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Contact Officer:

Sophie Butcher, Democratic Services Officer
Tel no: 01483 444056

25 January 2022

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 2 FEBRUARY 2022 at 7.00 pm.**

Whilst Committee members and key officers will be in attendance in person for the meeting, registered speakers as well as ward councillors registered to speak, may also join the meeting via MSTeams. Ward Councillors, please use the link in the Outlook Calendar invitation. Registered speakers will be sent the link upon registration. If you lose your wi-fi connectivity, please re-join using the telephone number +44 020 3855 4748. You will be prompted to input a conference ID: 462 528 807#.

Members of the public may watch the live webcast here: <https://guildford.publici.tv/core/portal/home>

If you wish to attend the meeting in person, please consider the following:

You may wish to have a Covid-19 test prior to attending the meeting. Follow the link [:https://maps.test-and-trace.nhs.uk](https://maps.test-and-trace.nhs.uk)

You may also obtain a test through the post, but the lead time is longer for the result. If you should receive a positive result you will not be permitted to attend the meeting and you should isolate as required under public health guidance.

If you have Covid symptoms you should not attend the meeting.

If your test is negative please arrive at the Council Offices, Council Chamber, Millmead by at least 6:45pm so that you can be seated. Seating will be socially distanced and those sharing a household will be sat together

Please note that a limited number of socially distanced seats will be available. Please contact the Democratic Services Officer to confirm. If registered speakers wish to attend in person, the seating will be allocated to them first.

Face masks will be required to enter the Council building and Council Chamber. You may wish to wear a facemask for the duration of the meeting, however, as long as a 2 metre social distance is maintained, the wearing of a facemask is not required

Hand sanitisers will be available on arrival and departure, please use them regularly.

Yours faithfully

Tom Horwood

Joint Chief Executive

MEMBERS OF THE COMMITTEE

Chairman: Councillor Fiona White and The Mayor, Councillor Marsha Moseley
Vice-Chairman: Councillor Colin Cross

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

Authorised Substitute Members:

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

QUORUM 5

THE COUNCIL'S STRATEGIC FRAMEWORK (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 15 - 26)

To confirm the minutes of the meeting of the Committee held on 12 January 2022 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 27 - 28)

All current applications between numbers 20/P/01508 and 21/P/02257 which are not included on the above-mentioned List, will be considered at a future meeting of the Committee or determined under delegated powers. Members are requested to consider and determine the Applications set out in the Index of Applications.

5.1 **20/P/01058 - White Horse Yard, High Street, Ripley, GU23 6BB**
(Pages 29 - 38)

5.2 **21/P/01811 - Guildford Plaza (former Burymead House), Portsmouth Road, Guildford, GU2 4DH** (Pages 39 - 84)

5.3 **21/P/02257 - Waterside Farm Cottage, Wharf Lane, Send, Woking, GU23 7EJ** (Pages 85 - 114)

6 PLANNING APPEAL DECISIONS (Pages 115 - 130)

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

WEBCASTING NOTICE

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

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

NOTES:

(i) Procedure for determining planning and related applications:

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

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

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

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

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

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

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

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

GUIDANCE NOTE For Planning Committee Members

Probity in Planning – Role of Councillors

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

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

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

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

Reason for Refusal

How a reason for refusal is constructed.

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

When formulating reasons for refusal Members will need to:

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

Example

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

Reason for Approval

How a reason for approval is constructed.

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

Example:

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

Reason for Deferral

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

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

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

NOTES:

Officers Report

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

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

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

Written Representations

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

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

Background Papers

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

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

Human Rights Act 1998

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

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

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

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

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

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

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

- 3 Article 14: prohibition from discrimination

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

- 4 Article 1 Protocol 1: protection of property;

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

- 5 Article 2 Protocol 1: right to education.

No person shall be denied the right to education.

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

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

Costs

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

However, where:

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

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

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PLANNING COMMITTEE

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

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

*Present

Councillors Chris Barrass and Catherine Young were also in attendance.

PL1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Chris Barrass, Chris Blow and Angela Gunning. Councillor Bob McShee attended as a substitute for Councillor Chris Blow with no substitutes for Councillors Chris Barrass or Angela Gunning.

PL2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

21/P/00817 – Royal Surrey County Hospital, Egerton Road, Guildford, GU2 7XX

Councillor Fiona White declared a non-pecuniary interest in the above application as she was a member of the governing Board of the Hospital. She would call the Vice-Chairman, Councillor Colin Cross to chair the meeting for the consideration of this application and would leave the Council Chamber after she had spoken for three minutes in her capacity as councillor for the adjoining ward and Surrey County Councillor.

Councillor David Bilbé declared a non-pecuniary interest in the above application due to his wife being an employee at the Royal Surrey County Hospital.

PL3 MINUTES

The minutes of the Planning Committee held on 1 December 2021 were approved and signed by the Chairman.

PL4 ANNOUNCEMENTS

The Committee noted the procedures for determining planning applications.

PL5 21/P/01683 - HIGH BRAMBLES, PARK CORNER DRIVE, EAST HORSLEY, LEATHERHEAD, KT24 6SE

The Committee considered the above-mentioned full application for 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.

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

- Mr Terence Waters (Chairman of Park Corner Drive Residents' Association (to object));
- Ms Jackie Bunyan (to object) and;
- Mr Andrew Badosz (Agent) (In Support)

The Committee received a presentation from James Overall, Senior Planning Officer. The Committee noted that the site was located in an area inset from the Green Belt and was within the identified settlement boundary. It was also within the 400 metre to 500 km buffer zone of the Thames Basin Heath Special Protection Area (TBHSPA). The site consisted of a two-storey detached replacement dwelling which was granted permission under 20/P/01954 and is currently under construction. The dwelling was situated on a large plot, located away from the residential cul-de-sac which was characterised by dwellings of various styles. The houses at High Brambles were at a higher ground level than neighbouring properties. The road was characterised by mature hedging and trees to the side and rear boundaries with soft landscaping in front gardens. The plan was to seek to extend the depth across the rear elevation by a third, up to 9.9 metres compared to the approved plan. There would be no change to the width or front elevation of the dwelling. The revised proposal would have the same first floor rear windows, but as a result of the extension these rear elevation windows would be set back. The separation distance to the properties at the rear would be retained at 2.99 metres. The extension would not reduce this distance and as a result of the proposed extension the angle of view would be set back further into the rear gardens of the neighbouring properties either side. When assessing overlooking, 5 metres was considered to be detrimental from the rear elevation with regard to vision splays. The areas affected by overlooking were considered to be small compared to the expanse of amenity space in relation to neighbouring amenities.

There will be an increase in the depth of the flank elevations and insertion of one additional roof light on the eastern flank elevation. There will be a high level rooflight serving a kitchen at ground floor on the proposed alterations. Sufficient spacing would be maintained to the side boundaries to ensure that there would be no detrimental impact on neighbouring plots on either side or any detrimental loss of light or overbearing impact. This Section 73 application proposes an alteration which did not change the front elevation nor the design of the dwelling house. With regard to elevations, the dwelling would continue to follow the line of existing development either side of the host property. The host dwelling extending past the rear building line protrusion was relatively minor and would not harm the character of the area. The boundary with neighbouring properties would be retained at 3.5metres with no increase in height proposed. This resulted in a dwelling which was in keeping with the character of the area and had an acceptable relationship with its immediate surroundings.

In summary the proposed alterations all occur at the end at the rear of the property, and it was considered that there would be no detrimental impact on the character of the area. In terms of the impact upon neighbouring amenity, the alterations would not cause detrimental harm, with regards overlooking, overshadowing or outlook. The application was therefore recommended for approval subject to conditions of which one is for the removal of permitted development rights for extensions and roof extensions to ensure dwelling house to not add additional bulk without first applying for planning permission.

The Chairman permitted, Councillor Catherine Young to speak in her capacity as ward councillor for three minutes.

The Committee noted concerns raised that by allowing this variation would cause significant planning harm to the character of the immediate local area. It would also have a significant impact on the private amenity on both sets of neighbours. If the variation were granted it would result in a building virtually the same size as that refused. The Planning Inspector described this as a bulky and dominant scheme and undermining of the existing character, stating that it would result in a proposal that was discordant, harmful and completely out of place. The proposal contravened the Local Plan and East Horsley Neighbourhood Plan as the proposal did

not respect the distinct local character of the area and was in conflict with policy D1 with regard to place shaping, G1 regarding general standards of development and G1(3) regarding protection of amenity and that residents expect to be protected from unneighbourly development in terms of privacy and access to sunlight and daylight. This development would result in a significant loss of day and sunlight which was a material planning consideration. This was exacerbated by the fact that the road sloped upwards and the new extension would sit higher in comparison to the neighbouring property, notably the orientation on the map provided in the officer's report on page 84 was inaccurate where it pointed which was critical in tracking the movement of the sun and the impact of shadowing on both neighbour's gardens, in particular the patio and seating area of the garden of Two Steps. As a result of its scale and bulk the proposed development was also contrary to the Neighbourhood Plan policy EH47 which required that designs were in keeping with the established character. There was also a lack of significant screening following the felling of trees given the right to daylight and sunlight.

The Committee discussed the application and was concerned regarding the increased volume proposed of the property of which there was not a clear breakdown in the report. It was critical to see the breakdown of volume owing to the loss of amenity to the neighbours.

The Committee also noted their concerns regarding the size of the extension which was significant and bulky and would be out of character. In addition, the effect of the light on the patio and the effect upon neighbouring amenities.

The Committee queried if permitted development rights were allowed would the proposal therefore be a single storey structure as opposed to two storeys in height.

The Committee also considered points raised that the proposal did not look out of character despite it being a larger house.

The Head of Place, Dan Ledger clarified comments made by the Committee. With regard to permitted development, there were different permitted development criteria for single storey and two storey extensions. More than one storey could be carried out under permitted development subject to a number of criteria, one of which was that it didn't exceed 3 metres in depth. So a two-storey extension could conceivably be done under permitted development. Single storey extensions for detached properties could also go deeper. With regard to volume calculations, these were not included in the report as the site in question was inset from the Green Belt. With regard to character, the changes proposed were predominantly to the rear of the property and how that affected the wider character not just visibility. Whilst the proposal projected further backwards it was not any closer to the boundary.

The Committee agreed that the proposal represented a building that was excessive in scale in comparison to the neighbouring properties. It was overbearing and would have a detrimental impact on the character of the area. Of particular concern, was the patio at the property Two Steps which would be overshadowed and have their amenity space reduced.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Jon Askew		X	
2	David Bilbé	X		
3	Bob McShee		X	
4	Ruth Brothwell		X	
5	Colin Cross		X	
6	Angela Goodwin		X	
7	Liz Hogger		X	
8	Marsha Moseley	X		
9	Ramsey Nagaty		X	
10	Maddy Redpath		X	
11	Pauline Searle		X	
12	Paul Spooner	X		
13	Fiona White			X
	TOTALS	3	9	1

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Angela Goodwin	X		
2	Pauline Searle	X		
3	Maddy Redpath	X		
4	Fiona White			X
5	Ruth Brothwell	X		
6	Paul Spooner		X	
7	Bob McShee	X		
8	David Bilbe		X	
9	Ramsey Nagaty	X		
10	Jon Askew	X		
11	Marsha Moseley		X	
12	Colin Cross	X		
13	Liz Hogger	X		
	TOTALS	9	3	1

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

RESOLVED to refuse application 21/P/01683 for the following reasons:

1. The proposed dwelling would by virtue of the additional depth at two storey height result in a building which is excessive in scale compared to nearby properties, resulting in overbearingness and having a detrimental impact upon the character of the prevailing area. As such the proposal does not comply with the Local Plan (2015-2034) Policy D1(4) - 'Place Shaping: Distinct Local Character', which seeks for all new development to be designed and reflect the distinct local character of the area and reinforce locally distinct patterns of development. Furthermore, the proposal does not comply with the Neighbourhood Plan (2017-2033) Policy EH-H7 (a) - 'East Horsley Design Code: Houses & Bungalows', which

seeks for designs to be in keeping with the established character of Easy Horsley and the style of properties surrounding the development.

2. As a result of the increased rear projection and proximity to the boundary protruding past the rear building line of the neighbouring property Two Steps, the development will have an overbearing and overshadowing impact upon the patio area of Two Steps thereby having a detrimental impact upon their amenity space. As such the proposal does not comply with the Saved Local Plan (2003) Policy G1(3) – ‘Protection of Amenities Enjoyed by Occupants of Buildings’, which seeks to ensure that amenities enjoyed by occupants of buildings are protected from unneighbourly development with regard to privacy and access to sunlight/daylight.

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 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 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.

PL6 21/P/00630 - MERROW LAWN TENNIS CLUB, EPSOM ROAD, GUILDFORD, GU4 7AA

The Committee considered the above-mentioned full application for 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.

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

- Mr Julian Tedder (to object);
- Mr Andrew Strawson (to object);
- Mr Adrian Rees (in support) (Chairman of Merrow Lawn Tennis Club) and;
- Mr David Clegg (in support)

The Committee received a presentation from Sakina Khanbhai, Specialist Development Management (Applications). The Committee noted that the application site comprised a parcel of land within the tennis club grounds. The site was located within the Green Belt and within an

Area of Great Landscape Value (AGLV). The site was located to residential development, recreational fields and a golf club.

The site was proposed to have chain link fencing measuring 3.6 metres in height connected by rectangular posts which would surround the tennis court and included the installation of 6 x 6-metre-high lighting columns. There was also 3.5-metre-high hedging on the side boundary which provided screening however the 6-metre-high floodlights would be visible above the hedge line. The technical drawings demonstrated the lighting overspill beyond the site boundaries. Of particular concern was the 14.6 lux level overspill of light to the rear garden of number 3 Abbot's Way which would cause material harm to residential amenities. The Council's Environmental Health Officer had also raised concerns to the proposed lighting scheme on this basis.

In summary, the additional lighting in the proposal location would result in adverse harm to the visual amenities of the rural character of the wider landscape. The proposed lighting scheme would result in overspill in number 3 Abbot's Way's Garden. Furthermore, the creation of an additional tennis court in close proximity to the residential properties would result in noise activity at an intensity that would be harmful to neighbouring amenity which the Council's Environmental Health Officer had objected to.

The Committee discussed the application and noted concerns raised that whilst they were supportive of refusing the application on the basis of the intrusive lighting, the potential noise impact was questionable given another court could be put there now.

The Committee also noted comments regarding the importance of physical exercise and yet there was already a redundant outdoor tennis court.

With regard to noise, the Committee also appreciated that the use of asphalt would make it noisier overall.

The Head of Place, Dan Ledger also confirmed that it was not just about the use of the tennis courts but the increased intensity of the site as a whole alongside the additional lighting, which would increase the noise throughout the day and was supported by the Council's Environmental Health Officer.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Jon Askew	X		
2	Marsha Moseley			X
3	Pauline Searle	X		
4	Angela Goodwin	X		
5	Maddy Redpath	X		
6	Ruth Brothwell	X		
7	David Bilbe	X		
8	Colin Cross	X		
9	Ramsey Nagaty	X		
10	Paul Spooner			X
11	Liz Hogger	X		
12	Bob McShee	X		
13	Fiona White	X		
	TOTALS	11	0	2

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

RESOLVED to refuse application 21/P/00630 for the reasons as outlined in the report.

PL7 21/P/00817 - ROYAL SURREY COUNTY HOSPITAL, EGERTON ROAD, GUILDFORD, GU2 7XX

The Deputy Chairman, Councillor Colin Cross chaired this application owing to the Chairman's declared non-disclosable pecuniary interest.

The Committee considered the above-mentioned hybrid application for the development of land known as Plot 23 (and south of Rosalind Frank 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.

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

- Ms Flora Curtis (on behalf of the Students of the University of Surrey) (to object);
- Mr Ray Rogers (Governor) (in support) and;
- Ms Vicky Mumford (Assistant Director of Nursing, Cancer) (in support)

The Committee received a presentation from the Head of Place, Dan Ledger. The Committee noted that the proposal related to the reorganisation of some of the accessible car parking spaces from the main hospital. Plot 23 would also be developed for a 6-level multi-storey car park and a new clinical facility to be used as a cancer centre. The application was hybrid when meant full planning permission was sought for the multi-storey car park and for the accessible parking spaces and outline permission for the cancer centre. The outline part of the application dealt with matters of access, layout, scale and appearance together with

landscaping and formed part of the Site Allocation A17 within the adopted Local Plan. The proposal would use the existing vehicular and pedestrian access points into the site. The multi-storey car park would be located to the west. The cancer centre would be comprised of a two-storey building which would include a surface car park with 32 spaces to specifically serve this building. The multi-storey car park would have 6 split level decks between 15-18 metres in height. It would provide 598 car parking spaces for hospital staff and was a large structure approx. 80 metres in length and 35 metres deep. The car park would include two lifts and staircases located at either end of the buildings for access and a security office.

The design of the building was utilitarian with metal mesh screening on the walls and indicated the functionality of the building being proposed. It would be seen within the context of the other larger buildings on the university site and from wider angles you would see it behind other existing structures. There were a number of trees around the site boundary, nearly all of which would be retained apart from a group around the site access. The retained trees would be protected during construction to ensure they continue to screen the site and was required by condition. Additional planting would also enhance screening and soften the appearance of the building. A reasonable gap was maintained between nearby properties and those adjoining student accommodation buildings. The gap was sufficient to screen any light spillage and reduce the impact of noise which would be limited to the vehicles entering and leaving the site. Planning officers considered this was acceptable in the context of the development. A new footpath would be established from the northern access to the existing pedestrian link and Rosalind Franklin Close. You would use the same walking route through to the hospital. The clinical building would be predominantly 2-storeys in height with a maximum height of 8.6 metres increasing to a maximum of 11.1 metres which included rooftop plant machinery. It would have a contemporary appearance with elevations of a dark brick at ground floor level with lighter coloured aluminium cladding used on the upper levels. At the front of the building there would be an overhang. Given the proximity to the A3, the impact of the strategic highway network had been assessed and subject to highway improvement works on the junction to increase capacity to manage queuing onto the slip road there was no objection. Planning officers considered that the proposal offered solutions to the complex parking demands of the hospital which needed to be in line with the sustainable transport choices. Surrey County Council were satisfied that there would not be an adverse impact on highway capacity from the increase in vehicle movements. The development would also safeguard land to provide infrastructure for the Sustainable Movement Corridor. The application was therefore recommended for approval subject to a Section 106 Agreement.

Councillor Fiona White spoke in her capacity as Councillor for the adjoining ward for three minutes and then left the room for the duration of the consideration of the application.

The Committee noted comments that Royal Surrey Hospital had taken steps to solve the problem of staff parking even to the extent of leasing land to run a park and ride on land that's no longer available owing to being earmarked for housing. There had been a clear need for additional parking for a long time and this application would go a long way to meet that need. Surrey Highways had also withdrawn their objection subject to condition 11. Additional accessible parking spaces would also be created as well as providing more spaces for patients and visitors at the hospital. Whilst the application for the cancer centre was in outline form only, it would contribute towards improved healthcare facilities which was much needed in Guildford. The additional parking provision would also provide relief to staff and patients who were very often parking offsite owing to lack of spaces onsite.

