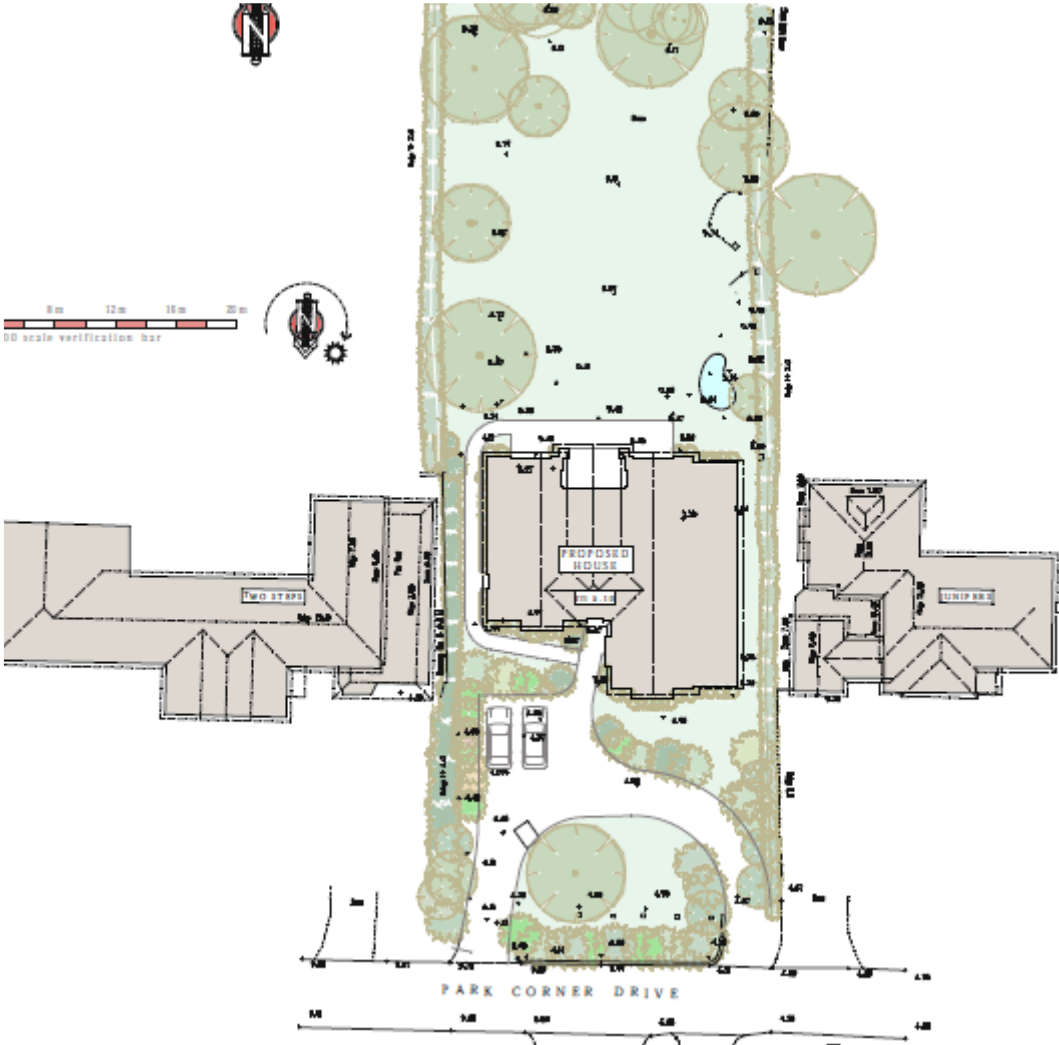
The MSCP would allow the provision of a modest increase in staff car parking but combined with the changes to the parking on the main site would deliver a significant increase in the visitor parking available. While this would encourage move movements to the site by private car, and additional movements on an already congested highway network, this would be mitigated by the applicants new Master Travel Plan and an undertaking by the applicant to support the future delivery of the SMC which includes the safeguarding of land for this purpose. The erection of the clinical building would have a minimal impact on the local highway network but would be of clear benefit to the facilities available on the RSCH site and would be of significant benefit to the local population.

While the MSCP would have a very minor impact on the character and appearance of the area, the benefits of the development and the presumption in favour of hospital development clearly outweigh this harm. The clinical building would have a positive impact on the character of the area and it is considered that, either individually or cumulatively, the impact on the character of the area is acceptable. The development would not materially impact on the residential amenities enjoyed by the occupants of the surrounding residential properties, would not impact on air quality objectives and would not increase the risk of flooding to these properties.

For all of the above reasons it is concluded that planning permission should be granted for the

hybrid planning permission sought, which includes the full planning permission for the MSCP and the outline planning permission for the clinical building. Both developments are considered to comply with the Development Plan and the relevant material considerations outlined above.

21/P/01683 – High Brambles, Park Corner Drive, East Horsley



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 Badosz **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.

Members will be aware that the application was deferred from the last Planning Committee meeting on 1 December 2021 due to there not being enough time to consider the item. The report below has been copied from the last agenda.

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 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.

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).

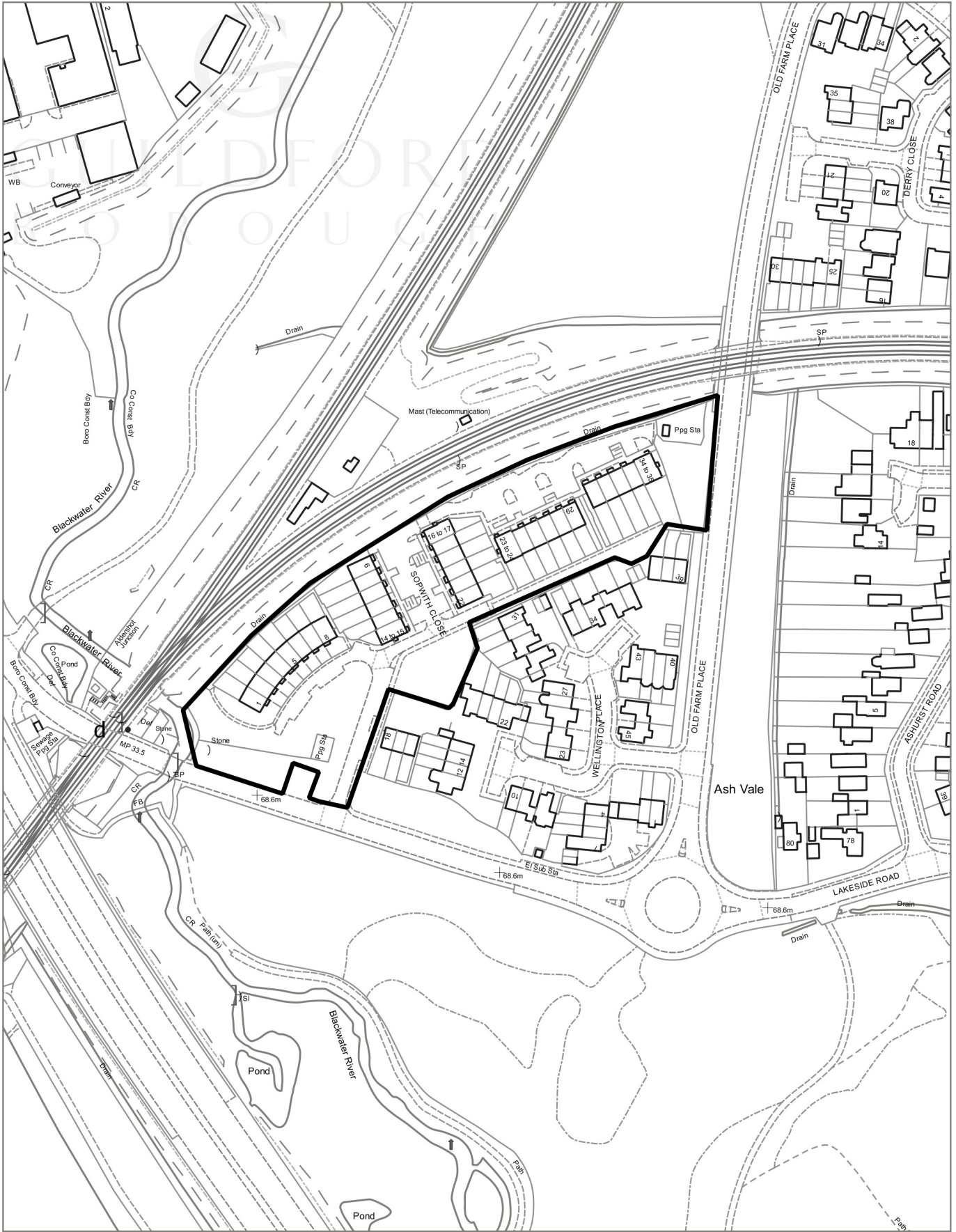
Conclusion.

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.

21/P/01858 - Lakeside Close, Lakeside Close



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not be relied upon for accuracy.

Print Date: 22/12/2021



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GUILDFORD
BOROUGH

App No: 21/P/01858
Appn Type: Full Application
Case Officer: James Overall
Parish: Ash
Agent :

8 Wk Deadline: 05/01/2022

Ward: Ash South & Tongham
Applicant: Ms Rachel Harper
Guildford Borough Council
Millmead House
Millmead
Dorking
RH4 2DS

Location: Lakeside Close, Lakeside Close, Ash Vale GU12
Proposal: Variation of Condition 14 (flood and surface water drainage) relating to Planning Application 12/P/01005 approved 10/04/2013.

Executive Summary

Reason for referral

This application has been referred to the Planning Committee because it is a major planning application and the applicant is Guildford Borough Council.

Key information

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.

The proposal seeks to amend the wording of condition 14 to remove reference to the AMEC FRA 'options'.

Summary of considerations and constraints

The drainage strategy that was approved under application 12/P/01005 was not installed correctly, and subsequently resulted in flooding in the surrounding area.

Given that the condition imposed was required to ensure the development accorded with the requirements and tests of the National Planning Policy Framework; and the development has since been implemented in breach of condition 14 of the permission, it is not deemed appropriate to amend the wording, as doing so will mean the development fails the requirements and tests of the National Planning Policy Framework.

RECOMMENDATION:

Refuse - for the following reason(s) :-

1. The Local Planning Authority cannot be satisfied that the variation to condition 14 presents an acceptable drainage strategy for the site. The information submitted with the application indicates that soakaways may be within Groundwater reducing storage levels. It is therefore unclear as to whether infiltration is an appropriate means for the site. Furthermore, the application does not demonstrate that the soakaways can manage storm event flows. Little information has been provided to demonstrate that the scheme as set out has actually been installed correctly. Therefore the Local Planning Authority does not consider that condition 14 should be varied. No other conditions can currently be suggested and therefore the original conditions should remain in place. The proposal therefore fails to accord with the non-statutory technical standards for sustainable drainage systems, the requirements of the National Planning Policy Framework and Policy P4 of the adopted Guildford Borough Local Plan Strategy and Sites 2019.

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.

Pre-application advice was not sought prior to submission, however informal advice was sought with regard to the type of application required i.e. to vary the condition as opposed to discharge condition or seek NMA.

There are significant objections to the application that minor alterations would not overcome, it was not considered appropriate to seek amendments through the course of this application.

Officer's Report

Site description

The site is in the urban area of Ash and within an area of floodplain. There is a railway line running along the northern boundary of the site behind a tree screen. Access into the site is from

the south off Lakeside Park. There is a residential estate located to the south and east of the site.

The site lies within 5km of the nearest Special Protection Area.

Proposal

Variation of Condition 14 (flood and surface water drainage) relating to Planning Application 12/P/01005 approved 10/04/2013.

Relevant planning history

Reference:	Description:	Decision Summary:	Appeal:
12/P/01005	Proposed redevelopment of 30 unit mobile home site with 35 new homes comprising 8 x one/two bedroom flats and 27 x two/three/four bedroom terrace houses (amended plans received 23/08/2012 revising window detail to plot 8 and amended site plan received 26/10/2012).	Approve 11/04/2013	N/A

Consultations

Statutory consultees

County Highway Authority: The Highway Authority considers that the variation in condition is unlikely to have a material impact on highway safety issues.