The Committee considered the application and noted comments that the proposed car park was a practical necessity which would assist staff and patients with parking which was woefully inadequate currently. It was also telling that 154 people had written letters of support with only 34 people against the proposed scheme. The tarmacking of the ground was also seen as a necessity given the muddy state of the ground which was difficult to navigate.

The Committee noted concerns raised regarding the local residents view of the monolithic structure and whether a green wall could be installed or green roof. The total number of electric vehicle charging points which equated to 5% of the total parking spaces was also perceived to be very low. The number of accessible spaces was welcome but was likely not to meet the demand and therefore was it possible to ask for additional accessible spaces? In addition, in relation to sustainable movement and travel, there was no mention of safe and secure bike lockers which would encourage more people to leave their bikes whilst at work and to use them as an alternative mode of transport.

The Committee noted concerns that the scheme should be postponed until the issues are resolved between the Hospital, the University and Surrey Research Park regarding traffic volumes. Air quality concerns remained an issue owing to the fact that the A3 was twice over the legal limit of what it should be. A development such as this would create additional vehicle movements.

The Committee agreed that the building was practically designed and would improve the patient and staff experience overall.

The Head of Place, Dan Ledger confirmed in relation to queries raised by the Committee that they had to assess the application before it. The number of additional accessible car parking spaces was an improvement upon the existing situation. Under the Heads of Terms, as per the S106 Agreement, the hospital was required to submit a new Master Travel Plan which would cover some of the points raised regarding alternative travel options for staff. The number of electric vehicle charging points was in line with the standards currently in place and could be increased according to need generated in the future. National Highways and County Highways had required as part of the S106 and conditions to require that works needed to be carried out prior to the development becoming operational.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Maddy Redpath	X		
2	Ruth Brothwell	X		
3	Colin Cross	X		
4	Jon Askew	X		
5	David Bilbe	X		
6	Angela Goodwin	X		
7	Marsha Moseley	X		
8	Pauline Searle	X		
9	Bob McShee	X		
10	Ramsey Nagaty			X
11	Paul Spooner	X		
12	Liz Hogger	X		
	TOTALS	11	0	1

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

RESOLVED to approve application 21/P/00817:

- (i) Subject to a Section 106 Agreement securing:
- Submission of an updated Master Travel Plan.
 - Contribution towards the auditing of Master Travel Plan.
 - Contributions 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.

PL8 21/P/01858 - LAKESIDE CLOSE, LAKESIDE CLOSE, ASH VALE GU12

The Committee considered the above-mentioned full application for variation of condition 14 (flood and surface water drainage) relating to Planning Application 12/P/01005 approved 10/04/2013.

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

- Mr Grant Archard (to object) and;
- Mr Ian Thomas (to object)

The Committee received a presentation from James Overall, Senior Planning Officer. The Committee noted that it was a Section 73 application for the variation of condition 14 of the original permission which related to drainage. The site was located in the urban area of Ash, within an area of flood plain. A railway ran along the northern boundary of the site behind tree screening. Access to the site was gained via the south of Lakeside Close. There was a residential estate located to the south and east and the site was also located with the Special Protection Area. The first option, which was part of the original application, was for a 1-metre-deep swale, 64 metres long and 6.5 metres wide. The second option, which was part of the original application was for a 6-metre-deep swale and 4.1 metres wide. A swale was a linear depression which led surface water to a drainage system. The valve south of Lakeside Road in 2019 was silted and not working. A sequential test was carried out by the Council which concluded that there were no suitable available alternative sites at less risk of flooding. In addition to this, an exception test was undertaken which was completed to demonstrate that the development provided wider sustainable benefits to the community that outweighed flood risk. A site-specific flood risk assessment demonstrated that the development would be safe for its lifetime without increasing flood risk elsewhere and where possible reduce flood risk. As such, the application was permitted subject to conditions to ensure a flood risk assessment strategy was carried out appropriately. However, the drainage system was not installed correctly which had subsequently resulted in flooding in the surrounding area. The variation of condition 14 proposed was therefore recommended for refusal given it was imposed to ensure that the development was built in accordance with the flood mitigation controls.

The Committee discussed the application and noted comments that the Council should be aiming for exemplary development and drainage and supported the refusal of the application. The Committee also noted that the site was not located in Ash, South and Tongham as per the agenda. The flood prevention scheme was clearly not adequate and had resulted in unacceptable flooding to residential properties which must be rectified via the refusal of this proposed amendment to condition 14.

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	Pauline Searle	X		
3	Paul Spooner	X		
4	Bob McShee	X		
5	Maddy Redpath	X		
6	Fiona White	X		
7	Angela Goodwin	X		
8	Ruth Brothwell	X		
9	Jon Askew	X		
10	Liz Hogger	X		
11	Ramsey Nagaty	X		
12	Marsha Moseley	X		
	TOTALS	12	0	0

(Councillor David Bilbè had left the meeting)

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

RESOLVED to refuse application 21/P/01858 subject to the reasons as detailed in the report.

PL9 21/P/00646 - WOODLANDS, THE WARREN, EAST HORSLEY, LEATHERHEAD, KT24 5RH

The Committee considered the above-mentioned full application for erection of a replacement dwelling together with alterations to parking and vehicular access arrangements (revision of 20/P/00952).

The Committee received a presentation from Kieran Cuthbert, Specialist Development Management (Applications). 20/P/00952 was an application which was also refused and a revision of application 18/P/01718 also refused and dismissed at appeal. The site was located on a private residential road in East Horsley located in the Green Belt and outside of an identified settlement boundary. The changes were less noticeable on the front elevation drawings and showed the overall bulk increase caused by the gable roof alterations. The height increase from the existing to the proposed was 1.18 metres. In summary, taking into account that prior approval extensions, the volumetric increase would still create a 46% volume increase which was significant and would result in the construction of a much larger building with a substantial increase and was therefore recommended for refusal.

The Committee discussed the application and agreed that given it was a site located in the Green Belt, the Committee had to be consistent with its policies. The test was whether it was

materially larger than the existing house which it clearly was resulting in an increase of volume of 46% which was excessive.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Fiona White	X		
2	Colin Cross			X
3	Angela Goodwin	X		
4	Ramsey Nagaty			X
5	Pauline Searle	X		
6	Liz Hogger	X		
7	Marsha Moseley	X		
8	Maddy Redpath	X		
9	Jon Askew	X		
10	Ruth Brothwell	X		
11	Bob McShee	X		
12	Paul Spooner	X		
	TOTALS	10	0	2

(Councillor David Bilbè had left the meeting)

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

RESOLVED to refuse application 21/P/00646 for the reasons as detailed in the report.

PL10 NORTH MOORS ALLOTMENT FOOTPATH DIVERSION

The Committee considered the above-mentioned full application for change of use of amenity land to deliver 76 allotment plots, bee keeping facilities, composting areas, community buildings, landscaping and associated cycle storage and car parking.

The application had been referred to the Planning Committee because the council is the owner of the land and it is also the applicant.

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

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

RESOLVED to approve the North Moors Allotment Footpath Diversion.

PL11 PLANNING APPEAL DECISIONS

The meeting finished at 9.31 pm

Signed

Chairman

Date

Agenda item number: 5

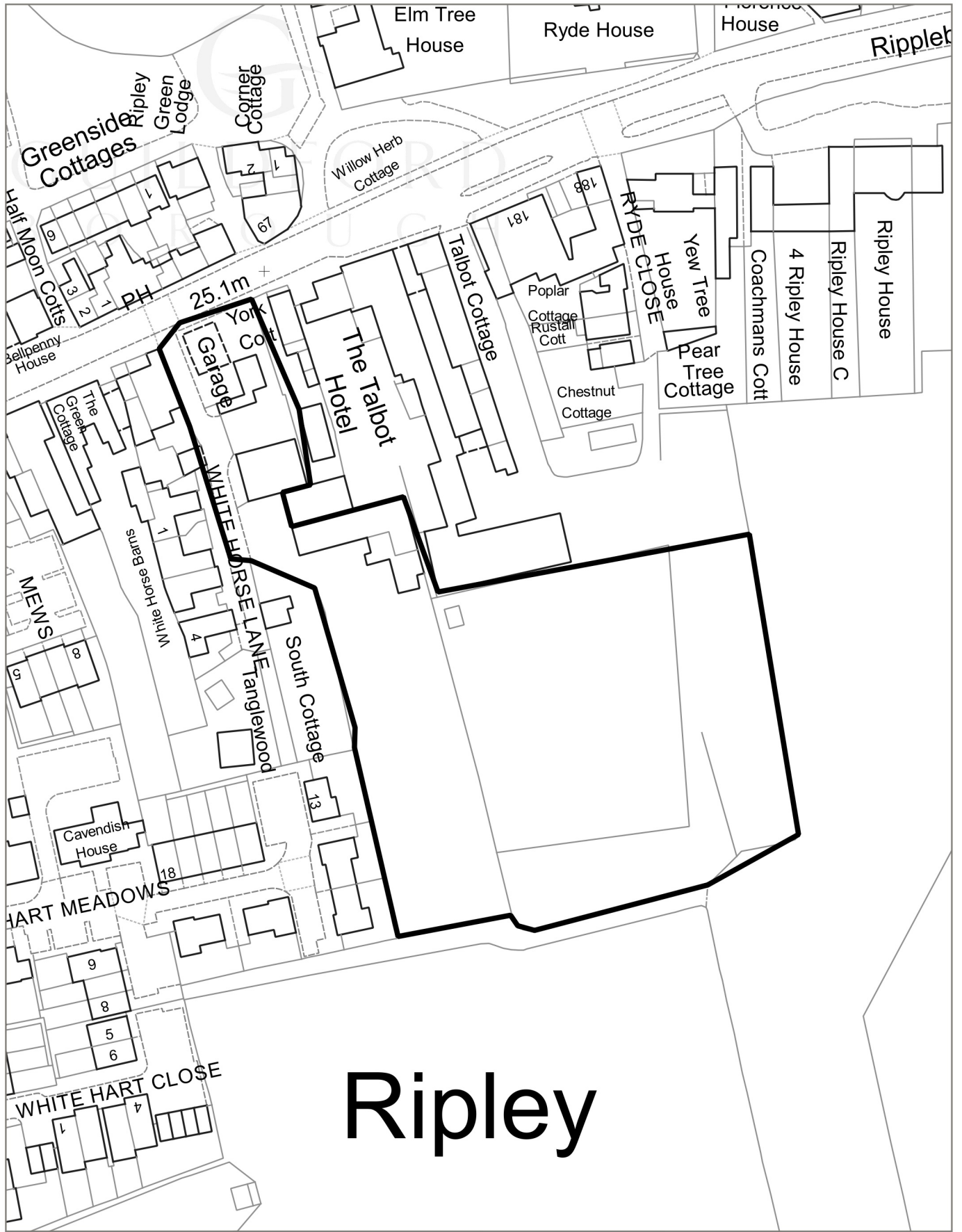
GUILDFORD BOROUGH COUNCIL
PLANNING COMMITTEE INDEX
02/02/2022

Item No.	Parish	Applicant	Location	App.No.	Rec.	Page
5.1	Lovelace	Mr M Hendy, Shanly Homes Limited	White Horse Yard, High Street, Ripley, GU23 6BB	20/P/01058	APPC	29.
5.2	Friary & St. Nicolas	Tiger Developments Ltd, c/o Agent	Guildford Plaza (former Burymead House), Portsmouth Road, Guildford, GU2 4DH	21/P/01811	S106	39.
5.3	Send	Concept Developments (Land) Limited, Ground Floor	Waterside Farm Cottage, Wharf Lane, Send, Woking, GU23 7EJ	21/P/02257	S106	85.

Total Applications for Committee 3

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20/P/01058 - White Horse Yard, High Street, Ripley



Ripley

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GUILDFORD
BOROUGH

20/P/01058 – White Horse Yard, High Street, Ripley, GU23 6BB



App No: 20/P/01058 **8 Wk Deadline:** 26/08/2020
Appn Type: Listed Building Consent
Case Officer: Jo Trask
Parish: Ripley **Ward:** Lovelace
Agent : **Applicant:** Mr M Hendy
Shanly Homes Limited
21 The Crescent
Leatherhead
KT22 8DY

Location: White Horse Yard, High Street, Ripley, GU23 6BB
Proposal: Listed Building Consent for the partial demolition of the existing wall to enable the erection of 26 houses and flats, associated landscaping, open space, access and parking following demolition of buildings.

Executive Summary

Reason for referral

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

Key information

This application is for Listed Building Consent in association with the planning application 20/P/01057 for 26 dwellings.

Summary of considerations and constraints

The application is for listed building consent. The assessment is whether harm to the heritage assets is identified, the level of harm and whether public benefit exists to outweigh the identified harm.

Less than substantial harm is identified to the heritage assets. The public benefits identified through the removal of the existing on site structures and provision of 26 dwellings outweighs the less than substantial harm.

Due regard has been given to the provisions of Section 16 of the Planning (Listed Building and Conservation Areas) Act 1990.

RECOMMENDATION:

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

1. The works for which listed building consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

Reason: In pursuance of Section 196D of the Town and Country Planning Act 1990 and Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Drawing Title	Dwg. Ref (As Submitted)	Dwg Ref. (As Amended) 26.5.21
Location Plan	1366/PLN/200	-
Site Layout Plan	1366/PLN/201	1366/PLN/201 Rev A
Plots 1-3 Plans and Elevations	1366/PLN/202	1366/PLN/202 Rev A
Plot 4 Plans and Elevations	1366/PLN/203	-
Plots 5-6 Plans and Elevations	1366/PLN/204	-
Plot 7-8 Plans and Elevations	1366/PLN/205	1366/PLN/205 Rev A
Plots 9-10 Plans and Elevations	1366/PLN/206	-
Plot 11 Plans and Elevations	1366/PLN/207	1366/PLN/207 Rev A
Plot 12 Plans and Elevations	1366/PLN/208	1366/PLN/208 Rev A
Plot 13 Plans and Elevations	1366/PLN/209	-
Plot 14 Plans and Elevations	1366/PLN/210	-
Plot 15 Plans and Elevations	1366/PLN/211	-
Plots 16-23, Plans (renumbered as Plots 16-21)	1366/PLN/212	1366/PLN/212 Rev A
Plots 16-23 Elevations (renumbered as Plots 16-21)	1366/PLN/213	1366/PLN/213 Rev A
Plot 24 Plans and Elevations (renumbered as Plot 22)	1366/PLN/214	1366/PLN/214 Rev A
Plot 25 Plans and Elevations (renumbered as Plot 23)	1366/PLN/215	1366/PLN/215 Rev A
Plots 26-27 Plans and Elevations (renumbered as Plots 24 and 25)	1366/PLN/216	1366/PLN/216 Rev A
Plot 28 Plans and Elevations (renumbered as Plot 26)	1366/PLN/217	1366/PLN/217 Rev A
Site Sections	1366/PLN/218	1366/PLN/218 Rev A
Indicative Street Scene, Proposed View 1	1366/PLN/219	-
Block Plan	1366/PLN/220	1366/PLN/220 Rev A
Demolition Plan	1366/PLN/221	-
Car Barns, Plans and Elevations	1366/PLN/222	1366/PLN/222 Rev A

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

3. The Listed Building Consent to which this decision relates shall not be implemented until planning permission has been granted that delivers a housing scheme on the site.

Reason: To protect the heritage assets.

Informatives:

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

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

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

In this case pre-application advice was sought and provided which addressed initial issues, the application has been submitted in accordance with that advice, however, further issues were identified during the consultation stage of the application. Officers have worked with the applicant to overcome these issues.

Officer's Report

Site description.

The site has been inset from the Green Belt. The application site measuring 0.97ha, is an allocated site under policy A44 in the Local Plan for approximately 26 dwellings and 90sqm of retail or service uses. Part of the site to the south and east remains in the Green Belt

The site is located within the Ripley Conservation Area, an Area of High Archaeological Potential, within the 400m to 5km Thames Basin Heath SPA buffer and is in proximity of Grade II and Grade II* buildings.

The site frontage is identified as being located within a district shopping centre.

The site has a frontage to the High Street, with access taken from the existing access point serving the redundant fore court employment units and residential properties along White Horse Yard. The site widens significantly to the rear, extending behind the Talbot Hotel. The land inset from the Green Belt tightly reflects the application red edge, with land to the south and east of the application site being Green Belt.

The site comprises a petrol filling station within the front part of the site, with direct vehicular access onto the High Street, to the rear lie three buildings used for car sales, storage, and a vehicle workshop and beyond a yard area comprising parking for a vehicle repairs business. The eastern part of the site comprises unmanaged land. A wall running north south separates the unmanaged land from the workshop and parking area. To the east the site is bounded by mature trees, to the north the Talbot Hotel Grade II* listed and the Barn Grade II listed, to the south Ripley school playing fields and to the west residential properties.

Proposal.

Listed Building Consent for the partial demolition of the existing wall to enable the erection of 26 houses and flats, associated landscaping, open space, access and parking following demolition of buildings.

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
20/P/01057	Erection of 26 houses and flats, associated landscaping, open space, access and parking following demolition of buildings including the partial demolition of the listed curtilage wall.	Pending	N/A

Consultations.

Statutory consultees

Surrey Archaeology: Request a condition to secure a programme of archaeological work in accordance with a Written Scheme of Investigation to appropriately mitigate any archaeology.

Amenity groups/Residents associations

Guildford Society: Objects on the following grounds:

- Fails to address sensitive location
- Scale, building and roof form and detailing of plots 1-3 ignore the Conservation Area and setting of the listed building
- more appropriate to suburban setting
- curb should be provided to SW access.
- close scrutiny should be given to viability assessment.

Third party comments:

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

- out of character
- overbearing
- substantial and prominent in CA
- Harm to CA and heritage assets no public benefits
- Coachworks building should be retained
- use of materials
- use of the access contrary to outline consent
- impact on safety, noise, ecology and pollution
- rights over lane of White Horse Lane properties
- inappropriate to use White Horse Lane for construction traffic
- damage to road, foundations and disruption (Officer note: SCC Highways have requested a Construction Transport Management Plan condition)
- require a construction environmental management plan
- increased use of lane
- widening of lane will alter character and increase usage of lane
- outline had access further along High Street
- loss of employment site
- lack of retail/service provision contrary to policy
- ecology, bats and biodiversity
- lack of affordable housing
- insufficient parking
- impact on trees
- infrastructure

Following the receipt of amended plans 9 additional letters have been received reiterating the original comments and making the further points:

- adverse impact on CA
- adverse impact on listed buildings
- loss of employment
- absence of affordable housing
- access and parking
- lowering of roof of plots 1-3 by 600mm does little to address impact
- buffer is green belt
- change of character of lane
- separate access required
- lack of amenity land
- highway safety

Planning policies.