Lead Local Flood Authority - SCC SUDs:

The following comments were made with reference to Technical Note Rev B by Gyoury Self.

"We are not satisfied that the as-built drainage scheme meets the requirements as set out within planning condition 14 because significant issues have been identified.

It is unclear how the design soakage rates were obtained. The extracts from the intrusive site investigations (Appendix B) carried out in April 2012 appear to show that the 4 trial pits that were used for soakage testing all struck groundwater at approx. 2mbgl. The groundwater then rising to between 1.5mbgl to 0.9mbgl.

The soakaways that have been installed appear to have a base level of 1.375 to 1.475mbgl which could be within groundwater levels meaning that there is not a 1m unsaturated zone from the base of the soak-away to the highest groundwater level and a potential ingress of groundwater within the soakaways themselves, thus reducing the amount of storage capacity and efficiency of the installed soak-aways.

The calculations submitted (Appendix C) appear to contradict the surface water drainage layout and do not clearly demonstrate that the soak-aways installed can effectively manage the 1 in 30 & 1 in 100 (+climate change) storm events. The submitted drawings show soak-aways SAT 1 (A-E), SAT 2 (A-F), SAT 3(A-F) and SAT 4(A-D). The calculations submitted are for SAT 2, 3 and 4.

Additionally SAT 4 appears to have a total of 9.5m³ storage available but requires 17.6m³ according to the calculations.

The submitted drainage plan (Appendix C) shows multiple inlets to the swale (3 no.) and 1 no. outlet, none of which were picked up by the site walk over carried out in Sep 2020 (section 7.1.1 and 7.1.2 of Technical Note). It is unclear if they have been installed correctly.

It is unclear why the drainage strategy that was approved was not installed. It does not appear that infiltration is a feasible solution for surface water disposal. It is also unclear whether the surface water drainage installed has been done so correctly. Therefore we are not content that the wording of planning condition 14 should be amended."

After review of the latest document: 'Technical Note Rev C' by Gyroury Self, it is considered that the minor amendments do not impact the response, for our comprehensive comments please refer back to our letter dated 12/10/2021 reference LLFA-GU-21-0916

Environment Agency:

The Environment Agency are no longer the statutory consultee for surface water management and therefore it will be for the Lead Local Flood Authority to advise on this proposal.

However, the site is at risk of fluvial flooding and we recommend that consideration is made to potential inundation of attenuation areas from a fluvial source. If attenuation features are inundated from a fluvial source then this may result in a reduction of available volumes within the attenuation features to manage surface water for subsequent storm events. Therefore, if measures could be implemented to reduce fluvial inundation to attenuation this would be beneficial.

The submitted technical note prepared by Gyoury Self Consulting Engineers, reference C1427, dated 7 May 2021, does address other condition requirements as follows:

- It has been confirmed that the existing failing flood defence wall along the Blackwater river has been removed.
- An as built survey of the site shows that access routes are above 68.50m above ordnance datum (AOD)
- An as built survey of the site shows that all finished floor levels are set above 68.80m AOD

Thames Water:

Waste Comments - The application indicates that SURFACE WATER will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority.

Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.

Water Comments - No water comments

Supplementary Comments - As Surface Water does not discharge to Thames Water's public network, we have no comments to make regarding this condition variation.

Internal consultees

Head of Environmental Health and Licensing: No response received.

Parish Council

No response was received from Ash Parish Council.

Third party comments

33 letters of representation have been received raising objections and concerns relating to flooding.

Planning policies

National Planning Policy Framework (NPPF):

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

South East Plan 2009:

NRM6 Thames Basin Heath Special Protection Area

Guildford Borough Local Plan: Strategy and Sites 2015 - 2034 (adopted 25 April 2019):

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).

Policy P4: Flooding, flood risk and groundwater protection zones

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

Policy G1(3): Protection of Amenities Enjoyed by Occupants of Buildings

Supplementary planning documents:

Climate Change, Sustainable Design, Construction and Energy SPD 2020

Emerging Local Plan (Development Management Policies):

The document 'Development Management Policies' will eventually form the second part of the adopted Local Plan, but currently it is in the early stages of development. The Regulation 18 consultation marks the start of the engagement stage of the Plan and represents the scoping stage to decide what should be included in the Plan. The Regulation 18 consultation took place between 3 June 2020 and 22 July 2020. Currently the next version of the plan is being prepared for consultation: the Regulation 19 Proposed Submission Local Plan: development management policies.

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:

- a) 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
- b) 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 14 of planning permission 12/P/01005 which states:

"The development permitted by this planning permission shall be carried out in accordance with the approved AMEC Flood Risk Assessment (FRA) March 2012 (doc reg no. 30980-02 v2) and the following mitigation measures detailed within the FRA:

1. *Limiting the surface water run-off generated to 24 l/s and provide 165m³ of surface water storage for the 1% climate change so there is no increase in the risk of flooding off-site. The surface water strategy is installed with either of the options discussed in the FRA.*
2. *The existing failing 'flood defence' wall along the Blackwater River bank will be removed.*
3. *Access routes set no lower than 68.65m AODm and the identification and provision of safe route(s) into and out of the site as agreed by Guildford Borough Council.*
4. *Finished floor levels are set no lower than 68.8m above Ordnance Datum (AOD) and provision of voids beneath the finished floor to allow flood water to flow under the properties.*

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, in accordance with the drainage strategy. To ensure safe access and egress to and from the site. To reduce the risk of flooding to the proposed development and future occupants. In accordance with policy G1(6) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07)."

The proposal seeks to amend the wording of condition 14 to remove reference to the AMEC FRA 'options', which were produced at an early stage of the design development process when the site conditions, particularly the ability to use infiltration techniques, were not fully understood. The SUDS design was developed to reduce reliance on swales and discharge of surface water into the watercourse, placing greater emphasis of infiltration to ground, as detailed in the technical note. These details were all agreed with the Environment Agency (the application pre-dates SCC involvement on SUDS matters) at the time, but no variation to the wording of the planning condition was sought. This application seeks to address this issue.

If permitted, condition 14 will be varied to the following wording:

"The development permitted by this planning permission shall be carried out in accordance with the approved AMEC Flood Risk Assessment (FRA) March 2012 (doc reg no. 30980-02 v2) and the following mitigation measures detailed within the FRA:

- 1. Limiting the surface water run-off generated to 24 l/s and provide 165m³ of surface water storage for the 1% climate change so there is no increase in the risk of flooding off-site.*
- 2. The existing failing 'flood defence' wall along the Blackwater River bank will be removed.*
- 3. Access routes set no lower than 68.65m AODm and the identification and provision of safe route(s) into and out of the site as agreed by Guildford Borough Council.*
- 4. Finished floor levels are set no lower than 68.8m above Ordnance Datum (AOD) and provision of voids beneath the finished floor to allow flood water to flow under the properties.*

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, in accordance with the drainage strategy. To ensure safe access and egress to and from the site. To reduce the risk of flooding to the proposed development and future occupants. In accordance with policy G1(6) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07)."

The primary consideration resulting from this change would be:

- Flooding and land drainage

Flooding and land drainage

Due to the constraints with regards to development site allocations in the borough, coupled with pressures to meet housing need, the Council identified this site as a key council owned re-development site. In accordance with the requirements of the NPPF, a sequential test was carried out by the Council which concluded that there were no suitable available alternative sites at less risk of flooding.

An Exception test was undertaken and this was required to demonstrate that:

1. the development provided wider sustainability benefits to the community that outweigh flood risk, and
2. a site specific flood risk assessment demonstrated that the development will be safe for its lifetime without increasing flood risk elsewhere and where possible reducing flood risk overall.

It was concluded that both of these points were met, and application 12/P/01005 was permitted with reasonable and necessary conditions imposed to ensure the FRA strategy was carried out appropriately. Without these conditions, the development would not have accorded with the requirements and tests of the National Planning Policy Framework.

These conditions resulted from the Environment Agency who were fully involved in the proposal from its genesis and the imposed conditions were deemed as required to ensure that the permitted redevelopment did not result in flooding on the site or adjoining sites.

Paragraph 167 of the NPPF 2021 states that "*Development should only be allowed in areas at risk of flooding where, in the light of...[a site-specific flood-risk] assessment (and the sequential*

and exception tests, as applicable) it can be demonstrated that: c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;"

The drainage strategy that was approved under application 12/P/01005 was not installed correctly, and there has subsequently been flooding in the surrounding area.

Given that the conditions imposed were required to ensure the development accorded with the requirements and tests of the National Planning Policy Framework; and the development, which has since been implemented has been carried out in breach of condition 14 of the permission, it is not deemed appropriate to amend the conditions wording to suit the applicant. The development which has been implemented is therefore considered to fail the requirements and tests of the National Planning Policy Framework.

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DATE:

5 January 2021

LEAD OFFICER: Paul Sherman Planning Officer

SUBJECT: DIVERSION OF FOOTPATH AT NORTH MOORS ALLOTMENT SITE (“THE FOOTPATH”) UNDER S257 TOWN AND COUNTRY PLANNING ACT 1990 (“THE ACT ”) (“THE DIVERSION ORDER”)

DIVISION: WORPLESDON GUILDFORD SURREY

SUMMARY OF ISSUE:

1. Guildford Borough Council is referred to as “GBC”
2. On 17 June 2020 under Planning Reference 20/P/00197 (“**the PP**”), planning permission was granted by GBC for “Change of use of amenity land to deliver 78 allotment plots, bee keeping facilities, composting areas, community buildings, landscaping and associated cycle storage and car parking” (“**the Development**”) at North Moors Allotment Site, North Moors, Worplesdon, Guildford, GU1 1SE (“**the Site**”). On 1 September 2021, a planning application was submitted under reference 21/P/01882 to make minor amendments to that PP (“**the Minor Amendment Application**”). The Minor Amendment Application has not yet been determined by GBC and is the subject of a later Report for this Committee, but the amendments are minor and not material or relevant to the diversion of the footpath.
3. The Report to and the Decision of Planning Committee authorising the grant of the PP “Report” is appended to this Report.
4. GBC was the applicant for the PP and is the applicant for the Minor Amendment Application and is also the applicant for the Diversion Order.
5. The Site is crossed by the Footpath and the diversion is necessary to enable the Development to be carried out in accordance with the PP.
6. A competent authority is able to make a Diversion Order where it is (a) “necessary to do so in order to enable development to be carried out in accordance with” a planning permission being a “planning permission granted under Part III of the Act” and/or (b) if they are satisfied that if “an application [for planning permission] were granted it would be necessary to authorise the diversion to enable the development to be carried out”.
7. Thus, in respect of the footpath, the PP for the Development constitutes such a planning permission for the purposes of (a); and the Application constitutes such an application for the purposes of (b).
8. The Footpath now on Site is informal and is not registered on the official record of Footpaths on the Definitive Map but is a claimed route and understood to be well used by the public. An application is pending with Surrey County Council (“the County Council”) to amend the Definitive Map to record the route of the Footpath. If the Diversion Order is made and confirmed, the County Council will be able to record the diverted route on the Definitive Map, for its route through the Site.
9. An informal consultation has been carried out prior to the preparation of this report and resulted in some objections and observations reported below.

RECOMMENDATIONS:

The Planning Committee (Guildford) is asked to agree that:-

- (i) The Diversion Order be made in the Form of that attached to this Report
- (ii) The Diversion Order be subject to statutory publication and notification: "the Consultation"
- (iii) If the Consultation results in no objections the power to finally confirm the Diversion Order be delegated to Head of Place /Director of Service Delivery
- (iv) If the Consultation results in objections that are unable to be resolved the Diversion Order and those objections be reported back to Planning Committee to determine whether to continue with the process for seeking confirmation of the Diversion Order via the Secretary of State, or to withdraw the made Diversion Order.

REASONS FOR RECOMMENDATIONS:

The Site is crossed by the Footpath in such a way that the diversion of the footpath is necessary to allow the Development to be carried out in accordance with the PP and for the Minor Amended Development to be carried out assuming planning permission is granted for the Application.

Condition 4 of the PP requires that the development authorised must be undertaken in accordance with the approved 'Landscape Proposals' plan. The Application updates that plan.

The PP Landscape Proposals plan is appended to this letter at Annex 5 and the proposed updated plan submitted with the Application is appended to this letter at Annex 6. This updated plan does not change the proposed diversion route facilitated by the Order.

As can be seen when comparing this plan with the plan accompanying the draft Diversion Order, there is currently a footpath which traverses part of the Site that is proposed to be used for the allotment plots shown on the Landscape Proposals Plan in Annex 5 (as proposed to be updated in Annex 6).

Although not recorded on the Definitive Map, it is claimed and the Borough Council acknowledges that a public right of way across the site exists, based on 20 years continuous use by local residents and which, upon establishment, would stay in place if the Diversion Order were not to be confirmed.

The position therefore is that there is a condition on the PP requiring compliance with a plan which, if the present route of the footpath were to be retained, would lead to incompatibility with the full layout of the proposed allotments. A similar incompatibility would exist in respect of the updated plan at Annex 6 submitted with the Minor Amendment Application.

Furthermore, it is noted that in common with all other allotment sites, it is intended that both the Site itself and the specific allotment plots, would be private land, fenced off (as shown on the Landscape Proposals plan in Annex 5 (as proposed to be updated in Annex 6)) and not accessible to the public. An unfenced footpath would thus be incompatible with the development authorised by the PP and any permission granted pursuant to the Minor Amendment Application in this respect.

As such, it is necessary for this diversion to be put in place to enable the development authorised by the PP, and that which would be authorised by any planning permission pursuant to the Minor Amendment Application, to be carried out.

The Diversion Order will:-

[a] enable the Development to proceed in accordance with the PP and any planning permission granted pursuant to the Minor Amendment Application to provide allotments for public benefit

[b] help facilitate the conversion of an informal footpath into a statutory footpath recognised and placed on the official Definitive Map; and

[c] continue to promote non-vehicular movement

all to the benefit of the public. The proposed diverted route would essentially take a parallel route to that of the current claimed footpath with minimal effect on travel time and the diverted route will be able to be put in place in the green space at the western edge of the Landscape Proposals plan (at Annex 5 and as proposed to be updated at Annex 6), creating a better and more defined route than currently exists

The above forms the justification for the Diversion Order.

2. OPTIONS:

2.1 Make the Diversion Order and enable the Development authorised by the PP and any planning permission granted pursuant to the Minor Amendment Application to be carried out and preserve and promote the Footpath network.

2.2 Not Make the Diversion Order, requiring the Development to be amended to account for the current route of the footpath which would be sub-optimal for the development and for the footpath user.

3. CONSULTATIONS:

3.1 Prior to statutory consultation an informal consultation has occurred between 8 July 2021 to 6 August 2021 arranged by the Countryside Access Officer at Surrey County Council.

3.2 The following responses were received :-

No	Objector or Observer	Summary	Response
1	Vodafone/WS Atkins	Equipment not affected by proposed Diversion Order but request assurance and Wayleave Agreement	Reassurance was provided to Vodafone that their apparatus was not affected, and their objection was withdrawn.
2	Worplesdon Parish Council	No objection	n/a
3	J Smith Chair Jacobs Well Residents' Association	No objection	n/a

4	Ms J Bass	<p>Objection because of outstanding failure to formalise Footpath on Definitive Map and considered there was a lack of sufficient notification on site notices. Concerned about drainage at the Site and ability to access diversion route given current works at the Site.</p>	<p>The Diversion Order will help formalise footpath provision in this area.</p> <p>Site notices were posted in line with statutory requirements even for this informal consultation. Further notices will be provided for the Consultation.</p> <p>The information submitted as part of the PP and in discharging pre-commencement conditions demonstrate that a suitable drainage system will be in place at the Site.</p> <p>The diversion route will be in place before the existing route is closed.</p>
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3.2 As can be seen from the above, there were no objections from the Parish Council or the Jacobs Wells Residents Associations in relation to the preliminary consultation. There was one objection from Mrs Bass at this stage which has been responded to, but it should be noted that the issues raised by Mrs Bass are not relevant matters in determining whether the Diversion Order should be made, as the test is whether the proposed diversion is necessary to enable development authorised by a planning permission or which would be authorised by a planning application to be carried out, which is clearly the case in this instance. Thus, on this basis, it is recommended that the Diversion Order is made.

4. FINANCIAL AND VALUE FOR MONEY IMPLICATIONS:

4.1 A budget has been set aside for the legal and consultation processes required to take forward the Diversion Order. GBC in its role as developer of the Development will undertake the physical works to create the diverted route.

5. EQUALITIES AND DIVERSITY IMPLICATIONS:

5.1 The Diversion Order will preserve and enhance the local footpath network for the benefit of all members of the local community, irrespective of age, ethnicity, ability, religion, status or other protected characteristics. It is likely to preserve or promote walking as an activity which will be of general benefit to the community as a means of preserving health and the local environment to the general community benefit. The Order will also help facilitate the delivery of statutory allotments at the Site, which has light-textured, freely drained soils well suited to support such uses. This in turn will help (through providing replacement allotments) support the development of the Weyside Urban Village development at Bellfields, a project to deliver much needed employment space, up to 1550 homes (including 40% affordable) and significant infrastructure improvements and provision.

6. LOCALISM:

The Diversion Order will preserve and enhance the local footpath network to the benefit of the local community

7. OTHER IMPLICATIONS:

Area assessed:	Direct Implications:
Crime and Disorder	No significant implications arising from this report
Sustainability (including Climate Change and Carbon Emissions)	No significant implications arising from this report
Corporate Parenting/Looked After Children	No significant implications arising from this report
Safeguarding responsibilities for vulnerable children and adults	No significant implications arising from this report
Public Health	No significant implications arising from this report

8. CONCLUSION AND RECOMMENDATIONS:

The Planning Committee (Guildford) is asked to agree that :-

- (i) The Diversion Order be made in the Form of that attached to this Report
- (ii) That the Diversion Order be subject to statutory publication and notification (“the Consultation”)
- (iii) That if the Consultation results in no objections the power to finally confirm the Diversion Order be delegated to Head of Place /Director of Service Delivery
- (iv) That if the Consultation results in objections that are unable to be resolved the Diversion Order and those objections be either:-
 - (a) referred and delegated to the Borough Councils Head of Place to determine; or
 - (b) reported back to Planning Committee to determine,

and a decision made whether to continue with the process for seeking confirmation of the Diversion Order via the Secretary of State, or to withdraw the made Diversion Order.

Contact Officer:

Name Paul Sherman Job Title Senior Specialist Development Control Officer
Extension 01483 444668

Consulted:

Those listed at para 3 of this Report

Annexes:

1. Planning Committee Report dated 17 June 2020 under Planning Reference 20/P/00197
2. Planning Permission ref 20/P/00197
3. Draft Footpath Diversion Order “FDO”

Agenda item number: 6

4. FDO Plan
5. Landscape Plan
6. Proposed Updated Landscape Plan lodged with the Minor Amendment Application

Sources/background papers: nil because all are as disclosed above

App No: 20/P/00197 **8 Wk Deadline:** 18/06/2020
Appn Type: Full Application
Case Officer: Paul Sherman
Parish: Worplesdon **Ward:** Worplesdon
Agent : Mr Beavan **Applicant:** Mr Edwards
Savills Guildford Borough Council
Savills
2 Charlotte Place
Southampton c/o Agen
so14 0tb

Location: North Moors Allotment Site, North Moors, Worplesdon, Guildford, GU1 1SE

Proposal: Change of use of amenity land to deliver 78 allotment plots, bee keeping facilities, composting areas, community buildings, landscaping and associated cycle storage and car parking.

Executive Summary

Reason for referral

This application has been referred to the Planning Committee because the Council is the owner of the land and it is also the applicant.

Key information

The application site comprises approximately 2.4ha of land to the north of Slyfield Industrial Estate. The site currently comprises scrub grassland with a small areas of young regenerating woodland in the northern part of the site. The boundaries are marked by a mix of woodland, hedgerows and dry ditches. The site is accessed from North Moors which is within the Industrial Estate. There is a public footpath running adjacent to the east boundary of the site which links Slyfield to Jacobs Well.

The application seeks the change of use of the land to allotments and would provide 78 new allotment plots (724 rods) and 2 bee keeping plots. The application also includes the provision of a small building containing w.c. facilities, an office and storage areas. Each of the plots would include a 6x4ft shed and a water-butt. Water for the plots would also be available from standpipes distributed throughout the site. Access to the site would be from North Moors which would lead to a small car park for 9 vehicles and approximately 6 bicycles.

Summary of considerations and constraints

The application site is located within the Green Belt and is adjacent to the Slyfield Area Regeneration Project site. The part of SARP allocation closest to the application site is also allocated for waste management facilities and sewage treatment works by the Surrey Waste Plan.

There is no objection to the principle of the development, and it would not prejudice the delivery of the adjoining waste allocation or the Slyfield Area Regeneration Project. The proposal is appropriate development in the Green Belt; it would not impact on the openness of the Green Belt and would not conflict with it.

The proposed development would deliver 78 new plots and 2 bee keeping plots and this would be a significant benefit to the local community supporting local and national objectives for healthy and active lifestyles.

The development results in the loss of a number of young trees and scrub which is of biodiversity value but this would be mitigated through the Landscape and Ecology Management Plan. There would be no loss of biodiversity value on the site with net benefits associated with the future management of the land for biodiversity purposes. The development would not materially impact on the character of the area, residential amenity or highway safety.

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./ In pursuance of Section 196D of the Town and Country Planning Act 1990

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

<u>Drawing Title</u>	<u>Drawing Number</u>
Site Location Plan	442977_303
Car Parking Access Road Rev P08	19215-MA-SK-101
Landscape Proposals B	42287/31111/003 Rev
Proposed Facilities	442977_302 Ref F
Proposed Lighting Layout	42287/2001/001
2.44m High Securimesh Fence Detail	J6/04030
Tree Constraints Plan 190912-1.0-SARPG-TCP-MM	

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, other than in connection with the creation of the access road and car parking area, shall take place until an Arboricultural Method Statement (detailing all aspects of construction and staging of works) and a Tree Protection Plan in accordance with British Standard 5837:2005 (or any later revised standard) and in general accordance with the submitted Arboricultural Impact Assessment (Ref: 200317-1.3-ARAG-AIA-LF) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed method statement and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree

Protection Plan. Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior written consent of the local planning authority. The fencing shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality. This is required to be a pre-commencement condition to ensure that tree protection is installed before work commences.

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

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

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

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

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

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

7. 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 (+20 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 of 1 l/s.
- 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.).
- 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.
- 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.

8. 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.

9. The development hereby approved shall not be occupied until written scheme for the reduction of the opportunities for crime, including details to be implemented such as locks, lighting and cctv, has been submitted to and approved by the Local Planning Authority. Once approved, the agreed measures shall be implemented, reviewed and developed to the reasonable satisfaction of the Local Planning Authority.

Reason: To manage the risk of crime and anti-social behaviour.

10. The development hereby approved shall not be first opened to the public unless and until at least 1 of the proposed parking spaces are provided with a fast charge socket (minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

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

Informatives:

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

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

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

2. The applicant is advised that the site is in close proximity to sites known to be contaminated. Should any unexpected contamination be found during construction this should be notified to the Councils Environmental Services team immediately and all work should cease until the Council has advised that it is safe to continue.

Officer's Report

Site description

The application site comprises approximately 2.4ha of land to the north of Slyfield Industrial Estate. The site currently comprises scrub grassland with a small areas of young regenerating woodland in the northern part of the site. The boundaries are marked by a mix of woodland, hedgerows and dry ditches. The site is accessed from North Moors which is within the Industrial Estate. There is a public footpath running adjacent to the east boundary of the site which links Slyfield to Jacobs Well.

The site is bounded to the south by a Royal Mail depot which is within the Industrial Estate while the north, east and west boundaries adjoin open fields.