National Planning Policy Framework (NPPF):

Chapter 16: Conserving and enhancing the historic environment

Guildford Borough Local Plan: strategy and sites 2015-2034

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

The Council is able to demonstrate a five year housing land supply with an appropriate buffer. This supply is assessed as 7.00 years based on most recent evidence as reflected in the GBC LAA (2021). In addition to this, the Government's recently published Housing Delivery Test indicates that Guildford's 2021 measurement is 144%. For the purposes of NPPF footnote 7, this is therefore greater than the threshold set out in paragraph 215 (75%). Therefore, the Plan and its policies are regarded as up-to-date in terms of paragraph 11 of the NPPF.

D3 Historic environment

Planning considerations.

The main planning considerations in this case are:

- the impact on the heritage asset

Statutory provisions:

Section 16(2) of the Planning (Listed buildings and Conservation Area) Act 1990 states that 'In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

NPPF provisions:

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16 of the National Planning Policy Framework addresses proposals affecting heritage assets. Para 199 sets out that 'great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. the NPPF sets out that the local planning authority should identify and assess the particular significance of any heritage asset...They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paras 199-205 set out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs.

This application proposes development affecting the setting of listed buildings (The Talbot; The Barn; The curtilage wall; White Horse Cottage; Barn Cottage and The Pharmacy).

Talbot Hotel a Grade II* listed building and the Barn a Grade II listed building. The Talbot Hotel dates from 16th Century and has under gone extensions and alterations during the 18th Century and later. Formerly a Coaching Inn it is associated with the historic growth of Ripley. The Talbot Hotel remains a public house and hotel. It is a good example of one of the earliest coaching inns in Ripley, dating from the sixteenth century around the time when Henry VIII established Portsmouth as an important naval base. The importance of the Talbot is evidentially, historically and aesthetically. It is a timber framed construction, with a re fronted Georgian facade onto the High Street.

The Barn, located to the rear of the Talbot Hotel dates from the 17th Century. Comprising a single storey red brick structure with hipped tiled roof. It is Grade II listed and its listing is separate to the Talbot Hotel. Its significance lies in its historic function and aesthetic and evidential value.

A curtilage wall runs north south within the rear part of the site. This is curtilage listed and provides setting for the principle listed structure.

White Horse Cottage, Barn Cottage and The Pharmacy are Grade II listed, located on the High Street and White Horse Lane.

The development will result in the demolition of the existing garage structures which will have a positive impact upon the setting of the neighbouring listed buildings. The removal of the existing structures would serve to improve and enhance the setting of the neighbouring listed buildings (The Ripley Pharmacy and Cottage adjoining; The Talbot & Barn). The partial demolition of the curtilage listed wall was considered under the earlier appeal application, where the Inspector allowed the appeal. The removal of two parts of the wall to allow access through the rear part of the site. The previous appeal decision granted the acceptability of creating an opening through the existing wall. Subject to conditions to ensure the demolition is carried out in accordance with the submitted demolition statement by Excaliber Services Ltd and that any bricks removed are reused within the newly formed entrances, for any necessary repair works and to be used for reinforcement should a buttress be required for stabilisation no objection is raised to this approach. It would result in some harm.

The development whilst visible from the parking area serving the Talbot it would be set against the newer accommodation block. Due to the location of the development and subject to the retention of the wall of the 'L' shaped barn no harm is identified to the setting of the listed buildings.

The terrace of three dwellings fronting High Street will enhance the setting of the Conservation Area. The use of traditional materials and tile hanging, to be secured by condition, to enhance the character of the Conservation Area. The terrace of three dwellings has been designed to respect the limited threshold between the public footpath and the property, this characteristic is identified in the Conservation Area Appraisal.

Boundary treatment between plots 1 and 4 will be secured by a landscaping condition to ensure the setting of the assets (The Ripley Pharmacy and Cottage adjoining) are respected.

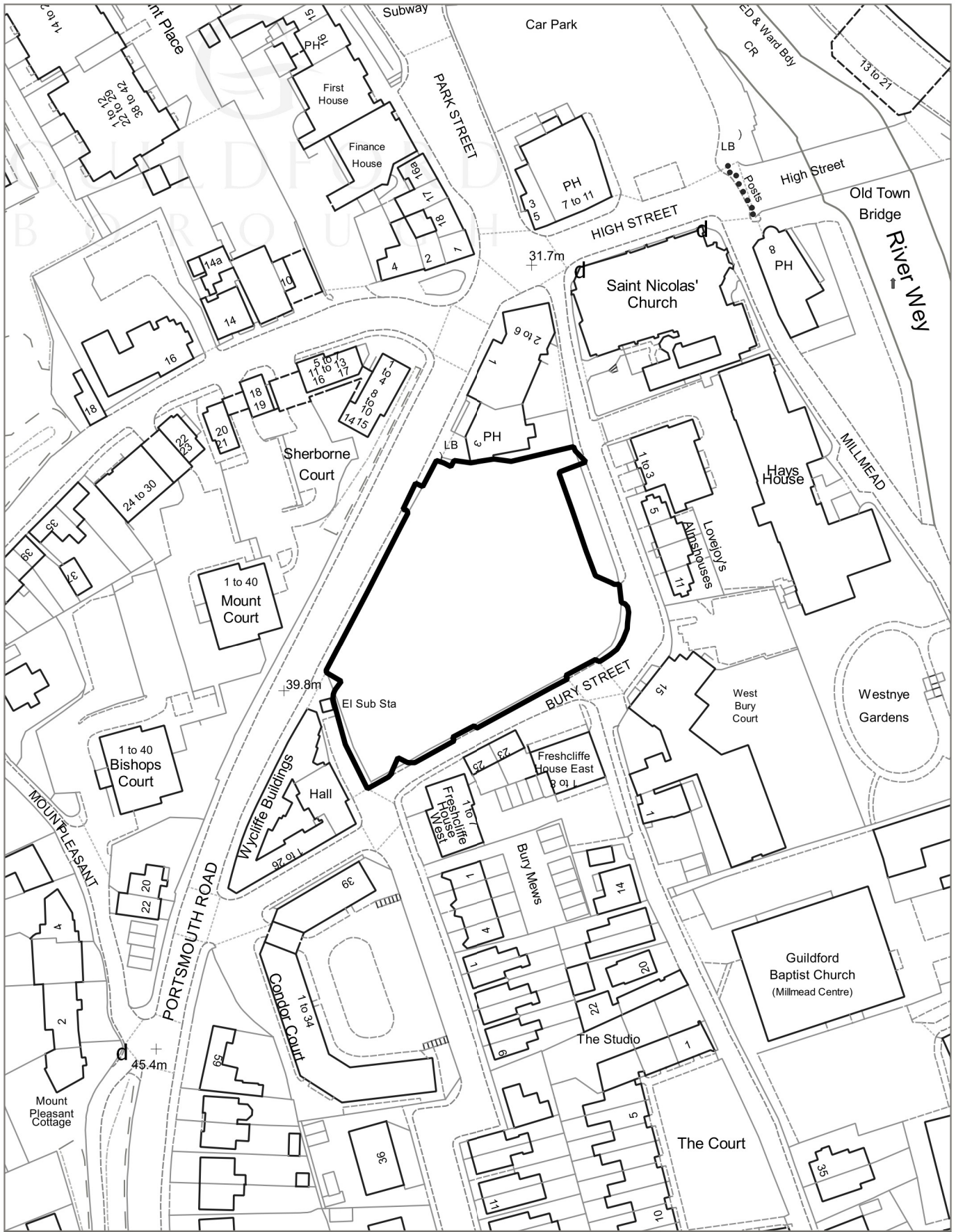
As such the application will result in:

Less than substantial harm to the significance of the designated heritage asset and/or its setting. In line with para 202 of the NPPF it is necessary to weigh this against any public benefit. In line with the Planning (Listed Building and Conservation Area) Act 1990 special regard is given to preserving the heritage asset.

The development would provide public benefit to the wider conservation area through the demolition of the on site structures and removal of the car yard. Public benefit is provided through securing dwellinghouses in line with the policy allocation for the site, contributing to meeting the Boroughs housing need. The demolition of the existing structures will enhance the setting of the listed buildings, public benefit is afforded to this.

The harm to the significance of the designated heritage asset is outweighed by the public benefit identified and therefore consent should be granted. Due regard has been given to the provisions of Section 16 of the Planning (Listed Building and Conservation Areas) Act 1990.

21/P/01811 - Guildford Plaza (former Burymead House), Portsmouth Road, Guildford



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Print Date: 21/01/2022



21/P/01811 – Guildford Plaza (former Burymead House), Portsmouth Road, Guildford, GU2 4DH



App No: 21/P/01811
Appn Type: Full Application
Case Officer: John Busher
Parish: Friary & St. Nicolas
Agent : Mr D Maher
Barton Willmore
26 Kings Hill Avenue
Kings Hill
West Malling
ME19 4AE

8 Wk Deadline: 28/02/2022

Ward: Friary & St. Nicolas
Applicant: Tiger Developments Ltd
c/o Agent

Location: Guildford Plaza (former Burymead House), Portsmouth Road, Guildford, GU2 4DH

Proposal: Erection of four buildings of between 4 and 6 storeys to provide up to 301 units of Co-Living accommodation (Sui Generis) together with associated communal facilities, basement level to provide access, vehicle and cycle parking, plant and refuse enclosure, with associated groundworks and landscaping.

Executive Summary

Reason for referral

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

Key information

The application site covers an area of approximately 0.37ha and is located close to Guildford Town Centre. It is sited east of Portsmouth Road with Bury Street (a one-way street) running adjacent to the site to the south and east. To the north is The Cannon Public House and the Wycliffe Buildings are to the south west of the site. Between 1960 and approximately 2000, the site was occupied by Burymead House, an office building of up to ten storeys in height, which was occupied by the Electricity Generating Board. The building was demolished around 2000 in anticipation of the redevelopment of the site and the site has been vacant and enclosed by construction hoardings ever since. There are significant level changes within the site with the land rising from north to south along the Portsmouth Road (travelling away from the Town Centre) and there are further falls from the Portsmouth Road boundary down towards Bury Street.

It is located within Guildford Town Centre and within the Millmead and Portsmouth Road Conservation Area. There are a number of listed buildings close to the site, including those in Bury Street (1-3 Bury Street, Almshouses 5, 7, 9 and 11 Bury Street and numbers 23 and 25 Bury Street) and the Wycliffe Buildings, located immediately to the south-west of the site, as well as numbers 2, 4 and 6 High Street to the north of the site (all Grade II listed) and the Grade II* listed Church of St Nicholas to the north east of the site.

The surrounding area is of a mixed-use character, including residential, commercial, a public house and a Church. Bury Street is predominantly residential in character, although some of the buildings have been converted to office uses. There are a number of two storey buildings immediately facing the site, with a scattering of higher buildings ranging from three to five storeys. Portsmouth Road is commercial in character between Wycliffe Building and High Street and typically has higher storey buildings.

The proposed development is for the provision of 301 Co Living studios in four buildings (or blocks) of between four and six storeys in height, arranged around a central courtyard. The 301 bedspaces consist of 249 studio units which will have their own small kitchenette and en-suite facilities. In addition to this, 13 cluster apartments are also proposed, which have groups of four studios set around a communal kitchen and lounge..

A total of 67 affordable bedspaces are proposed, which has been increased as a result of officer negotiation from the 36 originally proposed.

The lower ground floor of the proposed development would contain the majority of the communal facilities, including: communal lounges and kitchens; dining areas; a concierge; gym and well-being; exercise studios; storage / shower rooms / WCs; lounge / co-working areas; coffee bar; meeting rooms; 25 kitchen points; communal dining areas (75 covers); private dining area (12 seats) and laundry facilities. Additionally, the basement level, which extends under Blocks A and B, below the central courtyard, would provide areas for limited vehicular parking, cycle parking and refuse store as well as other facilities for storage and plant.

Outdoor amenity space would be provided by way of an upper and lower courtyard. A small number of units would have a step out balcony with some others having a Juliette balcony.

It should also be noted that there are two extant planning permissions in place for this site which are material considerations in the assessment of this application. This includes a large office development which was approved by the Council in 2008 and a more recent assisted living development which was approved in 2018. These permissions will be discussed in detail below.

Summary of considerations and constraints

The application site has been vacant for many years and is now allocated in the LPSS for either C3 (residential) or C2 (accommodation for older people).

Against the backdrop of the extant permissions, the proposed buildings are considered to be acceptable. The height and mass of the four blocks have been assessed in relation to their impact from a wide range of viewpoints and found to be acceptable.

It is acknowledged that the proposal would result in some harm to the significance of designated heritage assets. However, as the height, bulk and massing of the proposal does not materially differ from the 2018 extant scheme, the level of harm remains the same as that scheme - less than substantial and at the lower end of this range. The report concludes that the public benefits of the proposed scheme would outweigh this harm, even when considering the great weight and importance which must be afforded to any heritage harm and the higher graded buildings in the area.

The report also concludes that the design, appearance and detailed façade treatment of the development is of high quality, the living conditions of adjacent occupiers would be protected from undue harm and the living standards of future occupiers would be satisfactory (in terms of overall residential quality).

Although not in accordance with the adopted Local Plan which allocates the site for either C2 or C3 uses and taking into account a non-compliance with policy H1(4), Officers consider that there are material considerations which are sufficient to outweigh the conflict with the development plan taken as a whole. The proposed dwellings would make a positive contribution to the demand and market for smaller rented accommodation in the Borough. The provision of 67 units on site for discounted market rent would help to address affordability issues in the Borough. Overall, the scheme would provide a modern, quality form of co-living accommodation which would help to address some of the housing shortages and provide more choice in the local housing market. Officers consider that this is a significant benefit of the scheme. The proposal would also bring back into effective use a brownfield and long-term derelict site in a highly sustainable location. The proposals would contribute to and result in numerous economic benefits to the town of Guildford and the wider area. This would include direct economic benefits including the creation of construction and operational jobs at the site. Indirect benefits would include increased footfall and expenditure in the Town Centre and wider environs. The proposals would thus contribute to consolidating the economic role of Guildford in the wider area. The proposal would also secure contributions to improved facilities in the area, including towards the Council's Sustainable Movement Corridor. The environmental impacts, including noise, air quality, land contamination and flooding, are acceptable subject to mitigation proposed through a combination of conditions and s.106 agreement.

The applicant has agreed to a range of financial contributions and other necessary obligations which will be set out in the report and secured by a s.106 agreement.

As set out in the report, the proposal is deemed to be acceptable, and the application is therefore recommended for approval.

RECOMMENDATION:

(i) That a s.106 agreement be entered into to secure:

- **provision of not less than 67 units to be provided at a Discounted Market Rent;**
- **arrangements to secure the letting of the 67 affordable units, and in a situation where they are not, a mechanism for the Council to be compensated for any under provision of affordable units;**
- **a SANGS contribution and an Access Management and Monitoring Contribution in accordance with the adopted tariff of the SPA Avoidance Strategy to mitigate against the impact on the Thames Basin Heaths Special Protection Area;**
- **contribution towards NHS Primary Care;**
- **contribution towards policing infrastructure;**
- **on-site car club provision (provision of two cars);**
- **car-club membership for all new residents;**

- on-site cycle hire scheme;
- bus shelters with Real Time Passenger Information;
- variation to TRO to preclude future occupiers from obtaining a parking permit;

- upgrade the existing pelican crossing on Portsmouth Road;
- contribution towards wayfinding signage;
- a 6 metre area of land (4 metre wide by 1 metre deep) fronting Portsmouth Road to be dedicated to Surrey County Council in order to provide land for a bus shelter;
- contribution towards the implementation of the Council's Sustainable Movement Corridor; and
- management plan to be agreed (including pulling the bins out to the designated areas, engaging with Designing Out Crime Officer)

If the terms of the s.106 or wording or 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 upon completion of the above, the application be determined by the Head of Place / Director of Service Delivery. The recommendation is to approve planning permission, subject to conditions.

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

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

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

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

1138_100 p13 Proposed basement floor plan
1138_101 p13 Proposed lower ground floor plan
1138_102 p13 Proposed ground floor plan
1138_103 p13 Proposed upper ground floor plan
1138_104 p13 Proposed first floor plan
1138_105 p13 Proposed second floor plan
1138_106 p13 Proposed third floor plan
1138_107 p13 Proposed fourth floor plan
1138_108 p13 Proposed roof plan
1138_205 p13 Proposed perimeter elevation
1138_206 p13 Proposed perimeter elevation
1138_210 p14 Block a elevation

1138_211 p14 Block b elevation
1138_212 p14 Block c elevation
1138_213 p14 Block d elevation
1138_301 p13 Sections aa & bb
1138_302 p13 Sections cc & dd
1138_002 rp12 Existing site survey plan
1138_003 rp12 Site demolition plan
1138_010 rp12 Proposed block plan
1138_100 rp13 Proposed basement floor plan
1138_101a rp12 Proposed lower ground floor plan (site context)
1138_101 rp13 Proposed lower ground floor plan
1138_102a rp12 Proposed ground floor plan (site context)
1138_102 rp13 Proposed ground floor plan
11381138 P13 Unit Schedule

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

3. No development shall take place (excluding ground works and construction up to damp proof course (dpc) and the construction of the access) until details and samples of the proposed external surface materials of the buildings and all areas of hardstanding 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 and to protect the character of the Conservation Area and setting of adjacent listed buildings. It is considered necessary for this to be a pre-commencement condition as the use of satisfactory external materials goes to the heart of the planning permission.

4. No development shall take place (excluding ground works and construction up to damp proof course (dpc) and the construction of the access) until further details of the design, construction, and material of the balconies, juliet balconies and windows (depth of reveal, method of opening, details of head and side casing, and cills) shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall be at a scale of not less than 1:20 sample elevations, horizontal/vertical frame sections (including sections through glazing bars) not less than 1:2. The development shall be carried out in accordance with the approved details. Sample panels of all proposed external wall finishes, not less than 1 metre square, showing proposed brick, brick bond, pointing and paint finish, shall be constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall remain on site until the completion of the development for comparison. The development shall be carried out in accordance with the approved sample panel.

Reason: To ensure that the external appearance of the building is satisfactory and to protect the character of the Conservation Area and setting of adjacent listed buildings. It is considered necessary for this to be a pre-commencement condition as the use of satisfactory external materials goes to the heart of the planning permission.

5. No development shall take place (excluding ground works and construction up to damp proof course (dpc) and the construction of the access) until details of all external chimneys, aerials, antennas, flues, extract ducts, vents, grilles and meter housings have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To safeguard the special architectural and historic interest of the neighbouring listed buildings and the Conservation Area.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting or amending that Order with or without modification) no pipework, flues or vents other than those shown on the drawings, or agreed by other conditions attached to this decision, shall be installed or erected on the buildings hereby approved.

Reason: To ensure that the external appearance of the building is satisfactory and to protect the character of the Conservation Area and setting of adjacent listed buildings.

7. Window positions, balconies and juliette balconies shall only be located on the approved buildings in accordance with the details shown in the following drawings:

1138_210 p13 Block a elevation
1138_211 p13 Block b elevation
1138_212 p13 Block c elevation
1138_213 p13 Block d elevation
1138_301 p13 Sections aa & bb
1138_302 p13 Sections cc & dd

Reason: In the interests of residential amenity and privacy of the adjacent properties.