The application site is also adjacent to the Slyfield Area Regeneration Project site which is allocated for approximately 1,500 homes, 6 gypsy and traveller pitches, community facilities, light industrial uses, waste management facilities and a new sewage treatment works. The part of SARP allocation closest to the application site is also allocated for waste management facilities and sewage treatment works by the emerging Surrey Waste Plan 2019-2033. This plan is due for adoption in June this year.

Proposal

The application seeks the change of use of the land to allotments and would provide 78 new allotment plots (724 rods) and 2 bee keeping plots. The application also includes the provision of a small building containing w.c. facilities, an office and storage areas.

Each of the plots would include a 6x4ft shed and a water-butt. Water for the plots would also be available from standpipes distributed throughout the site. Access to the site would be from North Moors which would lead to a small car park for 9 vehicles and approximately 6 bicycles.

The application is presented as the provision of replacement allotments of those that may be lost through the redevelopment of the Slyfield Area Regeneration Project site (Weyside Urban Village) however this application must be considered on its own merits. This application does not rely on the SARP scheme to proceed and the full details of that project are not currently known.

Relevant planning history

There is no planning history relevant to the current proposal.

Consultations

Statutory consultees

County Highway Authority: No objection subject to conditions

Lead Local Flood Authority: No objection subject to a condition secure the detailed SuDS design and a verification report.

Environment Agency: No comments to make on proposal

Internal consultees

Arboricultural Officer: No objection subject to a condition to secure an Arboricultural Method Statement.

Head of Environmental Health and Licensing: No objection.

Non-statutory consultees

Surrey Wildlife Trust: No objection subject to conditions.

Parish Council

Worplesdon Parish Council: Support subject to conditions recommended by SCC as well as requesting conditions to secure details of the proposed gate and the provision of a Construction Management Plan. It notes that Jacobs Well Village Hall car park is private and not available for allotment holders without prior consent.

Amenity groups / Residents associations

Guildford Allotment Society: Do not feel this site is a suitable replacement for the plots that would potentially be lost at Bellfields. The site is well screened and isolated and would be a concern for the safety as well as being unsustainable due to its location and it is unlikely people would walk or cycle to the site. (Officer note: this application must be considered on its merits and this application would not require or cause the closure of the Bellfields allotment site)

Westborough & Broadacres Residents Association: Supports the provision of the allotments.

Third party comments:

There have been 10 letters of objection received raising the following issues

- Site currently used for recreation / BMX cycling
- Insufficient parking
- Isolated / risk of crime
- Remote from residents who may use it
- Not accessible by walking or cycling
- Traffic and congestion
- Transport Assessment underestimates impact / trips
- Contamination from adjacent landfill
- Impact on public footpaths (*See Officer notes*)
- Impact on biodiversity / impact on existing beekeepers
- Additional Impact of Weywide Urban Village (*See Officer notes*)
- Air Quality impact
- Not suitable replacement for Bellfield's allotments (*See Officer notes*)
- Loss of wildlife at Bellfields site (*See Officer notes*)

There have been 2 letters of support received which make the following comments:

- New allotment site would be a great asset to the area

Officer notes: The application must be considered on its merits which is for the change of use of land to allotments. This application does not require, cause or grant approval for any loss of allotment plots at other sites.

Planning policies

National Planning Policy Framework (NPPF):

Chapter 8. Promoting healthy communities

Chapter 13. Protecting Green Belt land

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

Chapter 15. Conserving and enhancing the natural environment

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

Policy S1: Presumption in favour of sustainable development

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 ID4: Green and blue infrastructure

Policy A21: Aldershot Road allotments

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

Policy NE4: Species Protection

Policy NE5: Development Affecting Trees, Hedges and Woodlands

Surrey Waste Plan 2008

Policy WD1: Civic Amenity Sites

Policy WD2: Recycling, Storage, Transfer, Materials Recovery and Processing Facilities
(Excluding Thermal Treatment)

Surrey Waste Plan 2019-2034

Policy 11A: Strategic Waste Site Allocations

Policy 12: Wastewater Treatment Works

The Surrey Waste Plan 2019-2034 was submitted for examination on the 12th April 2019 and was subject to public hearings with a further consultation period on the proposed main modifications. The County Council received the Inspectors Report which recommends that the plan be adopted subject to the main modifications.

The plan is due to be considered by Cabinet on the 23rd June 2020 with the recommendation that the County Council adopt the plan. Given the late stage in the preparation the plan carries substantial weight.

Supplementary planning documents:

Sustainable Design & Construction SPD 2011 (updated 2015)

Vehicle Parking Standards SPD 2006

Planning considerations

The main planning considerations in this case are:

- the principle of development
- compliance with the Surrey Waste Plan
- the impact on trees and vegetation and the character of the area
- the impact on protected species and biodiversity
- drainage and the impact on flood risk
- the level of parking and the impact on highway safety
- the risk of crime and anti-social behaviour

The principle of development

The application site is located outside of the urban area and is within the Green Belt. While there are some informal footpaths within the site and evidence of recreation use by BMX style cycling the land is private and does not benefit from any established recreational use.

Development within the Green Belt is inappropriate unless it falls within a limited number of exceptions set out in paragraphs 145 and 146 of the NPPF and these are reflected in Policy P2 of the Local Plan. One exception to the general presumption against development is the provision of appropriate facilities (including with a change of use of land) for outdoor sport,

outdoor recreation, burial grounds and allotments, provided that the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The change of use of land is also appropriate development provided it maintains the openness of the Green Belt and therefore the main consideration in assessing compliance with Green Belt policy is whether the built facilities are appropriate to the proposed use of the site as allotments.

The development proposed includes very little in the way of built facilities with only a small building close to the entrance, which would include a small office, kitchenette and toilet facilities. Each plot would be provided with a 6x4 shed and a water butt; there would be a small structure for rainwater storage and the site would be secured by 2.4m mesh fencing. The built facilities are individually and cumulatively small in scale, are typical to support allotment sites, and are appropriate in all other respects. The development would have very little impact on the openness of the Green Belt and would not conflict with the purposes of including land within it.

Accordingly, it is concluded that the development represents appropriate development of this Green Belt site. The proposal complies with the objectives of the NPPF and Policy P2 of the Local Plan. The principle of the development is therefore acceptable.

Compliance with the Surrey Waste Plan

The application site is located adjacent to land allocated in both the existing and emerging Surrey Waste Plan for waste processing and management uses. The emerging Surrey Waste Plan (likely to be adopted imminently) allocates the land for waste management and a sewage treatment plant which accords with the Guildford Local Plan allocation for the Slyfield Area Regeneration Project. The waste allocation excludes the thermal treatment of waste.

While the exact nature of the development on the waste allocation is unknown there is a requirement to relocate the water treatment works, the civil recycling facility and the other waste management uses on the SARP site to facilitate the residential development (Weyside Urban Village). It is reasonable to assume that these are the uses that would be provided on the waste allocation site. While new facilities are likely to perform better in terms of managing noise and odour it is likely that the proposed development of this site would give rise to environmental impacts beyond its boundary. Any application for the development of the waste site, or any of the adjoining sites, will need to be considered on its merits but it is a relevant material consideration as to whether the development of this site in the form proposed would prejudice the ability of the waste site to be developed for its allocated use.

The proposed use as allotments is not a highly noise sensitive use, such as residential, and some level of background noise would not be unexpected on such a site. This is particularly the case in this instance given the location of the site adjacent to an established industrial site. It is very unlikely that this proposal would curtail the development of the adjacent waste allocation site provided suitable mitigation measures were applied. The proposed development would not prejudice the delivery of the strategic waste allocation and would not conflict with the Surrey Waste Plan.

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

The application site currently includes areas of scrub and grassland as well as an area of young regenerating woodland that is of relatively limited arboricultural value. There are little features of landscape interest in the site itself however the trees that mark the field boundaries make a positive contribution to the area and should be retained wherever possible.

The application site is limited to the central area of this land parcel and the field boundaries, with the exception of the access point, are outside the application site but within the same ownership.

The application is supported by an Arboricultural Impact Assessment and Tree Protection Plan which states the mature trees on the boundaries of the site will be retained and outlines measures for their protection during construction. The Councils Arboricultural Officer has visited the site and raises no objection to the proposal subject to a condition to secure the submission of an Arboricultural Method Statement. Suitable replacement planting for the trees within the site that are to be removed would be secured by a landscaping condition.

The retention of the boundary trees would ensure that the development would have little impact on the visual amenities of the wider area and limit longer range views into the site, including those from Jacobs Well. While glimpsed views of the allotments will be visible from the surrounding area, and from the PRow to the east of the site, the development would adjoin an area characterised by large buildings and would not materially impact on the character or the appearance of the local area.

Accordingly, it is concluded that the impact on the existing trees and landscape features would be suitably mitigated and the development would not materially impact on the character or the appearance of the wider area. The proposal is therefore acceptable in these respects.

The impact on protected species and biodiversity

The application site includes areas of potential habitat for protected species which includes the regenerating woodland, scrub and grassland as well as the trees and hedges which mark the boundary of the site. The tree belts on the east and south boundaries of the site have been identified as Broadleaved Deciduous Woodland which is also a habitat of principle importance to the conservation of biodiversity.

The applicant has submitted an Ecological Assessment Report and a Landscape Management report that have considered the impact of the proposed development and identify a scheme of mitigation that would be implemented alongside the development. This includes new grassland and scrub planting, new trees within the woodland belts and the creation of shelter/hibernation features for reptiles.

Surrey Wildlife Trust has considered the proposal and has advised that the documents submitted are sufficient to inform the consideration of the application. It recommends that any planning permission granted should secure the proposed scheme of mitigation and measures to ensure protected species are not harmed by the proposed development during the construction phase. It also recommends that replacement planting and habitat is managed for the lifetime of the development for its biodiversity value. This can be controlled by planning conditions and accordingly the application is considered acceptable in biodiversity terms.

Drainage and the impact on Flood Risk

The application site is located partly in Flood Risk Zone 2 where there is a 'medium' risk (between a 1 in 100 and 1 in 1,000 annual probability) of fluvial flooding and part of the northern boundary of the site is also at risk of surface water flooding. The application is supported by a Flood Risk Assessment which includes details of the proposed surface water strategy.

The use of land for allotments is considered to be a 'less vulnerable' use and is an appropriate use for land in Flood Zone 2. The development would not be at an unacceptable risk from flooding. The application also includes details of the proposed the Sustainable Drainage Scheme (SuDS) which is designed to ensure that the surface water discharge rate for the site is not increased by the development. Surrey County Council, acting as Lead Local Flood Authority, have considered the scheme and raised no objection to the proposal subject to suitable conditions to secure the final SuDS details.

Accordingly, the development would not be at a significant risk of flooding and would not give rise to an increased risk of flooding to people or property elsewhere.

The level of parking and the impact on highway safety

The primary site access would be from the south of the site via North Moors which would include vehicle, cycle and pedestrian access to the site. A secondary access point would be provided to the north via gate in the fence for pedestrians only. North Moors is a private road which currently serves as access to a number of commercial buildings on the industrial estate; it joins the public highway at Westfield Road. The access is considered suitable for the proposed use of the site and the County Highway Authority have raised no objection to the proposals on these grounds.

The application site does not include any Public Rights of Way (PRoW) although Public Footpath 438 runs adjacent to the east boundary of the site; it is outside the application site but within the same ownership and there are no proposals to alter or divert the PRoW. The pedestrian routes that pass through the site which are informal and are not adopted PRoWs. These would need to be diverted to accommodate the development as the majority of the site would no longer be publicly accessible. The application proposes that these routes be diverted along the south and west of the application site, outside the allotment fencing, and would continue to provide a route from Jacobs Well to Slyfield in addition to the adopted PRoW. The development would not materially diminish the connectivity between these areas and would not impact on sustainability.

The application site is located in an area that is not predominantly residential and it is relatively unlikely, but not impossible, that people employed on the industrial estate would make use of the proposed facility. The site is however very close to Jacobs Well, approximately 300m via the PRoW, and is also within reasonable walking distance of the residential areas of Slyfield (approximately 900m) and Bellfields (approximately 1.1km). The constraints of urban land are such that any new allotment site is likely to be in the countryside and in this instance the proposed site is close to a number of residential areas and has good pedestrian and cycle connectivity. The site is also close to a number of bus stops including those within Jacobs Well and on Woodlands Road which are within a short walking distance of the site.

While the site is well served by sustainable modes of transport it is likely that some plot holders will choose to travel to the site by car. Accordingly, the application includes 9 car parking spaces to meet this demand. While the Council has no adopted standard for parking at allotments it is considered that the level proposed is appropriate to serve the scale of the development and the County Highway Authority has raised no objection to the proposal on these grounds. It has requested that a condition be included to ensure that at least 1 electric vehicle charging point is provided on the site and this is reasonable to ensure that the use of electric vehicles is encouraged. A condition will be included to secure this.

Concerns have been raised that the proposed development would result in increased traffic and congestion to an area where the network is congested however the development is likely to generate very few vehicle movements and would not materially change the level of traffic or congestion in the area. It is also likely that trips would be staggered across the day and are less likely to be in peak hours compared the other uses in the area. The County Highway Authority has considered the proposal and has raised no concern with capacity or the impact of the development on the network. Worplesdon Parish Council have requested a condition requiring the submission of a Construction Management Plan however the proposed development includes relatively little physical development and there are very few limitations in terms of construction access. It is not considered that a CMP is required in this instance.

The development would therefore not give rise to condition prejudicial to highway safety, would not inconvenience existing users or the highway and would provide a suitable quantity of off-street parking. The site is located in a sustainable location easily access by a number of sustainable transport modes.

The risk of crime and anti-social behaviour

The application site is located in an area that is not residential in character. While it is only a short walk from Jacobs Well it is largely screened from view by the existing trees and vegetation. While the site is not overlooked by residential properties the vehicle access and entrance to the site would be along well used commercial routes, including North Moors, which would have some level of activity even outside traditional working hours. The secluded location of the site does, however, increase the risk or crime and anti-social behaviour.

While the risk of crime is a material planning consideration its is unlikely that any risk would be so high as to warrant the refusal of a planning application for an otherwise acceptable use. Decision makers should seek to ensure that the risk of crime and anti-social behaviour is mitigated through design and other mechanisms such as lighting and CCTV. Accordingly, it is recommended that a condition be included in any permission granted to ensure suitable measures are implemented before the site is first brought in to use.

Conclusion

There is no objection to the principle of the development and it would not prejudice the delivery of the adjoining waste allocation or the Slyfield Area Regeneration Project. The proposal is appropriate development in the Green Belt; it would not impact on the openness of the Green Belt and would not conflict with it. The proposed development would deliver 78 new plots and 2 bee keeping plots and this would be a significant benefit to the local community supporting local and national objectives for healthy and active lifestyles.

The development results in the loss of a number of young trees and scrub which is of biodiversity value but this would be mitigated through the Landscape and Ecology Management Plan. There would be no loss of biodiversity value on the site with net benefits associated with the future management of the land for biodiversity purposes. The development would not materially impact on the character of the area, residential amenity or highway safety.

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



Mr Beavan
Savills
Savills
2 Charlotte Place
Southampton
so14 0tb

**Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure)
(England) Order 2015**

Approval of planning permission: 20/P/00197

Date of Decision: 17/06/2020

Proposal: Change of use of amenity land to deliver 78 allotment plots, bee keeping facilities, composting areas, community buildings, landscaping and associated cycle storage and car parking.

Location: North Moors Allotment Site, North Moors, Worplesdon, Guildford, GU1 1SE

For: Mr Edwards
Guildford Borough Council

The application is hereby approved subject to the following condition(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./ In pursuance of Section 196D of the Town and Country Planning Act 1990

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

<u>Drawing Title</u>	<u>Drawing Number</u>
Site Location Plan	442977_303
Car Parking Access Road P08	19215-MA-SK-101 Rev
Landscape Proposals B	42287/31111/003 Rev
Proposed Facilities	442977_302 Ref F
Proposed Lighting Layout	42287/2001/001
2.44m High Securimesh Fence Detail	J6/04030
Tree Constraints Plan 190912-1.0-SARPG-TCP-MM	

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, other than in connection with the creation of the access road and car parking area, shall take place until an Arboricultural Method Statement (detailing all aspects of construction and staging of works) and a Tree Protection Plan in accordance with British Standard 5837:2005 (or any later revised standard) and in general accordance with the submitted Arboricultural Impact Assessment (Ref: 200317-1.3-ARAG-AIA-LF) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed method statement and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until fencing has been erected in accordance with the Tree Protection Plan. Within any area fenced in accordance with this condition, nothing shall be stored, placed or disposed of above or below ground, the ground level shall not be altered, no excavations shall be made, nor shall any fires be lit, without the prior written consent of the local planning authority. The fencing shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality. This is required to be a pre-commencement condition to ensure that tree protection is installed before work commences.

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

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

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

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

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

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

7. 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 (+20 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 of 1 l/s.
 - 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.).
 - 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.
 - 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.

8. 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.

9. The development hereby approved shall not be occupied until written scheme for the reduction of the opportunities for crime, including details to be implemented such as locks, lighting and cctv, has been submitted to and approved by the Local Planning Authority. Once approved, the agreed measures shall be implemented, reviewed and developed to the reasonable satisfaction of the Local Planning Authority.

Reason: To manage the risk of crime and anti-social behaviour.

10. The development hereby approved shall not be first opened to the public unless and until at least 1 of the proposed parking spaces are provided with a fast charge socket (minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

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

Informatives:

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

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

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

2. The applicant is advised that the site is in close proximity to sites known to be contaminated. Should any unexpected contamination be found during construction this should be notified to the Councils Environmental Services team immediately and all work should cease until the Council has advised that it is safe to continue.

Please read the Important Notes attached.



Tim Dawes
Planning Development Manager

Important Notes

The applicant is recommended to retain this decision notice in a safe place or with the title deed of the property.

Compliance with Approved Plans and Conditions

Any failure to adhere to the details of any plans approved or to comply with any conditions detailed in this notice constitutes a contravention of the provisions of the Town and Country Planning Act 1990 (as amended) and may lead to enforcement action being taken by the Council. If you want to depart in any way from the approved development, you are advised to seek the agreement of the Council before carrying out any work.

The applicant is advised that there will be a fee for each separate submission of information and details required to discharge the reserved matters and other conditions.

For further information contact planningenquiries@guildford.gov.uk or 01483 444609

Building Regulations and other legislation

This permission relates only to planning legislation. It is your responsibility to seek any authorisations required under other legislation.

In particular, Building Regulations approval may be required for this work. For free informal advice please contact our Building Control Service at www.guildford.gov.uk/buildingcontrol or telephone 01483 444545.

Attention is drawn to Section 20 of the Surrey Act 1985 which requires that when a building is erected or extended, proper provision shall be made for the fire brigade to have means of access to the building and any neighbouring building.

Appeals to the Secretary of State

General

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990 (as amended).

You, or an agent acting on your behalf, can appeal if you were the person who made the application. Appeals are dealt with by the Planning Inspectorate, an executive agency of the Department for Communities and Local Government. Its primary function is to determine appeals on behalf of the Secretary of State.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

Planning Permission

If you want to appeal against the refusal of this application or against condition(s) attached to this approval, then you must do so within 6 months of the date of this decision notice.

If an enforcement notice is served relating to the same or substantially the same land and

development as in your application and if you want to appeal against the Council's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Purchase Notices

If either the Council or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor can they render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Borough Council. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).

Public Path Diversion Order
Town And Country Planning Act 1990, Section 257
Guildford Borough Council
Footpath at North Moors
Public Path Diversion Order 2021

This Order is made by Guildford Borough Council under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 (Ref. 20/P/00197) namely: Change of use of amenity land to deliver 78 allotment plots, bee keeping facilities, composting areas, community buildings, landscaping and associated cycle storage and car parking. —

BY THIS ORDER:-

- 1 THE footpath over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule of this Order (“the schedule”) shall be diverted. _____

2. There shall be created to the reasonable satisfaction of Surrey County Council an alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map. _____

3. The diversion of the footpath shall have effect on the confirmation of this Order by the Guildford Borough Council AND for avoidance of doubt the confirmation shall not occur until Surrey County Council certifies its reasonable satisfaction with the alternative highway for use as replacement for the said footpath _____

4. Guildford Borough Council is hereby required to pay the cost of all works required including:-
- Signposting and waymarking, to bring the proposed diversion into use;
 - Providing a surfaced path with a minimum width of 2.0 metres to the satisfaction of Surrey County Council;
 - The costs incurred in making the Order. _____
6. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had. _____

SCHEDULE

PART 1

Description of site of existing path or way

Footpath from point A 182 metres south south east of Jacobs Well Village Hall and Club at the north west corner of the proposed allotment site (Grid Ref. 500113 152813) in a generally south easterly direction for 237 metres to Point B (Grid Ref. 500285 152682), as shown on Drawing No. 3/1/74/H18A

PART 2

Description of site of alternative highway

Footpath from point A 182 metres south south east of Jacobs Well Village Hall and Club at the north west corner of the proposed allotment site (Grid Ref. 500113 152813) in a south south easterly direction for 160 metres to Point C (Grid Ref. 500176 15266) then in an easterly direction for 110 metres to Point

Agenda item number: 6

D (Grid Ref. 500287 152665), as shown on Drawing No. 3/1/74/H18A. The Footpath to have a width of 2 metres throughout and to be known as Public Footpath 581 (Worplesdon).

Executed as a Deed by affixing the Seal of GUILDFORD BOROUGH COUNCIL on ***** 2021 in the presence of :-