8. No part of the development hereby approved shall be first occupied until further detail of the proposed hard and soft landscaping scheme, including; amended plans to show the changes to the layout of the upper and lower ground floor levels and details and samples of the hard landscaping materials, walls/retaining walls and pedestrian gate/fencing, has been submitted to and agreed in writing by the Local Planning Authority. The agreed hard and soft landscaping scheme (with the exception of planting, seeding and turfing) shall be implemented in full prior to the occupation of the development hereby approved.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the landscaping die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality and to protect the character of the Conservation Area and setting of adjacent listed buildings.

9. The development hereby approved shall not be first occupied unless and until the proposed vehicular access to Bury Street has been constructed and provided with visibility zones in accordance with the approved plans, in reference to appendix C of the Transport Assessment, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high within the site or at its boundaries.

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

10. The development hereby approved shall not be first occupied unless and until existing accesses from the site to Bury Street and Portsmouth Road have been permanently closed and any kerbs, verge, footway, fully reinstated.

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

11. The development hereby approved shall not be first occupied unless and until the proposed footway improvements have been implemented in accordance with the plans which are to be submitted to and approved in writing by Local Highway Authority, and thereafter permanently maintained.

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

12. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved drawing number 1138_100 Rev P13 for vehicles / cycles to be parked, and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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

13. Prior to the first occupation of the development hereby approved, details of the provision of two car club vehicles shall be submitted to and agreed in writing by the Local Planning Authority. The details shall include details of how the car club scheme will be managed and operated, confirmation that all residents will be able to avail of the car club for the duration of their residence and where the cars will be parked when not in use. The car club shall be implemented in accordance with the agreed details before the development is first occupied and it shall be retained for the lifetime of the development.

Reason: To promote the use of sustainable methods of travel.

14. No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) before and after construction condition surveys of the highway and a commitment to make good the repair of any damage caused
- (j) 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.

15. Prior to the first occupation of the development hereby permitted, details of the electric charging points (fast charge socket - 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) to be provided for all of the car parking spaces in the basement shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall be installed before first occupation and shall be retained for the lifetime of the development.

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

16. The development hereby approved shall not be occupied until a scheme (which is in general accordance with the Transport Assessment (Curtins ref: 77453 Revision: 02 Issue Date: 12 August 2021) specifying arrangements for deliveries to and removals from the site, to include (but not limited to) details of: (a) design of delivery areas and (b) specifications for lorry parking and turning spaces shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the first occupation of the development and shall be retained for the lifetime of the development.

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

17. 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 Local 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 (+30% allowance for climate change) storm events, during all stages of the development. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 2.3l/s for the 1 in 1 year rainfall event and 16.8l/s for the 1 in 100 year (+CC) rainfall event. b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected 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 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.

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

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

19. No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

20. Prior to the commencement of development hereby approved evidence that the development is registered with a BREEAM Certification Body, and a BREEAM pre-assessment demonstrating a strategy to show that an 'Excellent' rating shall be achieved must be submitted to the Local Planning Authority and approved in writing.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials.

21. Following a period of 18 months after first occupation of the building, a BREEAM Final (Post-Construction) Certificate, issued by the BRE (or equivalent authorising body), must be submitted to the Local Planning Authority and approved in writing to demonstrate that an Excellent rating has been achieved. All the measures integrated shall be retained for as long as the development is in existence.

Reason: To ensure that the development achieves_BREEAM Rating level (Excellent) (or any such equivalent national measure of sustainability for building design that replaces that measure) and that this is done early enough in the process to allow adaptations to designs and assessment and certification shall be carried out by a licensed BREEAM Assessor and to ensure that the development contributes to mitigating and adapting to climate change.

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

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

23. The mitigation and enhancement measures identified within section 6 of the Ecological Appraisal report (Aspect Ecology, August 2021) shall be implemented in full prior to occupation of the development. The mitigation and enhancement measures shall be retained for the lifetime of the development.

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

24. No development shall take place, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- risk assessment of potentially damaging construction activities;
- practical measures to avoid and reduce impacts during construction;
- location and timing of works to avoid harm to biodiversity features;
- responsible persons and line of communication; and
- use of protected fences, exclusion barriers and warning signs.

Reason: To ensure that satisfactory measures are put in place for addressing potential contamination and ecological issues before and during development to protect important local ecological features. It is considered necessary for this to be a pre-commencement condition because the management of the construction needs to be considered before construction commences.

25. No above ground works shall take place (excluding ground works and construction up to damp proof course (dpc) and the construction of the access) until a Sensitive Lighting Management Plan (to comply with 'Bats and Lighting in the UK - Bats and Built Environment Series) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the implementation of the works. The development shall then be carried out in accordance with the approved details.

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

26. Works related to the construction of the development hereby permitted, including works of demolition or preparation prior to building operations, shall not take place other than between the hours of 0800 and 1800 Mondays to Fridays and between 0800 and 1330 Saturdays and at no time on Sundays or Bank or National Holidays.

Reason: To protect the neighbours from noise and disturbance outside the permitted hours during the construction period.

27. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the agreed details.

Reason: To ensure that any archaeological remains are assessed. This is a pre-commencement condition as this information needs to be submitted before the site is disturbed by construction work.

28. A Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to any works on site commencing. The Remediation Strategy shall be in accordance with the methodology set out in the Geo-environmental desk study (048638-BHE-XX-XX-RP-YG-0001 REV P02 4 August 2021) clause 7.4.1. Documentary proof shall be provided to the Local Planning Authority together with a quality assurance certificate to show that the works have been carried out in full accordance with the approved remediation strategy. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste material has been removed from the site before the development hereby permitted is occupied by any person not directly involved in constructing the development.

Reason: To ensure any contamination of the site is remediated to a 'suitable for use' standard and to protect proposed occupants of the application site. This is a pre-commencement condition as this information needs to be understood before works begin on-site.

29. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

30. Before the first occupation of the development hereby approved, the mitigation measures set out in Section 6 of the submitted MZA Acoustics Report should be installed in full and made operational. These include:
- a. the building envelope including glazing and ventilation (6.1 and 6.2)
 - b. plant noise emission limits for the air source heat pumps and the other service equipment (6.3 and 6.4.2)

The agreed details shall be retained for the lifetime of the development.

Reason: As occupiers of the development, without such a scheme, are likely to suffer from noise caused by the traffic to an unacceptable degree.

31. No development shall commence (excluding ground works and construction up to damp proof course (dpc) and the construction of the access) until a scheme including plans, has been submitted to and approved in writing by the Local Planning Authority for the installation of a High Speed wholly Fibre broadband To The Premises (FTTP) connection to the development hereby approved. Thereafter, the infrastructure shall be laid out in accordance with the approved details and be made available for use on the first occupation of each building.

Reason: To ensure that the new development is provided with high quality broadband services and digital connectivity.

32. Before the development hereby approved is commenced, a plan showing the location of the 16 Building Regulations 'accessible and adaptable dwellings M4(2) shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

Reason: In order to provide a flexible housing stock to meet a wide range of accommodation needs.

Informatives:

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

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

In this case pre-application advice was sought and provided which addressed initial issues, the application has been submitted in accordance with that advice, however, further issues were identified during the consultation stage of the application. Officers have worked with the applicant to overcome these issues and the proposal is now deemed to be acceptable.

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

3. The applicant and any associated contractor is recommended to seek Prior Consent (section 61 Control of Pollution Act 1974) approvals to control noise/vibration levels and hours noisy construction for the various phases of the development. This matter will be dealt with outside of the planning process and currently exists with the Head of Environment and Regulatory Services.

4. Thames Water Informatives:

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Officer's Report

Site description

The application site covers an area of approximately 0.37ha and is located close to Guildford Town Centre. It is sited east of Portsmouth Road with Bury Street (a one-way street) running adjacent to the site to the south and east. To the north is The Cannon Public House and the Wycliffe Buildings are to the south west of the site. Between 1960 and approximately 2000, the site was occupied by Burymead House, an office building of up to ten storeys in height, which was occupied by the Electricity Generating Board. The building was demolished around 2000 in anticipation of the redevelopment of the site and the site has been vacant and enclosed by construction hoardings ever since. There are significant level changes within the site with the land rising from north to south along the Portsmouth Road (travelling away from the Town Centre) and there are further falls from the Portsmouth Road boundary down towards Bury Street.

It is located within Guildford Town Centre and within the Millmead and Portsmouth Road Conservation Area. There are a number of listed buildings close to the site, including those in Bury Street (1-3 Bury Street, Almshouses 5, 7, 9 and 11 Bury Street and numbers 23 and 25 Bury Street) and the Wycliffe Buildings, located immediately to the south-west of the site, as well as numbers 2, 4 and 6 High Street to the north of the site (all Grade II listed) and the Grade II* listed Church of St Nicholas to the north east of the site.

On the opposite side of Portsmouth Road, to the south west of the application site are residential buildings varying in height between three and ten storeys accessed from The Mount and Mount Pleasant.

The surrounding area is of a mixed-use character, including residential, commercial, a public house and a Church. Bury Street is predominantly residential in character, although some of the buildings have been converted to office uses. There are a number of two storey buildings immediately facing the site, with a scattering of higher buildings ranging from three to five storeys. Portsmouth Road is commercial in character between Wycliffe Building and High Street and typically has higher storey buildings.

The only trees of note on the site are located on the south-east corner of the site and are considered to be of moderate quality.

The site is listed on the Council's Brownfield Register which lists Previously Developed Land (PDL) which could be developed again.

Proposal

Erection of four buildings of between 4 and 6 storeys to provide up to 301 units of Co-Living accommodation (Sui Generis) together with associated communal facilities, basement level to provide access, vehicle and cycle parking, plant and refuse enclosure, with associated groundworks and landscaping.

The proposed development is for the provision of 301 co-living studios in four buildings (or blocks) of between four and six storeys in height, arranged around a central courtyard. The 301 bedspaces consist of 249 studio units which will have their own small kitchenette and en-suite facilities. In addition to this, 13 cluster apartments are also proposed, which have groups of four bedrooms set around a communal kitchen and lounge.

A total of 67 affordable bedspaces are proposed. This matter will be discussed further in the report below.

Block A - would be located on the western part of the site, along the Portsmouth Road frontage. It would comprise five floors of accommodation above ground floor level with a large extent of communal facilities provided at lower ground floor level.

Blocks B / C - would be located on the north-east and south-east parts of the site respectively, along the Bury Street frontages. These blocks would contain three to four floors of accommodation above ground level, respectively.

Block D - would be located in the south-west part of the site, adjacent to the convergence of Portsmouth Road, Millmead Terrace and Bury Street. Block D would comprise five floors of accommodation above ground floor level.

The lower ground floor of the proposed development would contain the majority of the communal facilities, including: communal lounges and kitchens; dining areas; a concierge; gym and well-being; exercise studios; storage / shower rooms / WCs; lounge / co-working areas; coffee bar; meeting rooms; 25 kitchen points; communal dining areas (75 covers); private dining area (12 seats) and laundry facilities.

Additionally, the basement level, which extends under Blocks A and B, below the central courtyard, would provide areas for limited vehicular parking, cycle parking and refuse store as well as other facilities for storage and plant.

Outdoor amenity space would be provided by way of an upper and lower courtyard. A small number of units would have a step out balcony with some others having a Juliette balcony.

It is noted that a viability report has been submitted with the application. This was on the basis that the proposal provided only 32 affordable units. Through negotiation, Officers have now managed to increase the number of affordable units to 67, which is policy compliant (this will be discussed in greater detail below). As the scheme is now considered to be policy compliant in this regard, a viability assessment is no longer required.

Relevant planning history

Reference:	Description:	Decision Summary:	Appeal:
21/N/00033	Non-material amendment of application 17/P/00920 approved 14/03/18 to re-word conditions 5 and 6 to allow discharge of these conditions prior to any slab level work.	Approve 02/06/2021	N/A
17/P/00920	Proposed assisted living accommodation for older people (Sui Generis) comprising 100 apartments, communal facilities including residents lounge, guest suite, health and well-being facilities, café/restaurant, staff offices, basement car parking, cycle parking, bin storage, plant room, associated hard and soft landscaping, and groundworks (amended description, amended plans and documents received 17/08/2017) (additional elevational drawings received).	Approve 14/03/2018	N/A
16/P/00923	Proposed assisted living accommodation for older people (sui generis) comprising 103 apartments and communal facilities including; residents lounge, guest suite, health and well-being facilities, restaurant, staff offices, surface and basement car parking, cycle parking, bin storage, plant room, associated hard and soft landscaping, and groundworks.	Withdrawn 29/07/2016	N/A

15/P/00924	Variation of condition 9 (vehicular access), 12 (travel plan), 14 (details of the craftsman/artistic feature) and 17 (details of positioning of the external terracotta cladding tiles) and removal of condition 16 (flood compensatory storage works) of planning application 10/P/00803 approved 20/07/2010.	Approve 14/07/2015	N/A
10/P/00803	Application to extend the time limit for the implementation of 06/P/01430 allowed on appeal 08/02/08 for erection of 3-5 storey building for B1 office use, subdivided into two separate office units, internal courtyard and other associated landscaping and basement car parking incorporating 66 car parking spaces and 40 cycle parking spaces.	Approve 21/07/2010	N/A
07/P/02464	Erection of office building arranged over 5 floors, 4 storeys with a recessed 5th floor fronting Portsmouth Road stepping down to 3 storeys on Bury Street frontage, with open atrium through centre of building and 62 car parking spaces, 74 cycle parking spaces & 10 motorbike parking spaces within basement level, new access off Bury Street & associated landscaping.	Refuse 25/01/2008	N/A
06/P/01430	Erection of 3-5 storey building for B1 office use, subdivided into two separate office units, internal courtyard and other associated landscaping and basement car parking incorporating 66 car parking spaces and 40 cycle parking spaces. (as amended by plans received 29/09/06)	Refuse 02/10/2006	ALLC 08/02/2008
00/P/02042	Erection of new office building with associated car parking and landscaping (As amended by plans received 22/03/01).	Withdrawn 29/07/2005	N/A
99/P/00065	Conservation Area Consent for demolition of existing office building and erection of new office building with associated car parking and landscaping.	Refuse 23/03/1999	N/A

99/P/00064	Demolition of existing office building and erection of new office building with associated car parking and landscaping.	Refuse 23/03/1999	ALLC 17/08/1999
95/P/01644	Conservation Area Consent for demolition of existing office building and erection of new office building with associated car parking and landscaping (as amended by plans received 01/07/98 and 06/08/98).	Approve 04/01/1999	N/A
95/P/01643	Demolition of existing office building and erection of new office building, with associated car parking and landscaping (as amended by plans received 01/07/98 and 06/08/98).	Approve 04/01/1999	N/A

Consultations

Statutory consultees

Historic England: In January 2018, in response to a consultation on 18/P/01155, Historic England advised that, in their view, the proposed development would result in harm to the historic environment, namely the conservation area and the setting of listed buildings, but concluded that such harm was at a less than substantial level in NPPF terms. In response to the current application Historic England says: 'the current application proposes a similar scale and massing to the previous consented scheme. Historic England therefore repeats its previous advice that your Council needs to be satisfied that all harm has been minimised through high quality design and it is for you to judge whether the public benefits of permitting development are sufficient to outweigh any remaining harm, as required by paragraph 202 of the NPPF'.

County Archaeologist, Surrey County Council: No objection subject to a condition to secure the implementation of a further programme of archaeological work.

Lead Local Flood Authority, Surrey County Council: Following receipt of amended information, Surrey County Council, as Lead Local Flood Authority, is satisfied with the proposals subject to conditions.

Thames Water: Thames Water have provided standing advice only in relation to flood risk and groundwater protection.

County Highway Authority, Surrey County Council: No objection subject to conditions and contributions being secured through a legal agreement for off-site improvements.

Health and Safety Executive (HSE) (fire safety): The HSE raised some concerns in particular with regard to cooking facilities within the proposed apartments and the potential that escape routes for occupants may be compromised particularly on upper floors. [Officer Note: The Applicant responded to these concerns with additional fire safety information. The applicant has reviewed this matter and considers that the proposed layout meets standards set out in the Building Regulations. Nonetheless, it has prepared a revised 'alternative cluster layout' for these areas which provides a reconfiguration of the kitchen area and entry doors to the associated co-living units. This reconfiguration is also addressed in the updated "Fire Statement Form" (dated 21 Dec 2021). Officers are satisfied that this matter has been adequately addressed as far as it relates to planning].

Environment Agency: No objections raised. Council referred to standing advice.

Natural England: No objection subject to a s.106 agreement to secure the necessary mitigation against the impact on the Thames Basin Heaths SPA.

Internal consultees

Environmental Health: No objection subject to conditions

Cleansing Manager, Operational Services: No objections raised.

Non-statutory consultees

Council for British Archaeology: Considers that the proposed methodology in the submitted Written Scheme of Investigation to be sound. They recommend that the inclusion of a public participation strand should be required as part of an appropriate WSI for the archaeological works that development of this site will entail.

Surrey Police, Designing Out Crime Officer: Following concerns raised by the Police further information has been submitted by the applicant which addresses the issue of security for lower/ground floor window. The applicant states that 'provisionally the scope of the Secure By Design requirements to windows will be allocated to the external perimeter of the development where it is not possible to provide defensible space or a buffering zone of planting'. Affected windows would be provided with metal guard railing (height shown up to 1500mm above grade) with detail and finish to match Juliette balcony guarding.

Amenity groups/Residents associations

The Victorian Society: The Victorian Society in principle accepts the proposal to redevelop the site for housing and other uses. However, they have raised concerns about how the proposal will affect the setting of various listed buildings, chiefly the Wycliffe Buildings and Caleb Lovejoy Almshouses. They recommend that the massing of blocks C and D are reduced so that they react more sensitively with the scale of the Caleb Lovejoy Almshouses. We recommend that the height of block D is reduced to the same level, or less than that of the Wycliffe Buildings so the dramatic effect of its design can continue to be appreciated.

The Guildford Society: Raise an objection. The society are of the opinion that several matters require clarification. These relate to mass and scale, flexibility for future uses, transport and access, drainage and the impact of plant and equipment on the design and appearance.

Flower Walk Resident's Association: Object on the basis of increased occupancy levels, intensification of development beyond the capacity of the site, focus on active travel and modal shift is naïve, no cycle lanes in the vicinity of the site.

Extinction Rebellion - Guildford Planning Scrutiny Group: Object for the following reasons:

- failure to install PV panels;
- lack of natural ventilation or shading to windows;
- welcome the emphasis on active travel but consider that cycle parking is inadequate and cycle route into town centre is unattractive and
- more consideration needs to be given to increase biodiversity.

Guildford Bike Users Group: Object. It is noted that the proposal will encourage cycling more than anticipated and cycling infrastructure will need to be greatly improved; insufficient cycle parking; cycle hire scheme should be part of the proposed town wide bike share scheme; proposal should be linked to other cycle improvements schemes in the vicinity.