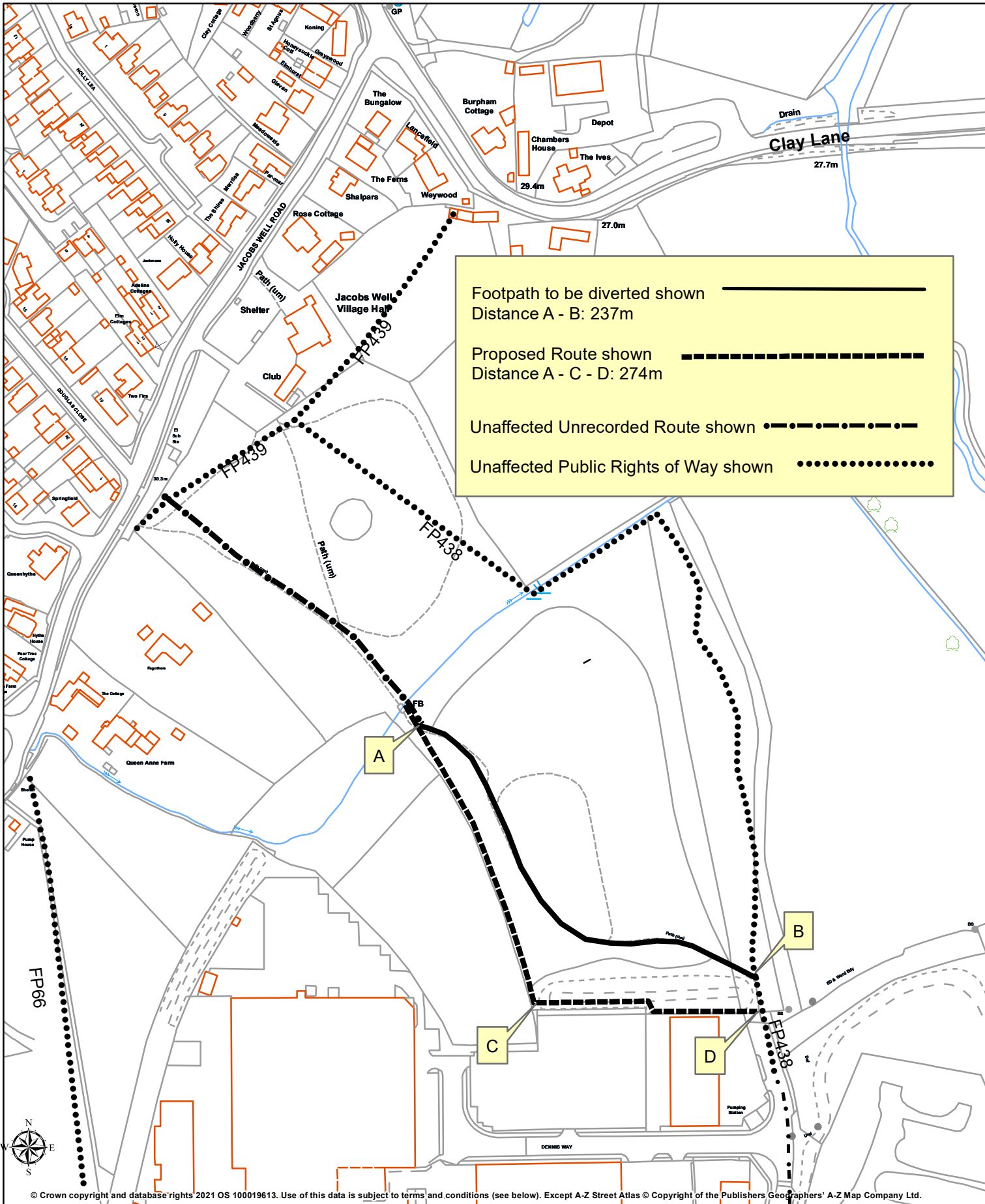
Authorised Signatory

DATED ***** 2021

TOWN & COUNTRY PLANNING ACT 1990
SECTION 257
GUILDFORD BOROUGH COUNCIL
FOOTPATH AT NORTH MOORS
DIVERSION ORDER 2021

AW/3/1/74

Proposed Public Footpath Diversion



Footpath to be diverted shown Distance A - B: 237m

Proposed Route shown Distance A - C - D: 274m

Unaffected Unrecorded Route shown

Unaffected Public Rights of Way shown

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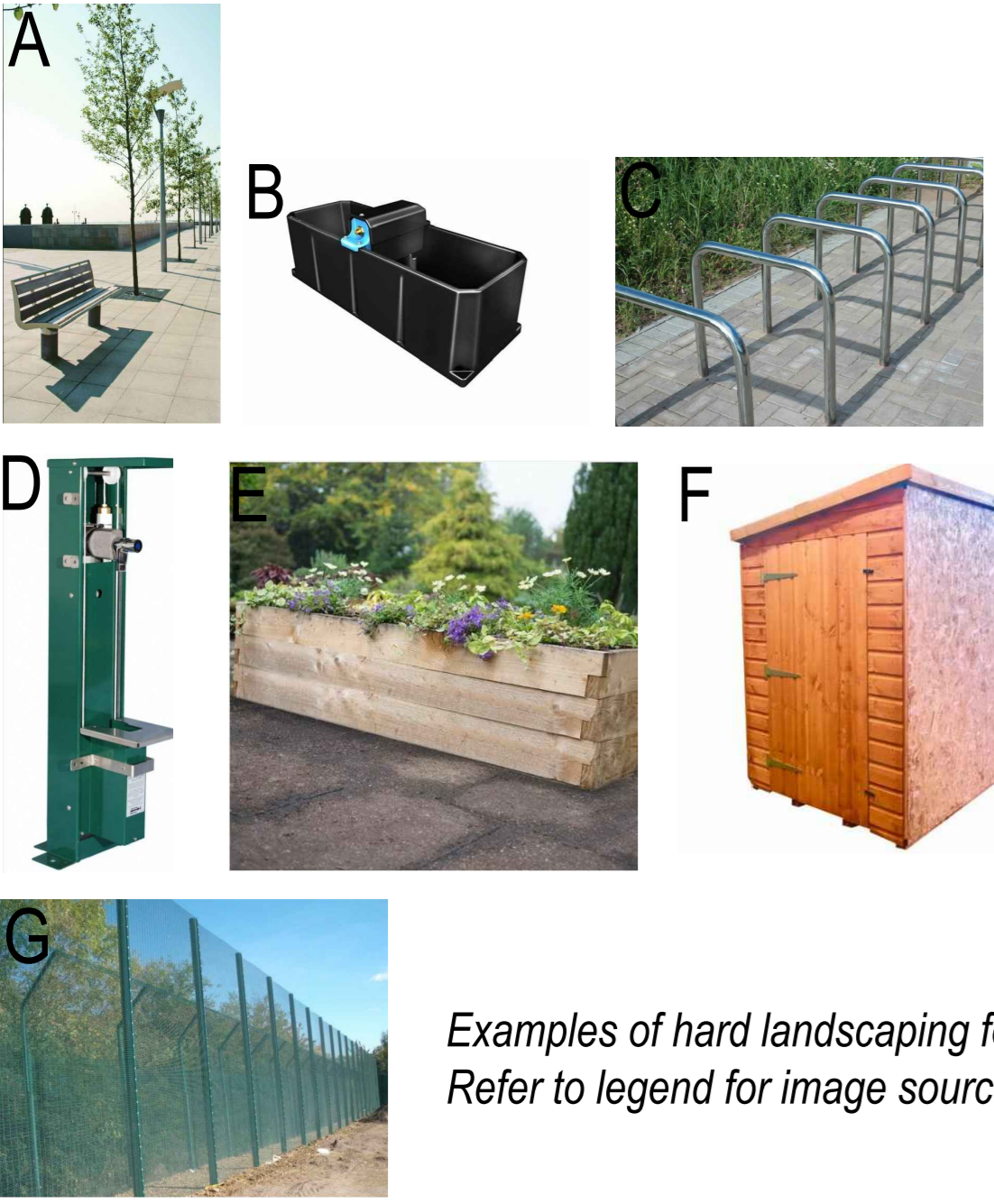
Borough of Guildford
Parish of Worplesdon

Grid Ref at A
 500113 152813
 Drawing No. 3/1/74/H18A
 Drawn by AW 09/21
 Scale 1:2500 at A4



LEGEND

- GBC Land Holding
- GAS Allotments
- Existing trees to be retained, protected and managed in line with LEMP
- Existing footpath/informal tracks from topographic survey
- Existing vegetation to be retained, protected and managed in line with LEMP
- Individual Native Trees
- Native Scrub Mix
- Emorsgate EG22 Strong Lawn Grass Mix Sowing rate 35g/m²
- Emorsgate EM5 Meadow Mixture for Loamy Soils Sowing rate 4g/m²
- Emorsgate EW1 Woodland Mixture Sowing rate 4g/m²
- Emorsgate EM5F Wild Flowers for Loamy Soils Sowing rate 1.5g/m²
- Low Maintenance Shrub Mix
- Hibernacula formed from stacked logs and vegetation resulting from woodland management
- Snake Mound (refer to www.arguk.org 'Grass Snake Egg Laying Heaps')
- Areas of Geogrid in RPAs. Details as per Arboricultural Method Statement.
- Proposed 3m wide vehicular access track, crushed aggregate, depth laid to highways engineer specification, with Terram 1000 liner
- Proposed route of potential PRow. Crushed aggregate path with Terram 1000 liner
- Patio, Saxon Flag Paving (A), Natural Colour, 450mm x 450mm, repeatable pattern, as supplied by Marshalls Paving or similar and approved.
- 600mm Height Diamond Knee Rail, Jackcure treated softwood, as supplied by Jackson Fencing or similar and approved.
- Root Barrier 2.25m x 25m as supplied by Terram or similar and approved.
- Post and Wire Fence, 1.2m height, treated FSC softwood posts, galvanised steel mesh.
- Proposed Securi-Mesh Fencing (G), height: 2400mm, post dimensions 80x60mm and 2400mm centres in RAL 6005 as supplied by Jacksons Fencing or similar and approved. Pedestrian and vehicle access gate to match.
- Fencing with rabbit proofing, 31mm hexagonal hole aperture, 600mm x 50m roll galvanised steel wire mesh, bottom 150mm to be bent at right angles and buried 50mm below soil, as supplied by Ultimate One or similar and approved. To be attached to the outside of security fencing by steel ties.
- Water Trough (B) 120L Rectangular Water Trough with Balcock Centre/End Fill, 1190mm x 430mm x 456mm as supplied by Small Holder Equipment or similar and approved.
- Indicative Water Pipe Route (route and installation subject to engineers confirmation)
- Proposed water tap locations (D) Waterpoint Standpipe Self Close Tap, hot dip galvanised pile to be used for mounting in soft ground with stainless steel fasteners, as supplied by Arrow Valves or similar and approved.
- Cycle Stands (C) Sheffield Cycle Stand, galvanised steel, 715mm x 800mm with 800mm spacing, base plate fixed. As supplied by Broxap or similar and approved.
- Proposed wooden raised planters (E) Forest Caledonian Trough Raised Bed 45x180x45cm with 250L capacity, lined with Geotextile, as supplied by Earlswood Garden and Landscape Centre or similar and approved.
- Proposed Pent Roof Shed. (F) Installed as per manufacturers specification. Single pitch, no window, 6x4ft as supplied by Atlas Sheds or similar and approved. 100l water butt and PVC drain pipes to be installed separately.
- Proposed allotment plots With treated FSC softwood edging, 150mm x 25mm of varying lengths to fit plots with timber pegging. Plots 1-16 and 19-65 = 10 Rod Plot 17 = 5 Rod, Plot 18 = 2.5 Rod Plot A1 = 9 Rod Plot A2 = 7.5 Rod Plot A3 = 7 Rod Plot A4 = 6 Rod Plot A5 = 5 Rod Plot A6 = 4 Rod Plot A7 = 5 Rod Plot A8 = 2.5 Rod Plot A9 = 5.5 Rod Plot A10 = 5.5 Rod Plot A11 = 4.5 Rod Plots A12 = 4 Rod Plots A13 = 6 Rod Plots B = Bee Plot
- N.B. Exact areas and locations of plots are subject to confirmation of utilities data
- Proposed GAS container buildings (refer to Savills building drawings for details)



Examples of hard landscaping features. Refer to legend for image sources.

North Moors Planting Schedule

Tree	Name	Height	Form	Girth	Root Condition	Bins	Pls	Percentage	Centres	Qty
Alnus glutinosa	Alnus glutinosa	250-300cm	Standard	8-10cm	B	3	3	20.0%	2.400	9
	Quercus robur	250-300cm	Standard	8-10cm	B	3	3	20.0%	2.400	9
	Salix alba	250-300cm	Standard	8-10cm	B	3	3	20.0%	2.400	9
Low Maintenance Shrub Mix	Low Maintenance Shrub Mix									11
	Cornus sanguinea 'Mid-Winter Fire'	80-85cm			C	3	3	20.0%	2.400	9
	Hebe albertana	80-85cm			C	3	3	20.0%	2.400	9
	Lavandula angustifolia 'Royal Purple'	80-85cm			C	3	3	20.0%	2.400	9
	Oleaster x haastii	80-85cm			C	4	4	20.0%	2.400	9
	Rosmarinus officinalis 'Miss Jessopp's Upright'	80-85cm			C	3	3	20.0%	2.400	9
Native Scrub Mix	Native Scrub Mix									299
	Corylus avellana	60-80cm			BR			60.0%	2.800	477
	Crataegus monogyna	60-80cm	Wh/Flower		BR			10.0%	2.800	129
	Euonymus europaeus	60-80cm			BR			10.0%	2.800	129
	Ilex aquifolium	60-80cm			C			10.0%	2.800	129
	Salix cinerea	60-80cm			BR			10.0%	2.800	129

Mark	Revision	Date	Drawn	Chkd	Appd
E	Amendment to fencing and redline	27/08/21	JJ	DM	NY
D	For Construction	12/07/21	DM	DM	NY
C	Access road update	07/05/21	DM	DM	JH
B	Schedule updated	27/02/20	JJ	DM	JH
A	Legend updated	10/02/20	DM	NY	JH

SCALING NOTE: Do not scale this drawing - any errors or omissions shall be reported to Stantec without delay.
 UTILITIES NOTE: The position of any existing public or private sewers, utility services, plant or apparatus shown on this drawing is believed to be correct, but no warranty to this is expressed or implied. Other such plant or apparatus may also be present but not shown. The Contractor is therefore advised to undertake their own investigation where the presence of any existing sewers, services, plant or apparatus may affect their operations.

Drawing Issue Status **FINAL FOR ISSUE**

Land at North Moors, Slyfield Industrial Estate Landscape Proposals

Client: **GBC**

Date of 1st Issue: 31/01/2020 | Designed: DM | Drawn: DM

A1 Scale: 1:500 | Checked: NY | Approved: JH

Drawing Number: **42287/3111/003** | Revision: **E**

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Planning Committee

5 January 2022

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 and Mrs Tatner 93 High View Road, Guildford, GU2 7RY</p> <p>21/P/00745 – The development proposed is the erection of two storey side and rear ext with rooms in the roof; raised rear patio with staircase to the garden following demolition of the existing storage outbuilding.</p> <p>Delegated Decision: To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The main issues are (i) the effect of the proposal on the streetscene of High View Road, and (ii) the effect on the living conditions for the occupiers of No. 94 High View Road as regards outlook and light. • On the first issue, I saw on my visit that the appeal dwelling is one of a number of detached dwellings of a similar appearance set down from the north side of High View Road. • Many of the houses, including No. 93, have had ground floor alterations and additions to their flanks. • The appeal scheme is of a sympathetic design to the host dwelling and achieves subservience with the extension set down from the ridge and set back from the front at first floor level. A 1m gap or very slightly less would remain between the extension and the fence with No. 94, and there is also a gap of a similar width on the other side of the fence. The design of the modest ground floor projection at the front to accommodate a new entrance and larger hall would be acceptable and in my view would actually improve the appearance of the existing front elevation. • Whilst the appeal proposal would to some extent erode the space between Nos. 93 and 94, the visual impact of additional built form in both this scheme and the other flank two-storey extensions is mitigated by the fact that the houses are set well back and at this point much lower than High View Road, with an even steeper land fall to their rear. When combined with the predominance of hipped roofs that slope away from the neighbouring property, this preserves a pleasingly open aspect on the north side of the road. • Turning to the second main issue, the Council considers that by extending 3.5m beyond the rear of No. 94, the proposed extension would adversely affect the light and outlook currently available to that property. However, the grounds of appeal demonstrate that the 	*ALLOWED
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	<p>extension would not in fact breach the 45 degree line as taken from the mid-point of the nearest window 1.5m from the nearest corner of No. 94.</p> <ul style="list-style-type: none"> • Apart from this being acceptable for light under the Council's Residential Extensions and Alterations SPD 2018, it is normally also a reliable indicator that a proposed development would not unduly close down the existing outlook. In the event, this outlook from the affected window is currently restricted by an outbuilding which projects over 5m from the appeal dwelling, and because of the steep fall in the land is tantamount to being of a two-storey height. With the proposed removal of this building as part of the scheme, the outlook from the rear windows of No. 94 is likely to be improved. • The proposed side extension would to some extent reduce daylight to the flank windows of No. 94, but as these are non-habitable rooms with opaque glazing the loss of light is unlikely to have an adverse effect the living conditions for the occupiers. Finally, in respect of sunlight, the rear elevation of No. 94 faces north and both this part of the dwelling and the rear garden are at present unlikely to enjoy long hours of sunlight. • There would be some additional loss of sunlight to the rear of No. 94 from the reduction of the gap between the house and No. 93. Some loss would also occur because the proposed rear extension would increase the shadow from the setting sun on late summer afternoons and evenings. However, because of the north facing aspect the effect would be relatively limited. • Overall, I conclude that the appeal scheme would neither harm the streetscene of High View Road nor have an unacceptable effect on the living conditions for the occupiers of No. 94 High View Road as regards outlook and light. Accordingly, there would be no harmful conflict with Policy D1 of the Guildford Local Plan 2019; Policies G1, G5 & G8 of the Guildford Local Plan 2003, and Section 12: 'Achieving Well-Designed Places' of the National Planning Policy Framework 2021. • In allowing the appeal, for the avoidance of doubt and in the interests of proper planning I shall impose a condition requiring the development to be carried out in accordance with the approved plans. A condition requiring the extension to be built using external materials to match the existing dwelling will safeguard visual amenity. 	
<p>2.</p>	<p>BLOCC Investments Ltd Commercial Yard, Hereford Close, GUILDFORD GU2 9TA</p> <p>20/P/00585 – The development proposed is the erection of a building containing 2 dwellings with bin and cycle stores.</p> <p>Planning Committee: 2 December 2020 Officers recommendation: To Approve Committee Decision: To Refuse</p> <p>Summary of Inspector's Conclusions:</p> <ul style="list-style-type: none"> • The site is within the zone of influence of the SPA and protected under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitat Regulations). Although not forming part of the Council's reasons for refusal, it is incumbent upon me as competent authority to consider whether the proposal would be likely to have a 	<p>*ALLOWED</p>

	<p>significant effect on the integrity of the protected site. It is necessary to consider this matter as a main issue.</p> <ul style="list-style-type: none"> • In light of the above, the main issues are: • The effect of the proposed development on the character and appearance of the area, • The effect of the proposal on the living conditions of future occupiers with particular respect to the provision of external amenity area, and • Whether the proposal would have a significant effect on the integrity of the SPA. • Hereford Close is a short cul-de-sac consisting of semi-detached housing. The dwellings are set close to the highway and create a close-knit and strong sense of enclosure. The appeal site is a small pocket of unused land at the head of the road. It is behind a fence and consists of largely self-seeded planting. The site therefore makes a neutral contribution to the character and appearance of the area. • The proposed dwellings would stand at the head of the cul-de-sac. The main two-storey element would be partially offset from the centre, affording views through the site to open space and buildings beyond. The proposed building would include pitched roofs and have single-storey and two-storey elements. These components would disaggregate the overall mass of the building to reduce its prominence. The use of brick and render would complement the materials found in local built form. Also, the proposal's two-storey bay window and overall traditional design would add an attractive and interesting addition to the street. • The proposal would occupy the majority of the site, with only small pockets of external space provided to the front of the building in three areas. However, the building would be set away from the highway, beyond the turning circle and frontages of 5 and 6 Hereford Close (No's 5 and 6). As a result, the proposal would be set back further from the highway than existing development. The proposal would also be lower than these neighbouring dwellings and would be partially screened by landscaping. For these reasons the proposed dwellings would not be obtrusive in the street scene. • Furthermore, whilst having limited gaps to its southwest and northwest boundaries, this would not be perceived from the street. Also, due to the separation distances the proposal would create acceptable relationships with neighbouring dwellings to the rear of the site. Consequently, the proposed development would not appear out of character with surrounding development or be cramped within the site. Moreover, the proposed dwellings would occupy a footprint and have a similar scale to the recently approved scheme. This too would enclose the street having a similar effect on local built form. The proposed development would therefore suit the existing sense of enclosure evident within the street. Consequently, the proposal would complement the character and appearance of the area. • Accordingly, the proposal would accord with policy D1 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034 (2019) (LPSS), saved policies G5(2) and G5(3) of the Guildford Borough Local Plan 2003 (LP) and the National Planning Policy Framework (The Framework). These policies seek, among other matters, for development to achieve a high-quality design that responds to distinct local character and to be of an appropriate scale. 	
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	<ul style="list-style-type: none"> • The Council's Residential Design Guide (2004) states that it is important to retain the privacy and amenity of adjoining properties and new residents. To do this it advises that boundary treatment should provide screening to prevent overlooking and small front gardens be included to provide privacy. However, the Council's policies and the Guide do not stipulate any parameters that might advise on the orientation, positioning, shape or size of residential gardens. • The footprint of the proposed dwellings would occupy most of the site. Unit 2, a 1 bed two-person dwelling, would have access to two small triangular pockets of external space. One would be adjacent to the driveway and the other would be alongside the access path to unit 1. Unit 1 would have access to one small area of external space, adjacent to its front door. Although limited, the space provided would allow for occupiers to sit outside and enjoy an external area. Accordingly, the external areas for both units would be of sufficient size for future occupiers. • Moreover, these would be southeast facing and would not be overlooked by adjacent properties, offering a reasonable level of privacy. Also, due to the size of the units, the properties would have low occupancy, with a resulting limited number of occupiers requiring access to the external space. Furthermore, the appeal site is within close proximity to open spaces and the open countryside, providing occupiers with convenient access to local recreation areas if desired. As a result, the proposal would include adequate external amenity space to provide acceptable living conditions for future occupiers. • Consequently, the proposed development would accord with saved policy G1(3) of the LP and the Framework. These policies seek, among other matters, for development to protect the amenities of occupiers of buildings and create a high standard of amenity for future users. • The Council's SPA Avoidance Strategy (2006) identifies that recreational pressure is having a detrimental effect on the nightjar, woodlark and dartford warbler species of birds within the SPA. Circular 6/2005 sets out the approach to be taken in considering a development proposal that might affect a SPA in order to fulfil the requirements of the Habitats Regulations. The appeal proposal is not directly connected with nature conservation. However, I have no evidence to assure me that visits to the SPA, would not have a significant effect on the internationally important features of the site. In such circumstances, the Circular requires that I undertake an Appropriate Assessment (AA) to consider the implications of the proposal in view of its conservation objectives. • I concur with the Council that in the absence of mitigation measures, there is the potential for residents of the proposal to visit the SPA. The Circular requires me to consider whether compliance with conditions or other restrictions, such as a planning obligation, would enable the proposal to not adversely affect the integrity of the SPA. Furthermore, standing advice of Natural England identifies that it would not object to an AA which finds 'no adverse effects' if mitigation has been secured in accordance with the Avoidance Strategy and the Council's policy. • The Council's Avoidance Strategy explains that residential development between 400m and 5km, can mitigate its adverse effects through developer contributions. The Council has identified that appropriate financial contributions can be directed towards access to 	
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	<p>existing SANG's, and through a SAMM contribution, to provide suitable mitigation. I am therefore satisfied that these measures would provide the necessary mitigation to ensure that the development would have no adverse affects on the integrity of the SPA.</p> <ul style="list-style-type: none"> • Paragraph 57 of the Framework and the CIL Regulations³ require planning obligations to be necessary, directly related to the development and fairly and reasonably related to it in scale and kind. I am content that these contributions would satisfy the required tests of the CIL Regulations. As such, subject to the provision of the required mitigation, the proposal would have no impact on the integrity of the SPA. • As such, the proposal would satisfy policy P5 of the LPSS, saved policy NRM6 of the South East Plan (2009) and the Council's SPA Avoidance Strategy (2019). These seek proposals to provide mitigation measures to off-set development that would be likely to affect the integrity of the SPA. • There are no material considerations that indicate the application should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be allowed, and planning permission granted subject to the submitted Legal Agreement and the attached conditions. 	
<p>3.</p>	<p>EE Limited Thornet Wood Stables, Lower Farm Road, Effingham, Leatherhead KT24 5JG</p> <p>20/W/00143 – The development proposed is 1No. 24m high FLI Cypress Tree mast with 3No. antennas, 2No. 0.6m dishes and 2No. ground-based equipment cabinets and ancillary development thereto. To be installed within a 10.0m x 10.0m compound with a 1.8m high chain link fence.</p> <p>Delegated Decision – To Refuse</p> <p>Summary of Inspector's Conclusions:</p> <ul style="list-style-type: none"> • The main issue is the effect of the siting and appearance of the proposal on the character and appearance of the area. • The site is located on land at Thornet Wood Stables in Effingham and comprises a parcel of land to the south of an existing railway line. The appellant has demonstrated that a new mast is required on this particular site due to gaps in signal coverage along the railway line and pursuant to upgrading the emergency services network in the area, among other things. The site is directly adjacent to a large tree and in the vicinity of several other large trees, which together help establish the boundaries of neighbouring fields. The site is not in a large open area within the field themselves. • During my visit, and when walking along the public right of way from a westerly direction, it was very difficult to achieve clear views of the site. This was mainly due to the large trees along the field boundaries obscuring my view. It is clear looking at the plans that views from other directions would also be difficult to achieve. Furthermore, the panoramic views presented by the appellant clearly demonstrate the screening effect of intervening boundary trees would be significant. • The proposal involves the installation of 1No. 24m high FLI Cypress Tree mast with 3No. antennas, 2No. 0.6m dishes and 2No. ground- 	<p>*ALLOWED</p>