Third party comments

21 letters of representation have been received raising the following objections and concerns and are summarised below:

- parking provision inadequate for this number of proposed units. There are already too few street parking spaces in the area;
- the proposal does not provide for a wider pedestrian thoroughfare between the proposed site at the rear elevation of Wycliffe Buildings [Officer Note: Pedestrian access is provided through the site between Bury Street and Portsmouth Road];
- the footprint of the development needs to decrease somewhat to allow for more light and space between the two buildings;
- out of character for the area overly sized and dwarfs many of the buildings around it;
- cramming that many people into the building will result in excessive noise from tenants and guests, additional noise, waste from bins, traffic and disturbances etc given the proximity to public houses and the town, so many reasons this is a bad and ill thought idea and one thought out purely by greed of developers;
- impact of traffic for the duration of the build; [Officer Note: A Construction Transport Management Plan is recommended to address this];
- large number of vacant buildings in Guildford - why are these not earmarked instead for re-purposing to accommodate 300 young professionals;
- noise disturbance - generally a quiet residential area;
- noise pollution;
- traffic increase - from residents, visitors and staff;
- development is a contradiction of the Council's policy on scale, proportion and form (policy G5(2) of the 2003 Plan). The proposed height and density should be revised accordingly;
- impact of development on existing listed properties;
- visual amenity - current design and layout fails to integrate with its surroundings and maintain the historic character of the Guildford landscape in this area in accordance with Guildford Borough Council policy;
- loss of light - detrimental impact on the natural light received to the rooms at the adjoining properties;
- loss of privacy from new dwellings onto existing dwellings;

- light pollution - unlike commercial development where lights are off at evenings and weekends the proposed development is residential which could mean the potential for light pollution to intrude into residents' rooms at all hours of the night;
- flooding risk - potential increase in run-off from the site into the bottom of Bury Street;
- St Nicholas and the Caleb Lovejoy Cottages are dwarfed by the development;
- concern about the vulnerability of the residents of the existing cottages;
- ugly view from the High Street looking over this very massive build; and
- proliferation of blocks of residential units for younger, transient population.

Further representations were received concluding that the proposal 'sounds like a promising development' and another welcomes a housing project for this age group of 23-30 year olds.

Planning policies

National Planning Policy Framework (NPPF):

Chapter 1. Building a strong, competitive economy

Chapter 2. Achieving sustainable development

Chapter 3. Plan-making

Chapter 4. Decision-making

Chapter 5. Delivering a sufficient supply of homes

Chapter 7. Ensuring the vitality of town centres

Chapter 8. Promoting healthy and safe communities

Chapter 9. Promoting sustainable transport

Chapter 11. Making effective use of land

Chapter 12. Achieving well-designed places

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

Chapter 15. Conserving and enhancing the natural environment

Chapter 16. Conserving and enhancing the historic environment

South East Plan 2009:

Policy NRM6 Thames Basin Heath Special Protection Area

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

The policies considered relevant to this proposal are set out below.

Policy S1 Presumption in favour of sustainable development

Policy S2 Planning for the borough - our spatial strategy

Policy S3 Delivery of development and regeneration within Guildford Town Centre

Policy H1 Homes for all

Policy H2 Affordable homes

Policy P4 Flooding, flood risk and groundwater protection zones

Policy P5 Thames Basin Heaths Special Protection Area

Policy D1 Place shaping

Policy D2 Sustainable design, construction and energy

Policy D3 Historic Environment

Policy ID3 Sustainable transport for new developments

Policy ID4 Green and blue infrastructure

Site allocation A1: The Plaza, Portsmouth Road

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

Policy G1 General standards of development

Policy G5 Design code

Policy G11 The corridor of the River Wey and the Guildford and Godalming Navigations

Policy H4 Housing in urban areas

Policy HE4 New development which affects the setting of a listed building

Policy HE7 New development in conservation areas

Policy HE10 New development which affects the setting of a conservation area

Policy R2 Recreational open space provision in relation to large residential developments

Policy NE4 Species protection

Supplementary planning documents:

Thames Basin Heaths Special Protection Area Avoidance Strategy SPD

Climate Change, Sustainable Design, Construction and Energy SPD 2020

Planning Contributions SPD

Vehicle Parking Standards SPD

Residential Design SPG

Planning considerations

The main planning considerations in this case are:

- the principle of development and the fallback position
- affordable housing
- accessible units
- the impact on the scale and character of the existing site, surrounding area
- heritage impacts on the adjoining listed buildings and the Conservation Area
- the impact on neighbouring amenity
- amenity of future occupants / living environment
- daylight and sunlight
- highway / parking considerations
- flooding and surface water drainage
- environmental health matters
- archaeology
- trees and landscaping
- ecology
- sustainable design and construction
- the impact on the Thames Basin Heaths Special Protection Area
- s.106 considerations
- planning balance and conclusion

The principle of development and the fallback position

This is a brownfield site located in close proximity to the Town Centre that has been vacant for almost 20 years. The NPPF, at paragraph 119, promotes the effective use of land by reusing land that has been previously developed. Paragraph 120 states that both planning policies and decisions should 'give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land'. The proposed redevelopment of the site is therefore supported by the NPPF.

The site is very well located, in close proximity to key services and facilities in the Town Centre and benefits from good levels of accessibility via walking, cycling and public transport modes. Both Guildford Railway and Bus Stations are within walking distance of the site.

It is considered that the planning permissions for both the office proposal (10/P/00803) and the assisted living scheme (16/P/00923) have been implemented and therefore these planning consents remain extant. This 'fallback position' is a significant material consideration in the assessment of this application and they must be considered as part of the assessment.

The principle of the redevelopment of this site has already been established, bringing forward the regeneration of a vacant site. The fallback position, taking account of the extant assisted living

(Sui Generis) permission, acknowledges that there would be less than substantial harm to heritage assets from that proposal.

The site is allocated in the adopted Local Plan (allocation A1) for either approximately 90 homes (C3) or accommodation for older people (C2). The allocation requires the following:

- (i) development proposals must be sensitive to the scale and heights of nearby Listed Buildings, and views of the church tower (St Nicholas Church, Bury Street, Guildford) and views into and out of surrounding conservation areas;
- (ii) achieve flood risk betterment, appropriate mitigation and flood risk management, and have regard to the recommendations of the Level 2 SFRA; and
- (iii) avoid development within flood zone 2 (medium risk).

The following opportunities and key considerations are also set out in the allocation.

Opportunities

- (i) this triangular plot lends itself to an innovative design to address the street scene on all elevations
- (ii) improvements and reinstatement for pedestrian access and public realm
- (iii) help to reduce flood risk in the local area

Key considerations

- (i) close proximity to Listed Buildings
- (ii) within the Millmead and Portsmouth Road Conservation Area
- (iii) views on the skyline from the Conservation Area
- (iv) flood risk (a small part of the site is within flood zone 2 – medium risk)
- (v) principal aquifer

The NPPF makes clear that in taking decisions on planning applications, Local Planning Authorities should apply a presumption in favour of sustainable development. It further advises that, for decision-making, this means; approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or where specific policies in the Framework indicate development should be restricted.

In this case, there is an up-to-date development plan however the proposed development is contrary to it as it does not propose development in accordance with the allocation (co-living rather than C3 or C2). Section 70(2) of the Town and Country Planning Act 1990 and S38(6) of the Planning and Compulsory Purchase Act 2004 require the Council to make its determination in accordance with the Development Plan unless material planning considerations indicate otherwise. Therefore, it is necessary to consider whether there are material planning considerations which are sufficient to outweigh the conflict with the development plan when taken as a whole.

The proposed 301 co-living units secure the equivalent of 167 new homes (based on the Government's Housing Flow Reconciliation guidance as referred in the Housing Delivery Test - Measurement Rulebook). The total occupancy of the proposed development would be significantly higher than if the site was developed for either 90 C3 dwellings or the extant assisted living permission and therefore, while not in strict accordance with the allocation in the adopted Local Plan, it would in broad terms meet the objective of the policy which is to deliver additional residential accommodation in this sustainable town centre location. The co-living accommodation in particular would provide for an innovative type of residential living that is only available in one other scheme in the Borough and would diversify the towns existing housing offer providing a greater range of types of accommodation. It is therefore considered that while the development does not strictly provide C3 or C2 accommodation, it generally meets the objective of the adopted Local Plan policy and should be supported (subject to the other considerations and assessments to follow).

In their submitted Socio-Economic Benefits Statement the applicant argues that their proposal will make a positive response to the demand for smaller rented accommodation in the Borough. Their evidence states that there are an estimated 11,000 households renting in Guildford with an additional 2,000 households projected to be renting by 2024. They identify five major employers in Guildford, which between them employ approximately 12,000 staff, all located within a 15 minute cycle of the application site. The applicant engaged with a number of businesses including those within the Surrey Research Park and responses indicated that the accommodation offered by this development is desirable. This could include staff relocating to the area as well as placement staff (for three to six months as an example). For staff relocating to the area, co-living provides a flexible option and enables residents to meet others within the community, before settling on a more permanent choice of residence in some instances.

The co-living market is directed towards single people seeking an aspect of communal living whilst being able to reside in their own private residence. This is how the model differs from other rented accommodation such as Houses in Multiple Occupancy (HMOs) and Built to Rent. Also, affordability issues in the Borough makes it more difficult for people to access the housing market, particularly for first time buyers.

It is noted that co-living currently lacks a clear universal definition in planning terms. However, it is generally understood to be a large scale purpose-built managed rental block, comprising small private living units with extensive communal facilities, under a single professional management. It does not fall within a traditional residential use class, but is classed as a 'Sui Generis' use, that is, in a class of its own. Whilst Local Plan policy H1 seeks to ensure that a choice of homes is available in the Borough that will address the need for homes of different sizes and tenures, there is no specific policy reference to Co-living.

Large-scale purpose-built shared living, as proposed here, is a relatively new approach to housing provision and there is currently no national policy or guidance to manage the delivery of this type of housing. A key feature of the product is that the residential offer includes a small private room with access to functional communal spaces and facilities. Co-living is a relatively dense form of development in terms of the number of individual households per hectare. Developments such as this proposal are likely, but not exclusively, to be occupied by a relatively homogeneous group of tenants, because the product provides single-person units that are likely to appeal to adults who do not cohabit or have dependent children and, because the development would be of a single tenure, are likely to be occupied by working adults. For these reasons it is important to consider how such a development would contribute towards the overall provision of housing in the Borough and towards achieving balanced, sustainable and inclusive neighbourhoods as required by policy H1.

Co-living developments do not provide self-contained accommodation and all tenants would rely on well-managed communal facilities and services. In order to ensure consistent, transparent, high-quality and cost-effective services and management, it is important that such developments are retained under single management. Such schemes are also likely to have a relatively high frequency of residents moving in and out. The applicant has proposed a minimum tenancy of three-month duration. A management plan is therefore important to ensure that acceptable levels of residential amenity are provided for both tenants and neighbours. This could be secured as part of any s.106 obligation.

Co-living is a sui-generis use and therefore is not required to meet the Nationally Described Space Standards (minimum floorspace standards) as required for traditional C3 homes. Equally, there are no prescribed standards for the size or specification of communal facilities and services for co-living accommodation, nor for external amenity space. However, it is essential that the quality of these spaces is of a high standard to ensure that residents have access to sufficient, functional and comfortable private and communal space that can help to safeguard their physical and mental wellbeing.

There is no currently adopted policy that sets out how co-living accommodation should count towards housing numbers. However, officers recognise the contribution co-living and shared living in general can make towards housing supply and the proposed development would also make a contribution to meeting the Council's wider housing need. It would provide a type of accommodation primarily, although not exclusively, suited to young single persons that is not widely available in the locality. It would assist in the delivery of different types of homes to meet the diverse needs of the wider community. In this respect, it could serve to relieve pressure on shared private accommodation, such as houses in multiple occupation and could release housing suitable for families thereby contributing towards mixed and inclusive neighbourhoods.

The proposal provides a housing option which has the potential to provide residents, particularly those in employment, with a quality, rented housing option. Officers recognise the contribution co-living and shared living in general can make towards housing supply. Although not specifically included as a type of housing in the Local Plan, co-living share some characteristics with HMOs. Policy H1 acknowledges that 'they (HMO's) provide a valuable source of accommodation to meet the needs of some of our local population. They can offer a more affordable way to live in the Borough, particularly for students, low paid workers and key workers such as police, teachers and nurses who cannot afford to access housing on the open market'. It is considered that the proposed co-living units would also meet the needs of such individuals.

In conclusion on this point, it is noted that the proposals for the site would make a positive response to the demand for smaller rented accommodation in the town and Borough and could also help to address existing affordability issues. Direct economic benefits would include job creation during both the construction and operational phases of the development. Indirect benefits would include increased footfall and expenditure in the town centre and wider area. It is considered that the proposed development would support existing and new businesses in the Guildford area by providing potential accommodation for staff. The proposals will thus contribute to consolidating the economic role of Guildford in the wider area. It is considered that the proposal complies with policies S1, S2, S3 of the LPSS and the economic objectives of the plan.

Affordable housing

As a Sui Generis use there is no policy requirement for the provision of affordable housing for a co-living development. However, the Local Plan allocation for the site of either C2 or C3 dwellings would require 40% of new dwellings to be affordable in accordance with policy H2. If the site was developed for C3 use it could expect to provide approximately 90 dwellings in total of which 40% would be affordable units, subject to viability. The extant assisted living permission did not provide for any affordable housing as such contribution would have meant that to require it, along with other required contributions, would have made the scheme unviable. However, the s.106 attached to that permission did include a review mechanism to reconsider viability upon implementation.

In recognition of the opportunity cost of developing the site other than for the allocated C2 or C3 uses, it is considered that a reasonable, equivalent measure could be to consider the number of bedspaces to be provided on the site against an alternative number of bedspaces provided by a development of C2 or C3 uses. By applying the Housing Delivery Test - Measurement Rulebook, this equates to an equivalent of 167 dwellings to be provided on the site.

While the applicant originally proposed a total of 36 affordable units as part of the scheme, Officers have now negotiated a significant increase in this number to 67 units (40% of 167) to be provided at discounted market rents. The affordable units will be aimed at key workers who do not qualify for social housing and are not currently in a position to enter into home ownership. and officers consider that, subject to the completion of a s.106 agreement, this would comply with policy H2 in respect of affordable housing.

Accessible units

Policy H1(4) of the LPSS states that 'on residential development sites of 25 homes or more, 10% of new homes will be required to meet Building Regulations M4 (2) category 2 standard (to be 'accessible and adaptable dwellings'), and 5% of new homes will be required to meet Building Regulations M4 (3) category 3 ('wheelchair user dwellings'), or any subsequent legislation on making homes accessible and adaptable'. It is Officer's view that policy H1(4) applies to the proposed development, however, it is acknowledged that this view may not be shared by the applicant.

The applicant has agreed to provide 16 adaptable units within the scheme, however, no wheelchair user dwellings will be provided. This is contrary to policy H1(4) of the LPSS. This non-compliance will be discussed in the conclusion.

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

The extant permission for offices allows for the erection of a three to five storey office building in a perimeter block with a curved elevation onto Portsmouth Road, flat roofed and constructed from terracotta panels and large expanses of glass. There is no permeability through the site with this extant scheme and little relationship with the surrounding historic buildings. This office design is at odds with the domestic nature of the properties that line Bury Street and the curved elevation onto Portsmouth Road seems to be at odds with the harsh nature of this major road.

The other extant permission for assisted living (Sui Generis) use allows 100 apartments, communal facilities including residents lounge, guest suite, health and well-being facilities, café/restaurant, staff offices, basement car parking, cycle parking, bin storage, plant room, associated hard and soft landscaping, and groundworks. The units would be split into four buildings, ranging between four and six storeys above ground, located around the perimeter of the site with a central courtyard and public access through the site from Portsmouth Road to Bury Street.

Against the backdrop of the 17/P/00920 (assisted living) permission, four blocks of between four and six storeys above ground level is supported. The massing and form of each of the blocks remains largely the same (although the current proposal has been amended during the course of consideration of the application is reduce the overall height), with pitched roofs providing a varied roofscape still very much at the heart of the design and the varied building and roof line giving the impression of a collection of buildings around the site's perimeter.

During the course of consideration of this application the overall height of Blocks A, C and D has been reduced variously by between 0.36 and one metre. This has been achieved by reducing the floor zone by 150mm at each level above ground floor whilst retaining an internal clear ceiling heights of 2500mm for all units. The height and mass of the four blocks was assessed in relation to its impact from a wide range of viewpoints and found acceptable in granting the assisted living permission. While there would be some minor changes in the current proposals, principally relating to materials to be used in the facades and to fenestration and the reduction in the height of some buildings, it is not considered that there would be any additional impacts to townscape character or the surrounding area.

The impact on the adjoining listed buildings and the Conservation Area

The application site is a vacant triangular shaped plot bounded by Portsmouth Road and Bury Street, it is within the Millbrook and Portsmouth Road Conservation Area. There are a number of listed buildings immediately adjacent to the site including the Grade II listed Wycliffe Building on Portsmouth Road, 1-3 Bury Street, 15 Bury Street, 23 and 25 Bury Street and Lovejoys Almshouses. The Grade II* St Nicholas Church and the Grade II listed 2,4 and 6 High Street are also in close proximity to the scheme.

Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'in the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.

Case-law has confirmed that, when concerned with developments that would cause adverse impacts to the significance of designated heritage assets (including through impacts on their setting) then this is a factor which must be given considerable importance and weight in any balancing exercise.

Turning to policy, Chapter 16 of the National Planning Policy Framework sets out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs. Paragraph 195 sets out that 'local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'.

Paragraph 199 of the NPPF applies to designated heritage assets. It states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. This policy reflects the statutory duty in section 66(1) and 72(1). Paragraph 200 goes on to note that 'any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'.

Policy D3 of the LPSS is generally reflective of the NPPF and it states:

- the historic environment will be conserved and enhanced in a manner appropriate to its significance. Development of the highest design quality that will sustain and, where appropriate, enhance the special interest, character and significance of the borough's heritage assets and their settings and make a positive contribution to local character and distinctiveness will be supported; and
- the impact of development proposals on the significance of heritage assets and their settings will be considered in accordance with case law, legislation and the NPPF.

The extant proposal is a benchmark for the level of harm caused to the heritage assets. The comments previously provided stated the following:

'As the application site has been vacant for a number of years it is inevitable that the setting of the listed buildings described above will be altered if the application were to be approved. The setback elements acknowledge the heritage assets, and the use of brick and clay tile will help to ensure there is a connection between the existing heritage assets and the new building on the site. There will be a modest impact on the aesthetic value of these heritage assets which would cause less than substantial harm to their significance all be it on at the lower end of the scale.'