	<p>based equipment cabinets and ancillary development. The proposal would be installed within a 10m by 10m compound with a 1.8 m high chain link fence. The Council state that the scale and design of the proposed mast would be unacceptable in this location, but there is very little in the way of substantive assessment that would lead me to this conclusion.</p> <ul style="list-style-type: none"> • Even appreciating that there may be very few cypress trees within the vicinity, there are said to be cypress trees nonetheless and it is not clear how the proposal would look unusual in this context. Furthermore, it would appear that the proposal is no larger than other trees in the vicinity, and its camouflaged appearance would help it assimilate into the landscape. It follows that the smaller scale, and low lying ancillary development, such as the cabinets, would also assimilate in a similar manner. • Overall, due to the proposal's siting and appearance, it would not have a harmful effect on the character or appearance of the area and so, insofar as they are material considerations, would accord with Policy D1 of the Guildford Borough Local Plan: Strategy and Sites 2019, and Chapter 10 of the Framework. Among other things, these seek to support high quality communications of good design. • For the reasons given above, the appeal is allowed, and prior approval is granted. 	
<p>4.</p>	<p>Mr Simon Quincey 27 Western Lea, West Horsley, Leatherhead, KT24 6LG</p> <p>21/P/00695 – The development proposed is the erection of a rear dormer roof extension (incorporating Juliet balconies).</p> <p>Delegated Decision: To Refuse</p> <p>Summary of Inspector's Conclusions:</p> <ul style="list-style-type: none"> • The main issue is the effect of the proposed extension on the character and appearance of the host dwelling. • The appeal dwelling is a semi-detached bungalow in Weston Lea, a cul-de-sac estate of buildings with essentially the same design and external materials. The appeal proposal is a roof extension in the form of a flat roofed dormer at the rear of the property. • The dormer would be set in only a modest distance from the sides of the roof slope and extend right up to the existing ridge and positioned only a minimal distance from the eaves. With these dimensions, in particularly its proximity to the ridge and eaves, the dormer would be disproportionately large for the roof plane and result in a top heavy appearance for the rear elevation. Nor would the fenestration, including the size and siting of the openings, read comfortably with the ground floor element of the rear elevation. • Accordingly, I consider the proposal to be of a poor design that would be unsympathetic to the existing scale and appearance of the host dwelling. As such, it would be in harmful conflict with Policy D1 (1) & (4) of the Guildford Borough Local Plan 2019 and the saved Design Code in Policy G5 of the Borough's 2003 Local Plan. The appeal scheme would also be contrary to Government policy in Section 12: 'Achieving Well-Designed Places' of the National Planning Policy Framework 2021. • I acknowledge that No. 27 is in a corner position and with the proposed dormer on the rear elevation it would unlikely to be seen from the public 	<p>DISMISSED</p>

	<p>realm and only to a limited extent from the gardens of adjoining neighbouring properties.</p> <ul style="list-style-type: none"> • However, this does not offset the harm caused to the building itself. Moreover, if I were to allow the appeal it would undermine the distinctive character of Weston Lea which derives from its design integrity and the consistency of appearance of the buildings. It would also make it difficult for the Council, in all fairness, to resist similar proposals that would incrementally erode the environmental quality of Weston Lea. • I have taken account of the points raised in the grounds of appeal but nothing that I have read or seen at my visit is of sufficient weight to alter my conclusion that I should dismiss the appeal. Reference has been made to the extension at No. 17, but the view of that dormer's flank, although limited, is one of a jarring feature in the street scene. Nor does it persuade me that the addition of a large dormer to a low profile building as exemplified in the appeal proposal would be a positive contribution to the character and appearance of Weston Lea. • For the reasons explained above the appeal is dismissed. 	
<p>5.</p>	<p>Mr Paul Treadaway of Trafalgar Retirement Plus Send Barns Stables, Woodhill, Send GU23 7JR</p> <p>20/P/01412 – The development proposed is the erection of 1 x 2 bedroom, 3 x 3 bedroom, 2 x 4 bedroom and 1 x 5 bedroom dwellings and replacement B1 (office) unit, following demolition of the existing buildings.</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 having regard to the effect on openness, the National Planning Policy Framework (the Framework) and any relevant development plan policies, • whether or not the development plan would support the proposed office space, as an alternative to the present business building on the site, • whether or not the development plan would support the loss of the equestrian facilities in this location, • the effect of the development on the character and appearance of the area, having regard to the design, layout and built form of the scheme, • the effect of the development on the setting of the nearby listed buildings, namely Tudor Barn Farm Barn (now known as 4-6 Woodhill Court) and the adjacent Barn (now known as Tudor Barn), and • if the appeal development is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the proposal. • The site lies within the Metropolitan Green Belt and the Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In addition, the construction of new buildings should be regarded as inappropriate in the Green Belt subject to a number of exceptions as set out in paragraph 149 of the Framework. 	<p>DISMISSED</p>

<ul style="list-style-type: none">• Policy P2 of the Guilford Borough Local Plan: Strategy and Sites 2015-2034 (the Local Plan) and Policy Send 2 of the Neighbourhood Plan detail the development plan approach to development within the Green Belt. The policy tests essentially refer back to the Framework policy tests such that if the development is not inappropriate development then the scheme would accord with the development plan in this regard.• The proposed development is advanced on the basis that it would comply, in terms of paragraph 149(g) of the Framework, with, in summary and with relevance to this case, the exception for the complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt than the existing development.• The site includes stable buildings, an office building, equestrian arena and areas of hardstanding. The site as a whole falls to be considered as previously developed land². The key issue is therefore whether the scheme would or would not have a greater impact on the openness of the Green Belt than the existing development.• The Send Barns Stables site lies beyond the edge of the defined settlement where there is a mix of mainly detached houses set in landscaped grounds with some surrounding fields. The office building and adjoining stable barn are positioned to the generally more eastern part of the site and the stables along the northern side are positioned fairly close to this boundary. The equestrian arena is previously developed land but has a low form. I appreciate that the arena could have jumps and other paraphernalia at times and there could be parking of vehicles, trailers and horse boxes, including to the west of the existing barn along the northern boundary. Nevertheless the arena area and the position of the buildings, even with such parking and paraphernalia, provides a reasonably open area within the generally central and western parts of the site and this open character links visually with the open field further to the west.• The scheme would remove all the buildings and structures on the site. Units 4-6 would be sited in the vicinity of the existing office and stable barn and, while higher, would maintain the approximate position of buildings more closely aligned with the existing buildings and not extend into the more open parts of the site. Indeed, this terrace would be set back further to the east than the main stable building in this area. Units 1-3 would be positioned in from the boundary and extend further to the west and be higher than the existing buildings along this boundary. Unit 7 would be sited on part of the existing arena area and again project away from the position of the existing buildings on the site.• While these proposed buildings would not be higher than others in the vicinity, nevertheless, the combination of the bulk, height and position of Units 1-3 and Unit 7 would generally extend the visual appearance of built development further to the west, encroach into a more central area and buildings would be spread more widely across the site. This location of these buildings would be towards and within an area that presently includes low rise features such as the parking area and arena that contributes to the openness of the site. This existing openness would be undermined by the position and form of these proposed dwellings. The landscaped area proposed in the western section of the land would make a small improvement to openness in this section of the site. However, the provision of the courtyard parking area between the buildings, and the likely physical presence of the vehicles, would	
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	<p>consolidate the appearance of the development extending further to the broadly west than at present and across more parts of this general central section of the site. This would result in a net loss of open character.</p> <ul style="list-style-type: none"> • Drawing these matters together, because of the position and bulk of the proposed Units 1-3 and Unit 7 the scheme as a whole would have a greater impact on the openness of the Green Belt than the existing development. Consequently, the scheme would not comply with the exception for new buildings in the Green Belt as detailed in paragraph 149(g) and the proposal would constitute inappropriate development. • In the light of the above analysis, I conclude that the proposal would be inappropriate development in the Green Belt because it would reduce openness. Accordingly, it would therefore conflict with Policy P2 of the Local Plan and Policy Send 2 of the Neighbourhood Plan which set out the approach to development within the Green Belt. • I conclude that the development plan would not support the proposed office space as an alternative to the present business building on the site. In particular, the scheme would conflict with Policy E3 of the Local Plan and the Framework which seek, amongst other things, to protect employment floorspace. • I conclude that the development plan is essentially silent on the issue of the loss of the equestrian facility and, consequently, there would be no conflict with Policy E6 of the Local Plan or the Framework in respect of this main issue. • Accordingly, I conclude that the scheme would harm the character and appearance of the area and in particular conflict with Policy D1 of the Local Plan, Policy Send 1 of the Neighbourhood Plan, saved Policy G5 of the Guildford Borough Local Plan 2003 and the Framework which seek, notably, that all development will be required to achieve high quality design that responds to distinctive local character of the area in which it is set. • The proposal would constitute inappropriate development in the Green Belt and no very special circumstances have been demonstrated. As I have explained above, the scheme would also result in unacceptable impacts in relation to employment land, the character and appearance of the area and the setting of two listed buildings contrary to the identified adopted policies. The scheme therefore would not comply with the development plan when considered as a whole and there are no considerations which outweigh this harm. • For the above reasons, I conclude that the appeal should be dismissed. 	
<p>6.</p>	<p>Mr Perry Stock Vine Cottage, The Street, Effingham, Nr Guildford, Surrey, KT24 5QL</p> <p>20/P/01577 – The works proposed are replacement of existing (unlisted) garage in the grounds of a listed (Grade II) building with a useable sized garage and home office, to a high thermally insulated standard.</p> <p>Delegated Decision: To Refuse</p> <ul style="list-style-type: none"> • The main issue is the effect of the proposal on the listed building, Vine Cottage, and its setting. • Vine Cottage is a Grade II listed mid-18th Century red brick house which is located on the west side of The Street close to the junction with the A246/ Guildford Road. The property is located at the southern 	<p>DISMISSED</p>

	<p>end of the Effingham Conservation Area which is characterised by a mix of villas, houses and cottages. Properties in this part of the Conservation Area are constructed from a pallet of traditional materials including soft red/ orange bricks, flint and clay tiles. Elsewhere in the Conservation Area there are examples of historic timber framed buildings and the use of feather edged weatherboarding.</p> <ul style="list-style-type: none"> • The Appellant proposes to demolish an existing single storey brick and tile garage which is located to the side of Vine Cottage and replace it with a “hay barn style” building which would comprise a garage at ground floor with office space above. The building would be constructed of black shiplap timber with a clay tile roof. Two gable ended dormers would be located in the southern roofslope. The office would be accessed by means of an external stair to the rear of the proposed building. • Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that when considering a proposal that would affect a listed building or its setting special regard needs to be given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. • The existing garage is a modest structure of limited bulk and scale which is clearly subservient to Vine Cottage and does not detract from its setting. Whilst I accept that the proposed replacement garage through the use of materials and design features has been carefully designed to reflect and respect the character and appearance of the Effingham Conservation Area it would be of a size, scale, bulk and height that would be significantly bigger than the current garage and far more complex in form. As a result, it would lack subservience and would thereby compete with Vine Cottage. I therefore consider that the loss of the hierarchy in the relationship between house and garage would detract from the listed building, and its setting. In my view the harm to significance would be less than substantial and where this is the case paragraph 202 of the Framework says that such harm should be weighed against the public benefits of the proposal. • I accept that the provision of a new garage and home office would enable a car to be removed from the front forecourt and would enable the Appellant to work from home thereby reducing carbon emissions from commuting. However, these benefits are limited and as such I consider that they are insufficient to outweigh the harm that I have identified above. • In coming to this conclusion, I have visited several of the other examples of similar sized and styled buildings cited by the Appellant, including those within the village and the listed former fire station in Shere. However, I consider that the contexts of these buildings are different to those found at Vine Cottage and as a consequence they do not lead me to a different conclusion. • As a result, I consider that the works would fail to preserve Vine Cottage and its setting for which a clear and convincing justification has not been provided. The works would therefore not comply with the requirements of Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990 and the guidance contained within the Framework. • Accordingly, for the reasons set out I conclude that the replacement of the existing garage with an alternative garage and home office would 	
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	fail to preserve the setting of Vine Cottage and as such the appeal should be dismissed.	
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