When compared to the extant design the current proposal does ensure that it is set back when immediately opposite the listed buildings and the material choices and detailing are much more appropriate for this location'. Specifically, with reference to the Town Centre Conservation Area and views from the High Street the following was also stated: 'currently the Church tower of the grade II St Nicholas and the tower blocks Mount and Bishops Court are the most prominent buildings in this view and the countryside beyond is very much apparent. Whilst Mount and Bishops Court are tall buildings, and arguably not particularly aesthetically appealing, the spacing between them allows views through to the countryside beyond. The application site sits much closer to the historic core of the town than the existing flats, which will make it more prominent in views. The verified views provided by the applicant illustrate that the proposed building would be clearly seen in the foreground of Mount and Bishops Court, there will still be some visibility between the existing blocks to the countryside beyond and the relationship with the countryside beyond will not be wholly lost'.*

'The proposed development will be visible from various locations within the town centre, most importantly from the High Street in the view to The Mount and the countryside beyond, and when viewed from various locations together with the Church tower of the grade II St Nicholas Church. The relationship between the High Street and The Mount is important in understanding the development of the town. Guildford developed on a natural ford over the River Wey at the point where it cuts through the chalk ridge of the North Downs. The Mount follows the line that travellers have long used to descend from the Hog's Back to the ford and the High Street formed the main axis rising from the site of the ford up the hill to the east. The relationship between these two streets is vital in understanding Guildford's development and its relationship with the surrounding countryside'.*

The current proposals differ from the extant assisted living scheme in the following ways:

- variety in disposition, scale, size and subdivision of windows, incorporating formal and informal alignments.
- the provision of complementary variegated brick and roof tiles to break down the visual bulk and to help each elevation read as a series of bays within the whole.
- revisions to the texture and detailing approach for the material datum
- it provides a worked proposition for using projecting headers and a variation in bond that relates to the prevailing Flemish Bond that is seen used in Guildford. It also details that the gable ends of entry point through the site would take on a different yet subtle treatment as way of emphasising these access point through the use of green glazed bricks for the projected headers. This is a conscious nod to the site's manufacturing history of glass and glazed stoneware bottles.

The Conservation Officer's assessment of the application proposal concludes that 'none of these changes noted are a concern from a Conservation perspective, however, much like the previous application there are some elements that should be subject to condition should the application be approved'.

The characteristic gables of Wycliffe Buildings are prominent in views south along Portsmouth Road and the application site can currently be seen from the bottom of the High Street looking south, although this is largely due to the current vacant nature of the site. The proposed development would be visible but would not be overly dominant in the streetscene when looking south down along Portsmouth Road.

Whilst it is accepted that the proposal would obscure views of the Wycliffe Buildings east elevation, this is an elevation that was designed to be functional and was not intended to be on public display, indicated by its more utilitarian appearance, a contrast to the more decorative principal elevations that face onto Portsmouth Road and Bury Street. Also reinforcing this point is the fact that when the Wycliffe Buildings were originally conceived and constructed the application site was occupied by two breweries which would have, to some degree, obscured this elevation from public view. It is therefore concluded that this elevation was never meant to be a principal view and therefore there are no concerns with development obscuring it.

St Nicholas Church is located to the north east of the application site. A comparison of the verified views submitted in support of this application and the one submitted for the extant assisted living scheme confirms that there would be no additional harm to that already approved, due to the, scale, massing and form of the structures being identical and, in the case of the height of the buildings somewhat reduced.

With regard to other nearby heritage assets, including the Town Centre and Millmead and Portsmouth Road Conservation Areas, as there is no notable difference between this proposal and the extant assisted living scheme, in terms of height, scale, massing and form of the structures, the conservation comments that were previously considered and accepted in granting that permission are therefore now considered still applicable, even when giving consideration to the subtle material and fenestration changes that are now being proposed.

Effect of Proposal on the Conservation Area and wider townscape:

As there is no notable difference between this proposal and the approved assisted living application, in terms of height, scale, massing and form of the structures, the conservation comments that were previously provided in response to the application (17/P/00920) are therefore considered applicable, even when giving consideration to the subtle material and fenestration changes that are now being proposed.

The application site lies with the Millmead and Portsmouth Road Conservation, an area of varying architectural styles, with its significance formed by the collective contribution of a number of standalone buildings, as opposed to a consistent or uniform built form. The site lies outside the Town Centre Conservation Area but the relationship between the application site and the wider area is relevant here. The relationship between the High Street and The Mount is important in understanding the development of the town. Guildford developed on a natural ford over the River Wey at the point where it cuts through the chalk ridge of the North Downs. The Mount follows the line that travellers have long used to descend from the Hog's Back to the ford and the High Street formed the main axis rising from the site of the ford up the hill to the east. The relationship between these two streets is vital in understanding Guildford's development and its relationship with the surrounding countryside.

Specifically, with reference to the Town Centre Conservation Area and views from the High Street the following was previously stated: 'currently the Church tower of the grade II* St Nicholas and the tower blocks Mount and Bishops Court are the most prominent buildings in this view and the countryside beyond is very much apparent. Whilst Mount and Bishops Court are tall buildings, and arguably not particularly aesthetically appealing, the spacing between them allows views through to the countryside beyond. The application site sits much closer to the historic core of the town than the existing flats, which will make it more prominent in views.'

The verified views provided by the applicant illustrate that while the proposed building would be clearly seen in the foreground of Mount and Bishops Court, there will still be some visibility between the existing blocks to the countryside beyond and the relationship with the countryside beyond will not be wholly lost'.

In terms of the scale, height and massing, the proposed development would be comparable to the extant proposal for the assisted living scheme and this is a benchmark for the level of harm caused to the heritage assets. Overall, it is considered that the impact of the proposed development on heritage assets would not be materially different to that of the extant assisted living permission.

In this particular instance it has been concluded that the level of harm to the significance of the surrounding heritage assets, including the higher graded II* listed assets, is considered to have not changed and remains at the less than substantial level, and at the lower end of that scale.

Public benefits and balancing exercise:

The report has concluded that the development and its associated works would result in less than substantial harm to the significance of the surrounding listed buildings and the conservation area in which the sites sits and those surrounding it. It is however re-emphasised that any harm to a designated heritage assets must be given considerable importance and weight in the assessment. This includes when the balance in paragraph 202 of the NPPF is applied.

Paragraph 202 of the NPPF states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'. Guidance in the form of the Historic Environment PPG explains the concept of 'public benefit' stating that 'public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit'. It is acknowledged that the proposal does result in a number of public benefits and these will be set out and discussed below:

The public benefits which weigh in favour of the proposed development are as follows:

- the opportunity to make optimal use of land which has been vacant and underutilised for a considerable time;
- the delivery of a significant quantum of housing in this highly sustainable location, contributing positively to the borough's housing stock;
- a policy compliant proportion of affordable housing to be provided on site;
- provision of smaller rented accommodation in the Borough which is an identified need; and
- direct economic benefits including the creation of construction and operational jobs at the site and indirect benefits including increased footfall and expenditure in the town centre and wider environs.

Overall, the public benefits of the proposal are wide ranging and significant. The delivery of this development will provide both the market and affordable homes which are identified through the Local Plan and will result in other benefits for the town and wider area.

Although great weight and considerable importance has been afforded to the harm which would be caused to the designated heritage assets, it is considered that the scale of the public benefits which will be gained from the proposal are sufficient in this instance to outweigh the identified heritage harm. As the impact of the development on the significance of heritage assets and their settings has been considered in accordance with case law, legislation and the NPPF and deemed to be acceptable when factoring in the public benefits, the proposal is also considered to be compliant with the requirements of policy D3 of the LPSS.

It is therefore considered that the proposal complies with policies HE4 and HE7 of the adopted Local Plan and the advice set out in Chapter 16 of the NPPF.

The impact on neighbouring amenity

The nearest neighbours to the proposed development are the occupiers of The Cannon Public House, the residents of the Wycliffe Buildings and occupiers of the residential dwellings along Bury Street, including residents in the Almshouses, the semi-detached dwellings (23-25 Bury Street), and in the flatted developments at Freshcliffe House East and Freshcliffe House West.

The Cannon Public House:

The majority of this building is in commercial use and therefore whilst there would be overlooking from blocks A and B towards the outdoor areas of the pub this is not considered to be a reason for refusal. There is a residential element on the first floor of the pub however there are only two side facing windows which would be affected by the proposal, which are not considered to have the same degree of protection as primary windows to main habitable rooms. This relationship combined with the orientation of the pub to the proposed nearest blocks A and B means that the level of overlooking, loss of light and overbearing impact from the proposal would not be unacceptable. Further the proposal when compared to the extant office scheme would be an improvement on the relationship due to there being a space between block A and B whereas the proposed office scheme would have been a continuous built form along the northern part of the site.

Other surrounding buildings:

With regard to other adjoining buildings, overall, the separation distances remain similar to the extant assisted living scheme. That scheme acknowledged that some harm would result to 23-25 Bury Street and Freshcliffe House West in terms of overbearing impact and loss of privacy given the separation distances. A condition is recommended to ensure that no additional window or balconies are inserted so as to protect the residential amenity and privacy of adjoining properties

Given the density of this cluster of development in a town centre location, it is expected that there would be a degree of mutual overlooking and visual impact for occupiers. It is considered that there would be no unacceptable overlooking or overshadowing of any other property.

It is acknowledged that the proposed use would result in a higher density of people living on the site. However, this has to be seen in the context of its urban location. Furthermore, when assessed against a corresponding reduction in vehicle movements by residents of the co-living development (given its effectively car free nature), compared to the extant assisted living scheme which would provide 57 parking spaces and the extant office scheme which provides for 66 parking spaces, there would be some benefit to existing residents in terms of a reduction in disturbance from vehicle movements.

The Service and Delivery Plan submitted states that all deliveries will take place from either the off-street Millmead Terrace servicing area or the Bury Street loading bay opposite the Bury Fields junction. Refuse collection for Blocks A and B will occur on-street from Bury Street. Refuse collection for Block D would take place within a new, proposed loading bay on Bury Street opposite the Bury Fields junction. Refuse collection for Block D will take place off-street from the private section of Millmead Terrace. Additionally, there would be permanent management personnel on site at all times. No objection has been raised by the County Highway Authority or the Council's waste and recycling team in relation to this matter. A Management Plan, which addresses servicing and deliveries as well as refuse collection arrangements and a review mechanism, will be secured through the s.106 agreement.

The proposal therefore complies with saved policy G1 of the Local Plan and policy H4 of the LPSS.

Amenity of future occupants / living environment

In the absence of national or local space standards to be applied, it is relevant to compare the proposal to other approved schemes for this type of housing. Looking at examples of co-living schemes recently developed in London, the size of individual units varied between 13.5m² and 30m².

This application proposes units in the following sizes: 15m² (52no); between 17.5m² and 30m² (225no) and between 31m² and 41m² (24no). In terms of floorspace to be provided, it is therefore considered that a reasonable balance would be achieved.

Most of the units would individually have a single aspect but when considered as a whole, the individual and shared accommodation would have multiple aspects. The proposal would accord with policy G1 of the Local Plan which requires adequate outlook, sunlight and daylight.

The proposed units are considered to be of good quality and are functional in terms of their size and layout, whilst remaining dependent on the communal facilities for primary living functions. Therefore, it is considered that the units are not self-contained homes nor are capable of being used as such. The proposed development would provide all of the communal outside space in the form of two terraces. The upper terraces would provide 149m² of outdoor space while the lower courtyard would provide 323m². The terraces would be sub-divided into 'zones' with different functions, designed and managed to flexibly respond to resident's needs. The terraces would generally be usable in size and shape and would also be well related to internal communal areas. Some of the proposed units would have access to a private balcony which would reduce the pressure on outside communal spaces.

The extant assisted living scheme accepted that, with regard to noise, the residential use of the site was acceptable. A noise survey which assessed the suitability of the site for the proposed development in relation to the existing noise climate and a scheme of mitigation (in the form of glazing and ventilation acoustic performance requirements) has been recommended based on maintaining internal target noise levels with closed windows, with the highest performances being required on the façade overlooking Portsmouth Road.

Plant noise limits have been set at the nearest noise sensitive receptors. An assessment of the proposed air source heat pumps to the north of site has been undertaken with mitigation measures recommended. A condition requiring the implementation of these mitigation measures is recommended.

Taking the development as a whole, the outside spaces together with the communal and semi-communal internal spaces, facilities and services, would be sufficient to meet the requirements of the intended number of residents. The proposal therefore complies with saved policy G1 of the Local Plan.

Daylight and sunlight

A daylight and sunlight assessment using the Building Research Establishment's (BRE) guidance 'Site layout planning for daylight and sunlight: A guide to good practice' has been submitted in support of the application which assesses the living conditions of both existing neighbours and future occupiers. The assessment considered the previously consented scheme for C2 use as a baseline for comparison with the current proposal. The results of this assessment have shown that proposed daylight and sunlight levels are in line with the consented levels and, in many cases show slight improvements.

Existing dwellings:

The assessment considered all of the closest neighbouring residential properties with windows overlooking the proposed development. This concluded that levels of daylight to the majority of these windows would remain consistent with those received under the consented development and would receive no further reductions to their daylight. Where reductions to daylight would occur these would be minor reductions and well within the boundary of what would be considered 'noticeable' under BRE targets.

For sunlight, in accordance with BRE recommendations, it is not considered necessary to test properties where windows facing the site are not within 90 degrees of due south. Numbers 5-11 Bury Street have been assessed for the windows that are within 90 degrees of due south on the property's southwest facing elevation for completeness. This shows that while sunlight levels would fall marginally below target, coupled with the urban context of the scheme, the results would be considered in line with the BRE criteria.

In summary, the assessment confirms that a notable proportion of the impacts which occur are as a result of the most recent extant planning permission (the assisted living scheme) and the proposed development does not result in any greater impact. It is therefore concluded that the daylight and sunlight implications of the proposed development for surrounding properties are considered acceptable and the proposal complies with saved policy G1(3) in this regard.

New dwellings:

The assessment shows that the majority of habitable rooms will achieve good levels of daylight. The BRE guidance suggests that for multi-purpose rooms such as combined living / kitchen / dining and studios as proposed here a lower target can be applied. Using this standard, a large majority of habitable rooms would meet the criteria. Where recommended levels are not achieved these are mainly located in the northern side of the buildings with north facing windows and the remaining rooms have windows located beneath external balconies. It is therefore not possible for these rooms to achieve the BRE target levels of sunlight because they either do not have a southerly orientation or are obstructed by external balconies. However, overall residents would have access to a variety of spaces with different aspects.

Overall, given the range of spaces that would be available to new occupiers it is considered that the daylight and sunlight levels proposed would comply with saved policy G1(3).

Highway/parking considerations

The proposed development would effectively be 'car free' with only six parking spaces provided. These would be allocated as follows: two spaces would be provided for the proposed car club; two spaces would provide parking for disabled residents and the remaining two spaces would be available for service and maintenance vehicles. Each of these spaces would be provided with electric vehicle (EV) charging points.

Pedestrian access would be achieved from both Portsmouth Road and Bury Street, whilst vehicles and cyclists would access the basement car park from Bury Street.

Long-stay cycle parking is to be provided at a ratio of 1 space per 2 units from the outset. The 151 long stay cycle parking spaces would be located within the basement cycle store in the form of two-tiered racks with easy-lift fittings allowing the upper tier to be easily accessed. Storage lockers would also be located within the cycle store for residents to use, the keys for which would be obtained via the concierge. The applicant has also agreed to provide 15 cycles for hire on a pre booked/deposit basis for residents of the development to be managed through the on-site concierge. This will be secured by the s.106 agreement.

The County Highway authority assessed the application on safety, capacity and policy grounds and raises no objection to the proposal subject to a number of conditions and requirements. Conditions are recommended relating to the requirement for a Construction Transport Management Plan, the closure of existing accesses to Bury Street and Portsmouth Road and provision and retention of visibility zones to the vehicular access to Bury Street, the provision and retention for parking and turning areas (including dedicated parking for car club vehicles) as well as the provision and implementation of a Service and Delivery Plan.

Financial contributions of the following are required:

- £7,000 to upgrade the existing pelican crossing on Portsmouth Road
- £20,000 for a bus shelter and Real Time Passenger Information (RTPI) display at the Southbound bus stop on Portsmouth Road
- £20,000 for a bus shelter and RTPI display at the Northbound bus stop on Portsmouth Road
- £5,000 towards wayfinding signage

Additionally, an area of land fronting Portsmouth Road shall be dedicated to the County Highway Authority to provide space for a bus shelter.

In order to ensure there is no additional on-street parking in the area as a result of the development a £3,000 contribution is required to cover the cost of amending the Traffic Regulation Order to exclude occupiers of the proposed development being eligible for parking permits.

The proposed development would be broadly 'car free' and is likely to result in minimal daily vehicle trips to and from the site. It can therefore be positively considered in the context of the extant office and assisted living permissions which would lead to higher levels of trip generation. This is a benefit of the development and weighs in favour of the proposed scheme.

Subject to the specified conditions and securing the necessary financial contributions as outlined above it is considered that the proposal would comply with policies S1 and ID3 of the LPSS, and the requirements of Chapter 9 of the NPPF.

The proposal is therefore considered acceptable on highway safety and parking grounds.

Flooding and surface water drainage

The majority of the site is located in Flood Zone 1 where the probability of fluvial flooding from the River Wey is considered low. A small area in the north-eastern corner of the site at the proposed entrance into the basement level to the car parking, is located in Flood Zone 2. The application has therefore been accompanied by a Flood Risk Assessment.

The probability of flooding from surface water has been classified by the Environment Agency (EA) as being very low at the site.

The site is also currently entirely hard surfaced and therefore the proposed development provides the opportunity to include a sustainable drainage system with areas of permeable surfacing to reduce surface water runoff from the site. Following the provision of additional information by the applicant it is concluded that the site would not be at an unacceptable risk of flooding and furthermore would enable the surface water runoff from the site to be reduced to the benefit of other properties in the local area. The LLFA has recommended conditions to be attached to the grant of any planning permission.

The proposal is therefore deemed to be acceptable in this regard.

Environmental health matters

Noise:

Environmental Health officers have assessed the submitted Noise Report and they consider that it addresses the issues of ambient noise (mainly traffic) and noise from plant and equipment. Conditions are recommended to ensure the proposed mitigation measures are provided as stated. The site is adjacent to a public house which has in the past been the source of noise complaints relating to customers and amplified music.

The Environmental Health officer notes that the submitted report does not address the issue with respect to the 'Agent of Change' principle, in that introducing more sensitive uses close to a known 'noisy' use may give rise to additional complaints from future residents. However, the extant assisted living scheme would have introduced a similar residential permission, with the same potential to increase noise complaints from future residents. As such, given the extant scheme, it is difficult to find fault with the proposal in this regard.

Air quality:

The site lies within the Central Guildford Air Quality Management Area (AQMA) designated on 1 October 2021. The Environmental Health officer welcomes the proposals for an effectively 'car free' development and EV charging points for essential vehicle parking spaces; the proposed mitigation measures for intakes for the mechanical ventilation to be away from the main road A3100 and any inlets on the upper floors on that façade be equipped with NOx filtration and that the site would be serviced by air source heat pumps which is a good initiative in terms of air quality impact. As such, no objections are raised in this regard. Conditions are recommended to ensure compliance with these measures.

Contamination:

The Environmental Health officer is satisfied that the submitted reports in relation to contaminated land cover all the relevant issues and raises no objection to the proposed development, subject to conditions to ensure the development is suitable for its proposed use.

Construction impacts:

A Construction Environmental Management Plan would be secured by a condition, to ensure adequate control of noise, dust and pollution from construction and demolition activities, and to minimise highway impacts during the construction phase.

Light pollution:

To avoid excessive light pollution, a condition is recommended requiring details of external lighting, including details of how it would minimise light pollution.

With these conditions in place, the proposal is deemed to be acceptable in this regard.

Archaeology

The application site is within the designated Area of High Archaeological Potential for the centre of Guildford - an area which has been proven to contain important remains relating to the origins and development of the town, as well as earlier material dating to the prehistoric periods.

The extant, assisted living permission (18/P/01155) was supported by a desk based archaeological assessment that suggested that the site has a good archaeological potential for remains dating from the medieval and post medieval period. The current application includes a Written Scheme of Investigation that provides an appropriate methodology to complete the evaluation of the site and allow a fuller picture of the potential archaeological resource to be made.

A condition to secure the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which is to be approved by the Local Planning Authority is recommended.

The County Archaeologist raises no objection to the proposal and taking into account the above, the development is deemed to be compliant with policy D3 of the LPSS and the advice set out in Chapter 16 of the NPPF.

Trees and landscaping

The site is located within a conservation area which provides some statutory protection to existing trees. However, there are no trees present on site which are afforded protection by a Tree Preservation Order. There are five trees of individual distinction and a single parcel of self-seeded scrub within influence of the application site.

The site's principal tree comprises a mature Caucasian Wingnut that occupies part of the south-eastern boundary. It has a large and complete crown which provides a positive contribution to the site's visual amenity and is classified as category B (a tree of moderate arboricultural quality). The only other tree of value comprises an offsite Horse Chestnut adjacent to the southeastern site boundary. The Chestnut is actively managed as a pollard and is instead considered to warrant category B. The remaining trees within the site comprise semi mature examples of False Acacia, Sycamore of individual distinction, and areas of Elder, Blackthorn, Ash and Sycamore scrub. These trees provide a low contribution to the amenity of the site equivalent to category C (i.e. trees of low quality).

The extant permissions allowed for the clearance of all trees and scrub growth within the site boundaries to accommodate the redevelopment proposals. The current proposal necessitates the same clearance.

Saved policy NE5 of the adopted Local Plan allows for the removal of trees in a conservation area if 'the need for the development outweighs the amenity value of the protected trees'. It is considered that in this instance, that the wider benefits of the proposed development would outweigh the amenity value of the existing trees.

The proposed landscaping scheme is inspired by the site's proximity to the River Wey. The goals of the landscape strategy are to maximise communal use of the courtyard spaces, allow and encourage public thoroughfare between Portsmouth Road and Bury Street, to create green links across and along the periphery of the site and to soften the appearance of the development through the introduction of biodiverse and attractive planting along site and building edges. A range of trees are proposed to enhance the development and compensate for the loss of existing trees on site. The lower courtyard would have level pedestrian access off Bury Street and would have small trees in central raised planters with perimeter planting along building edges for privacy / screening of studios. Planting in raised planters with integrated seating are also proposed around the skylight on the Upper Courtyard.

It is considered that the tree planting as well as both the hard and soft landscaping proposed would provide a reasonable replacement for the loss of existing trees and would improve and enhance the visual amenity both the proposed buildings and the wider landscape. It is therefore considered that the proposed development complies with the requirements of saved policies G5(9), NE5 and G1(12) of the Local Plan.

Ecology

There are no locally designated sites (Local Nature Reserves (LNR) or Sites of Nature Conservation Interest (SNCI) within the development site, or within the zone of influence. The site was assessed as holding Priority Habitat - open mosaic habitats on site, by meeting five of the NERC criteria. This habitat is limited in extent but does currently provide some habitat for wildlife within an urban area.

Although there are limited areas for biodiversity on site there needs to be mitigation for the loss of this priority habitat. The proposed measures include:

species mitigation - precautionary felling of tree T1 to support low bat roost potential; mammal construction safeguards and timing of works to avoid bird nesting season; and habitat enhancement - new landscape and planting provided as part of open space provision; bat box provision; bird box provision; habitat piles provision and "bug hotel" provision.

A condition requiring the implementation of these measures is recommended.

It is considered that, subject to the above implementation, the proposal complies with saved policy NE4 and policy ID4 of the LPSS and the requirements of Chapter 15 of the NPPF.

Sustainable design and construction

The Guildford Climate Change, Sustainable Design Construction and Energy SPD (paragraph 3.10) states that if a scheme will achieve BREEAM 'Excellent' or 'Outstanding' it is considered that all the energy and sustainability requirements would be met. The applicant has committed to achieving a 'BREEAM' Excellent rating. A condition is recommended to ensure that the measures as set out in the energy statement are implemented and operational within 18 months of the first occupation of the development. Subject to this, the proposal is considered to comply with policy D2 of the adopted Local Plan (2019), the Climate Change, Sustainable Design, Construction and Energy SPD and the requirements of Chapter 14 of the NPPF.

The impact on the Thames Basin Heaths Special Protection Area

The application site is located within the 400 metre to 5 kilometre buffer of the Thames Basin Heaths Special Protection Area (TBHSPA). Natural England advise that new residential development in proximity of the protected site has the potential to significantly adversely impact on the integrity of the site through increased dog walking and an increase in general recreational use. The application proposes a net increase in residential units and as such has the potential, in combination with other development, to have a significant adverse impact on the protected site.

The Council has adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2017 which provides a framework by which applicants can provide or contribute to Suitable Alternative Natural Greenspace (SANG) within the borough which along with contributions to Strategic Access Management and Monitoring (SAMM) can mitigate the impact of development.

In this case due to the sui-generis use proposed, which has no specific tariffs set out within the strategy, the level of contribution is considered on a case-by-case basis by Natural England. Natural England is satisfied that, subject to the sole occupancy of the units as proposed and the payment of SANG/SAMM contributions the identified impacts on the Thames Basin Heaths SPA can be appropriately mitigated. Natural England consider that the SANG/SAMM contributions should be considered to have a fee in line with a 1-bedroom flat/studio at 1.44 persons contribution, and in this instance the site would provide 125 contributions (2.4 divisor of 301 units) given the single person nature of the units. The applicant has agreed to enter into a legal agreement to secure the required contributions.

If the above mitigation was secured by way of a s.106 agreement, it is considered that the proposal would be compliant with the objectives of the TBHSPA Avoidance Strategy SPD 2017 and policy NRM6 of the South East Plan 2009.

An Appropriate Assessment has also been completed by the Local Planning Authority and it has been agreed with Natural England.

S.106 considerations

The three tests as set out in Regulation 122(2) require s.106 agreements to be:

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

If all aspects of the application are deemed to be acceptable, then the following contributions would be secured by way of a s.106 agreement.

Thames Basin Heaths SPA

The development is required to mitigate its impact on the TBHSPA and this would be secured through a legal agreement (SAMM and SANG payment only). This would accord with the TBHSPA Avoidance Strategy SPD 2017 and reduced to take into account the nature of the proposed use. Without this, the development would be unacceptable in planning terms and would fail to meet the requirements of the Habitat Regulations. The obligation is necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

Affordable housing

The requirement for affordable housing has been set out above. The legal agreement would secure the provision of the number of affordable units and their tenure (discounted market rent), so that the proposal is compliant with local and national policies. In addition, any periods of void or periods when the affordable units are not used for these purposes would need to be considered. A mechanism will be included which requires any voids or vacancy (subject to reasonable timeframes) to be compensated, possibly through the payment of an annual contribution, if required. The obligation is necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

Health care

The proposal will have an effect on the demand for primary health care services in the area. The NHS note that taking into account the increase in population and the additional demand generated by the development, they will need to expand nearby GP facilities. As the contribution of £148,000 is required to mitigate the impacts of the development, the obligation is necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

Policing

The proposal as a whole has the potential to increase pressures on existing policing resources in the area. Surrey Police note that the application will create an additional demand upon the police service that does not currently exist. The police will need to recruit additional staff and officers and equip them. The development will also require the services of a police vehicle. Staff and officers will also need to be accommodated in a premises that will enable them to serve the development. They note that it is necessary to secure section 106 contributions for policing infrastructure, due to the direct link between the demand for policing services and the changes in the operational environment beyond Surrey Polices control i.e. housing growth and the subsequent and permanent impact it has upon policing. They note that securing modest contributions means that the same level of service can be provided to residents of new development as it is to existing residents and without compromising front line services. The consequence of no funding is that existing infrastructure will eventually become stretched, and the communities may not receive adequate policing.

The contribution of £27,531.46 will be used towards the capital costs associated with employing additional staff, as well as those towards fleet provision and accommodation at Guildford police station.

As the contribution is required to mitigate the impacts of the development, the obligation is necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

Highways

A car club with two cars and membership for all new residents for at least one year from the date of occupation, the provision of an on-site cycle share scheme, along with contributions towards the provision of bus shelters with Real Time Passenger Information and amendments to a TRO to preclude future occupiers from obtaining a parking permit will mitigate the impact of the development on the highway network and provide necessary highway safety improvements. Improvements to pedestrian and bus facilities in the vicinity of the site are also necessary to ensure that sustainable transport objectives can be met. The contributions requested by the County Highway Authority totals £52,000, plus £3,000 for the TRO which will prohibit residents from obtaining residents parking permits.

These requirements are directly related to the development, fair and reasonable in scale and necessary to make the proposed development acceptable in planning terms and have been agreed in principle by the applicant.

Pedestrian and cycle improvements

The proposal will generate a significant increase in the number of trips by non-car modes, particularly walking and public transport. In total it is noted that there will be an additional 581 daily trip movements by walking, cycling and public transport. To assist with an increase in these modes to transportation, the Sustainable Movement Corridor (SMC) (as set out in the LPSS) is necessary to deliver the level of strategic planned growth in the Guildford urban area in a sustainable way.

The SMC will connect key trip generators in the expanded Guildford urban area, including three strategic urban extensions and also town centre site allocations adjacent to the corridor as identified in the Local Plan. These key trip generators and attractors include:

- Guildford town centre and rail station
- Ladymead Retail Park
- Royal Surrey County Hospital
- University of Surrey's Stag Hill and Manor Park campuses
- Surrey Research Park
- Slyfield Industrial Estate
- existing urban communities in seven wards
- future new rail stations at Guildford West (Park Barn) and Guildford East (Merrow)
- Park and Ride at Onslow and the future new facility at Gosden Hill Farm
- the new communities of the strategic urban extensions at Blackwell Farm (Policy A26), Weyside Urban Village (formally known as the Slyfield Area Regeneration Project (Policy A24) and Gosden Hill Farm (Policy A25).

The Local Plan Infrastructure Schedule has a number of Sustainable Movement Corridor schemes planned to accommodate the growth in non-car modes traffic from the Local Plan development sites. Within the Schedule it is noted that they will be funded in part from developer S106 money. It is likely that much of the demand for travel from this site will be to the main employment sites which are located to the west of the town centre and therefore travel is likely to be along the proposed SMC1 (Blackwell Farm to Guildford Park Road/Yorkies Bridge) and SMC2 (Yorkies Bridge).

A contribution of £125,000 towards the implementation of the SMC has been negotiated with the applicant.

As the contribution is required to mitigate the impacts of the development, the obligation is necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

Management plan

A Management Plan for the long-term management of the development is to be agreed which will require responsibility for including pulling the bins out to the designated areas and for engaging with Designing Out Crime Officer.

This is required to mitigate the impacts of the development, and as such the obligation is necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

Planning balance and conclusion

Against the backdrop of the extant permissions, the proposed buildings are considered acceptable. The height and mass of the four blocks have been assessed in relation to their impact from a wide range of viewpoints and found to be acceptable, including in relation to the impact of the proposed development on heritage assets. The identified harm to heritage assets is considered to be less than substantial and it is considered that the identified public benefits would outweigh that harm. The design, appearance and detailed façade treatment of the development is of high quality. The living conditions of adjacent occupiers would be protected from undue harm subject to conditions. The living standards of future occupiers are satisfactory (in terms of overall residential quality). The environmental impacts, including noise, air quality, land contamination and flooding, are acceptable subject to mitigation proposed through a combination of conditions and s.106 agreement. Sustainability aspects have been properly assessed and their delivery can be controlled through planning obligations and planning conditions. Although not in accordance with the adopted Local Plan which allocates the site for either C2 or C3 uses, Officers consider that there are material considerations which are sufficient to outweigh the conflict with the development plan taken as a whole.

It is noted that the harm identified above must be considered and balanced against the benefits of the proposal. As already set out above, paragraph 202 of the NPPF requires a balance of the heritage harm against the public benefits of the scheme. That balance has been carried out above, and the conclusion that has been reached is that the public benefits of the scheme outweigh the heritage harm, even taking account of the great weight and considerable importance afforded to the heritage harm. However, the other harms resulting from the proposal must also be assessed, together with the heritage harm, and these should also be balanced against the benefits of the proposal. This final balancing exercise will be carried out below.

In assessing the weight to be afforded to harms / benefits, officers have applied a scale which attributes little, moderate, significant, or substantial weight to each identified harm / benefit. Having attributed such weight, an overall judgement is then required regarding the balance of harm vs benefit.

In terms of harms, as noted above, the less than substantial harm (in the low end of that range) which would be caused to designated heritage assets carries **substantial (great)** weight in the planning balance. The reasons for this are already set out above.

It is also noted that the proposal fails to comply with policy H1(4) of the LPSS as the required number of adaptable and wheelchair accessible dwellings have not been provided. It is acknowledged that 16 accessible units are proposed, however, no justification (apart from the applicant's contention that policy H1(4) does not apply to the proposal) has been provided as to why a full policy requirement cannot be achieved in a new build development. This harm should be afforded **moderate** weight in the balance.

In terms of the planning balance it is noted that the proposed dwellings would make a positive contribution to the demand and market for smaller rented accommodation in the Borough and the town centre as a whole. The proposal would provide a modern, quality form of co-living accommodation which would help to address some of the housing shortages and provide more choice in the local housing market. **Significant** weight should be afforded to this. The provision of 67 units on-site for discounted market rent would also help to address affordability issues in the Borough. Officers consider that this is a **significant** benefit of the scheme.

The proposal would bring back into effective use a brownfield and long-term derelict site in a prominent and highly sustainable location. **Substantial** weight must be attributed to this benefit.

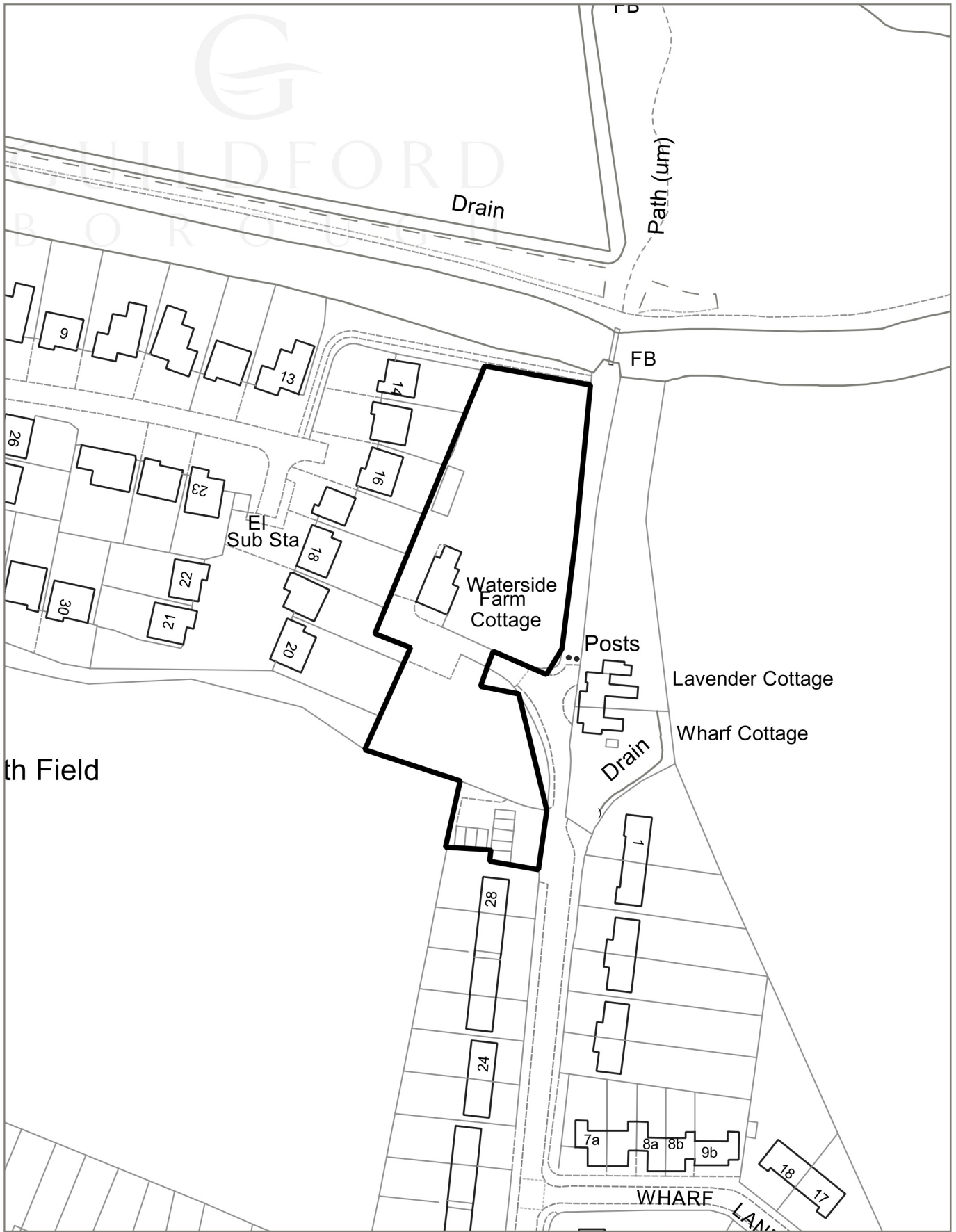
The proposals would contribute to and result in numerous economic benefits to the town of Guildford and the wider area. This would include direct economic benefits including the creation of construction and operational jobs at the site. Indirect benefits would include increased footfall and expenditure in the town centre and wider environs. The proposals would thus contribute to consolidating the economic role of Guildford in the wider area. Overall, it is considered that the economic and social benefits of the proposal attract **significant** positive weight in favour of the proposal.

The proposal will also deliver improvements to the bus facilities in the local area. This includes the provision of two new bus shelters with real time information and the provision of land to Surrey County Council to facilitate this. While the contributions are necessary to mitigate the impact of the development, they will also bring wider public benefits. **Moderate to significant** weight is afforded to this matter.

The proposals would provide contributions towards healthcare, policing, highways and the future implementation of the Council's Sustainable Movement Corridor. Again, it is noted that these measures are required to mitigate the impact of the development and while they will bring some public benefit it would not be to the extent as the bus improvements noted above. As such, **moderate to significant** weight is afforded to this matter.

While the development would result in less than substantial harm to the significance of the heritage assets that have been identified, the benefits set out above are considered to outweigh that identified harm and the conflict with the development plan the application is recommended for approval subject to securing an appropriate s106 agreement and conditions.

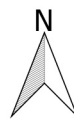
21/P/02257 - Waterside Farm Cottage, Wharf Lane, Send, Woking



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GUILDFORD
BOROUGH

21/P/02257 – Waterside Farm Cottage, Wharf Lane, Send, Woking, GU23 7EJ



App No: 21/P/02257
Appn Type: Full Application
Case Officer: Katie Williams
Parish: Send
Agent : Mr. Thomas Rumble
Wolf Bond Planning
The Mitfords
Basingstoke Road
Three Mile Cross
Reading
RG7 1AT

8 Wk Deadline: 20/12/2021

Ward: Send
Applicant: Mr. Damian Aziz
Concept Developments (Land)
Limited
Ground Floor
Egerton House
68 Baker Street
Weybridge
KT13 8AL

Location: Waterside Farm Cottage, Wharf Lane, Send, Woking, GU23 7EJ
Proposal: Proposed erection of 8 dwellings (C3 use class) with associated access, landscaping and parking, following demolition of Waterside Farm Cottage, outbuilding and Wharf Lane garages.

Executive Summary

Reason for referral

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

Key information

The proposal is for the erection of 8 dwellings (C3 use class), associated access, landscaping and parking, following demolition of Waterside Farm Cottage, outbuilding and Wharf Lane garages.

The proposed development is identical to that proposed under previous application 21/P/01581. An appeal against non-determination has been lodged against this earlier application (21/P/01581). The earlier application was subsequently considered by the Planning Committee on 4th December 2021 and the Committee's decision was that the Council's would have approved the application had an appeal against non-determination not been lodged.

Parking:

21 spaces proposed

2 x 2 bed dwellings (Plots 2 & 6): 4 spaces (2 per dwelling)

4 x 3 bed dwellings: (plots 1, 3, 4, 5) 8 spaces (2 per dwelling)

2 x 4 bed dwelling (Plot 7 & 8): 6 spaces (3 per dwelling)

Visitor spaces: 3

A parking court providing 8 parking spaces is also proposed to replace the existing garage blocks on the part of the site owned by the Council. The existing pedestrian access / gate leading from the parking area to the Heathside Nature Reserve will be retained.

Summary of considerations and constraints

There is no objection to the principle of the development and the proposal would deliver a net increase of eight new homes in a sustainable location. The development would not harmfully affect the character or the appearance of the surrounding area, including the setting of the adjacent Wey Navigation Conservation Area and would not materially impact on the residential amenities currently enjoyed by the occupants of the surrounding properties. Subject to the recommended conditions there will be no adverse impact on the ecology of the site or surroundings. The development would not give rise to conditions prejudicial to highway safety and would not impact on the Thames Basin Heaths Special Protection Area.

Subject to the conditions and the completion of a s106 Agreement to secure the necessary SANG and SAMM contributions, the application is deemed to be acceptable and the application is therefore recommended for approval.

RECOMMENDATION:

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

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

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

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

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

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

P201, P202, P205A, P206A, P207, P208, P209, P210, P213A, P214, P215 received 25 October 2021

P211A received 25 November 2021

P203B, P204B, P212B received 2 December 2021

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

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

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

4. The development hereby approved shall not be first occupied unless and until the proposed vehicular access to Wharf Lane has been constructed and provided with visibility zones in accordance with the approved plans, Drawing No.099.0015.001 Rev B, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

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

5. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plan, Drawing No. P204, for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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

6. The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with the approved plans Drawing No. P204, for the secure parking of bicycles within the development site. Thereafter the parking for bicycles shall be retained and maintained for their designated purposes.

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

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

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

8. Prior to first occupation a scheme for improving the pedestrian access from the site entrance to tie in the with the existing footway on the western side of Wharf Lane, shall be submitted to an approved in writing by the Local Planning Authority. The approved scheme shall also be implemented in accordance with the agreed details prior to the first occupation of the development.

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

9. No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) measures to prevent the deposit of materials on the highway

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

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

10. No development shall take place until full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 10 years, and details of proposed boundary treatments for all boundaries (including new plot boundaries), have been submitted to and approved in writing by the local planning authority. The landscape proposals should also accord with the ecological / biodiversity enhancements as required by Condition 12 below. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and retained.

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

11. All planting, seeding or turfing approved shall be carried out in the first planting and seeding season following the occupation of the development or the completion of the development, whichever is the sooner. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or diseased in the opinion of the local planning authority, shall be replaced in the next available planting sooner with others of similar size, species and number, unless otherwise agreed in writing by the local planning authority.

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

12. Prior to the commencement of development, in addition to the proposed biodiversity mitigation and enhancement proposals set out in 'Landscape and Ecological Management Plan by CGO Ecology LTD (dated 16 July 2021), an updated detailed landscape and ecological management plan (LEMP) for the site to include detailed landscaping proposals must be submitted to and approved in writing by the Local Planning Authority. The LEMP should include adequate details of proposed impact avoidance, mitigation and enhancement and include details of the following:

- detailed landscaping proposals to include the recommendations set out in the LEMP by CGO Ecology (dated 16 July 2021) - to include full details of planting plan proposals including location of plantings and species numbers.
- How habitats will be managed in the future, techniques and works schedules.
- Who will undertake the maintenance of habitats on site.
- How ongoing maintenance and monitoring will be undertaken and financed.

The development shall be implemented in accordance with the agreed LEMP.

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

13. The development must accord with the Arboricultural Survey and Planning Integration Report (including all recommendations) prepared by Quaife Woodlands AR/4086a/jq . No development shall start on site until the protective fencing and any other protection measures shown on the Tree Protection Plan in the Arboricultural Report have been installed. At all times, until the completion of the development, such fencing and protection measures shall be retained as approved. Within all fenced areas, soil levels shall remain unaltered and the land kept free of vehicles, plant, materials and debris. The fencing shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

No development shall commence until a pre-commencement site meeting has taken place with the site manager, the retained consulting arboriculturalist and the LPA Tree Officer.

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

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

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

15. The first floor window(s) in the western elevation(s) of the dwellings on Plots 2 and 8 of the development hereby approved shall be glazed with obscure glass and permanently fixed shut, unless the parts of the window/s which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall thereafter be permanently retained as such.

Reason: In the interests of residential amenity and privacy.

16. Before the development commences, a detailed Phase One survey, including historic investigation and detail on ground conditions shall be submitted to ascertain whether the site supports any soil or water contamination. If the LPA consider that further investigation of the site is necessary, a detailed site investigation must be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology. The investigation shall include relevant sub-surface, soil gas and groundwater sampling together with the results of analysis and a risk assessment of the impact to receptors. Any remediation required shall be fully detailed to restore the site to a standard suitable for use, including works to address any unsuspected contamination.

Reason: To ensure any contamination of the site is remediated and to protect existing/proposed occupants of the applicant site and/or adjacent land.

17. Any remediation scheme submitted in accordance with Condition 16 (above) shall be carried out as detailed in the applicants submission. Prior to the occupation of proposed development, a documentary proof shall be provided to the Local Planning Authority together with a quality assurance certificate to show that the works have been carried out in full accordance with the approved remediation strategy.

Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste material has been removed from the site before the development hereby permitted is occupied by any person not directly involved in constructing the development.

Reason: To ensure any contamination of the site is remediated and to protect existing/proposed occupants of the applicant site and/or adjacent land.

18. The development shall be carried out in accordance with the Sustainability and Energy Report from Bluesky Unlimited (dated 14 July 2021). The approved details shall be implemented in full prior to the first occupation of the development and retained as operational thereafter.

Reason: To reduce carbon emissions and incorporate sustainable energy in accordance with Policy D2 of Guildford Borough Local Plan : Strategy and Sites (adopted 25 April 2019)'.

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

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

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

a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.

b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge **equivalent to the pre-development Greenfield run-off.**

- c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
- d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.
- e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

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

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

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

22. No development shall take place until a SuDS Construction, Management and Monitoring Plan has been submitted to and approved in writing by the local planning authority. This will need to detail how the SuDS scheme will be managed and monitored in an appropriate manner to ensure they do not become blocked and cause more issues with potential run off from the site causing a potential impact on the SSSI downstream. An appropriate contractor to monitor / manage the SuDS must also be selected.

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

Reason: To ensure the adequate protection of statutory protected species and habitats.

23. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) must be submitted to and approved in writing by the LPA.

The CEMP should include, but not be limited to:

- 1) *Map showing the location of all of the ecological features, on and off site.*
- 2) *Risk assessment of the potentially damaging construction activities*
- 3) *Practical measures to avoid and reduce impacts during construction*
- 4) *Location and timing of works to avoid harm to biodiversity features*
- 5) *Responsible persons and lines of communication*
- 6) *Use of protected fences, exclusion barriers and warning signs.*
- 7) *(in line with requirements from Natural England) details on how runoff and sediment control and site clearance is going to be managed in line with Ciria guidance and should be in a form that can be presented to any contractor used.*
- 8) *Detail of final drainage proposals.*

The CEMP must be signed off by the LPA prior to the commencement of any site works, and the document must provide sufficient detail so that the LPA can conclude that there will be no impact on the adjacent SNCI, the River Wey and the Wey & Godalming Navigations Conservation Area. The development shall then be implemented only in accordance with the agreed details.

Reason: To ensure the adequate protection of statutory protected species and habitats.

24. If, prior to or during development, the presence of great crested newts is suspected or identified then work will cease immediately and Natural England will be contacted to agree the appropriate mitigation route. No further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted an appropriate mitigation and management strategy to the Local Planning Authority and the written approval of the Local Planning Authority has been received. The strategy should detail how the presence of great crested newts shall be managed. The mitigation and management strategy shall be implemented in accordance with such details as may be approved and a validation report shall be required to be submitted to Local Planning Authority to demonstrate the agreed strategy has been complied with.

Reason: To ensure the adequate protection of statutory protected species and habitats.

25. Prior to the commencement of development, a Sensitive Lighting Management Plan which accords with best practice guidance (as set out in in BCT & ILP (2018) Guidance Note 08/18. Bats and artificial lighting in the UK. Bats and the Built Environment, Bat Conservation Trust, London & Institution of Lighting Professionals, Rugby) shall be submitted to the LPA for approval in writing. Any external lighting shall be installed only in accordance with the agreed details.

Reason: To ensure the adequate protection of statutory protected species and habitats.

26. The garages / car barns shall be used solely for vehicle parking and for the benefit of the occupants of the dwelling/s of which they form part and their visitors and for no other purposes and shall be permanently maintained for that purpose.

Reason: To ensure that satisfactory parking provision is retained within the development.

Informatives:

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

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

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

3. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
4. Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.
<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>
5. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-cross-overs-or-dropped-kerbs.
6. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
7. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.

8. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991.
Please see
www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice
9. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
10. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:
<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
11. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.
12. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.
13. Existing Foot Path 49 must not be obstructed during or after the completion of works.
14. The developer should take action to ensure that development activities such as vegetation or site clearance are timed to avoid the bird nest season of early March to August inclusive.
If this is not possible and only small areas of dense vegetation are affected, the site could be inspected for active nests by an ecologist within 24 hours of any clearance works. If any active nests are found they should be left undisturbed with a buffer zone around them, until it can be confirmed by an ecologist that the nest is no longer in use.

Officer's Report

Site description.

The site lies within the settlement of Send which has been inset from the Green Belt following the adoption of the 2019 Local Plan. The site is within the Corridor of the River Wey and is adjacent to the Wey Navigation Conservation Area. It is also within the 400m to 5km buffer zone of the Thames Basin Heath SPA. The site lies outside of floodzones 2 and 3.

The application site itself currently comprises a detached bungalow and its outbuildings together with a small area of garaging and parking which is within the ownership of Guildford Borough Council.

The surrounding area includes residential properties along Wharf Lane to the south and east, and Sanger Drive to the west. An area of open space is also located to the south of the application site, Heathfield Nature Reserve. Immediately to the east of the site is a public footpath running north to south which leads from Wharf Lane to the Wey Navigation.

Proposal.

Proposed erection of 8 dwellings (C3 use class), associated access, landscaping and parking, following demolition of Waterside Farm Cottage, outbuilding and Wharf Lane garages.

The proposed development is identical to that proposed under previous application 21/P/01581. An appeal against non-determination has been lodged against this earlier application (21/P/01581). The earlier application was subsequently considered by the Planning Committee on 4th December 2021 and the Committee's decision was that the Council's would have approved the application had an appeal against non-determination not been lodged.

Parking:

21 spaces proposed

2 x 2 bed dwellings (Plots 2 & 6): 4 spaces (2 per dwelling)

4 x 3 bed dwellings: (plots 1, 3, 4, 5) 8 spaces (2 per dwelling)

2 x 4 bed dwelling (Plot 7 & 8): 6 spaces (3 per dwelling)

Visitor spaces: 3

A parking court providing 8 parking spaces is also proposed to replace the existing garage blocks on the part of the site owned by the Council. The existing pedestrian access / gate leading from the parking area to the Heathfield Nature Reserve will be retained.

Relevant planning history.

21/P/01581 - Proposed erection of 8 dwellings (C3 use class), associated access, landscaping and parking, following demolition of Waterside Farm Cottage, outbuilding and Wharf Lane garages. **Non-determination appeal. Planning Committee on 4th December 2021, resolution was to approve the application subject to s106 agreement and conditions.**

21/P/00141 - Proposed erection of nine dwellings (C3 use class) following demolition of Waterside Farm Cottage and Wharf Lane garages. - Withdrawn

89/P/01177/S106/1 - Deed of variation to the Section 106 agreement dated 13/01/1992 for planning approval 89/P/01179 to discharge the planning obligation set out in Paragraph 1(b) of the First Schedule of the section 106 agreement, which reads as follows: "There shall be one dwelling house only on the land shown edged brown on the Plan. - Under consideration.

Consultations.

Statutory consultees

County Highway Authority:

- no objection, conditions and informatives recommended
- there are bus stops located on Send Road. Westbound bus stop is approximately 210 meter and eastbound bus stop approximately 260m located from the development site.
- although there will be some increase in vehicular trips, (46 trips over the 12 hour period) it is not considered that the proposed development will result in a significant increase in vehicular trips on the surrounding highway network.
- existing Foot Path 49 must not be obstructed during or after the completion of works.

Natural England:

- no objection - subject to appropriate mitigation being secure in respect of the Papercourt Site of Special Scientific Interest (SSSI)

Thames Water (comments from 21/P/01581):

- no objection with regard to the waste water network and sewage treatment works infrastructure capacity
- recommended informatives

Internal consultees

Head of Environmental Health and Licensing:

- no objection, subject to recommended conditions

Non-statutory consultees

Surrey Wildlife Trust:

- recommended conditions and informatives

Send Parish Council

Objects on the following grounds:

- overdevelopment of scenic plot
- conflict of interest and covenant [*Officer note: this is a separate legal matter*]
- loss of a valued public amenity and lack of parking, the garages are fully occupied and local residents tell use there is always a waiting list for any vacancies. GBC is not offering to reinstate these 8 garages in the village, so this fully used amenity would be permanently lost
- this application is another windfall site and there is no demonstrated need for these additional homes in this location
- lack of infrastructure to support such rapid growth of housing stock in Send
- doesn't meet the requirements of the Send Neighbourhood Plan
- layout is cramped and inconsistent with the layout of surrounding homes including Sanger Drive
- sewerage infrastructure, supporting infrastructure must come before any additional homes are considered in this lane
- delivers poor quality and cramped housing, out of character to other developments in Send

Third party comments:

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

- there is a restrictive covenant in place regarding building on the site - the development contradicts the purpose of that covenant [*Officer note: This is a separate legal matter*]
- there is a further restrictive covenant restricting access to the site via Wharf Lane [*Officer note: This is a separate legal matter*]
- significant increase in traffic exiting onto Send Road
- impact on residents in Sanger Drive from construction noise, dust and vibration
- very little change from previous withdrawn application
- highway safety
- density is out of place for housing in Send
- overdevelopment
- will exacerbate existing sewage problems
- overlooking to properties in Sanger Drive
- loss of light to properties in Sanger Drive
- impact on biodiversity, would result in a net loss
- ecological impact
- many mature and healthy trees have already been removed from the site (prior to surveys being carried out)
- will impact on view from the High Bridge adjacent to Waterside Farm
- GBC is meeting its housing targets
- doesn't meet requirements of Send Neighbourhood Plan
- garages to be demolished are currently rented to residents and are a useful amenity
- loss of garages is not adequately compensated in the proposal
- the sale of the GBC garages to the developer creates a conflict of interest
- where are the construction vehicles going to park?
- noise and air pollution
- light pollution from new streetlights and car headlights entering the development

- impact on drainage / flooding
- impact on the River Wey and Heathfield Nature Reserve
- will place significant pressure on existing infrastructure and services (schools, doctors etc)
- impact on trees on the boundary with properties in Sanger Drive
- visual impact on Wey Navigation corridor / conservation area
- insufficient space for parking
- the site currently forms an important wildlife corridor
- proposed location for communal waste bins will produce odour pollution to Sanger Drive residents
- surface water management
- impact on access to Heathfield Nature Reserve from Wharf Lane from the proposed parking area / access road
- currently on the waiting list for one of the garages
- loss of garages will result in loss of boundary for 28 Wharf Lane
- loss of turning space for cars or trucks driving up this section of Wharf Lane
- lack of sustainability measures
- impact on neighbouring properties from piling during construction

Planning policies.

National Planning Policy Framework (NPPF):

National Planning Policy Framework (NPPF):

Chapter 2: Achieving sustainable development

Chapter 5: Delivering a sufficient supply of homes

Chapter 8: Promoting healthy and safe communities

Chapter 9: Promoting sustainable transport

Chapter 11: Making effective use of land

Chapter 12: Achieving well-designed places

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

Chapter 15: Conserving and enhancing the natural environment

Chapter 16: Conserving and enhancing the historic environment

Ministry of housing, communities and Local Government

National Design Guide dated 1 October 2019

South East Plan 2009:

NRM6 Thames Basin Heath Special Protection Area

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

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

The following policies are relevant:

S1: Presumption in favour of sustainable development
H1: Homes for all
H2: Affordable homes
P4: Flooding, flood risk and groundwater protection zones
P5: Thames Basin Heaths Special Protection Area
D1: Place shaping
D2: Climate change, sustainable design, construction and energy
D3: Historic Environment
ID1: Infrastructure and delivery
ID3: Sustainable transport for new developments
ID4: Green and Blue infrastructure

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

G5	Design Code
G1	General Standards of Development
NE4	Species Protection
NE5	Dev. Affecting Trees, Hedges & Woodlands
HE10	Dev. Affecting the setting of a Conservation Area

Neighbourhood Plans:

Send Neighbourhood Plan

Policies:

SEND 1 - Design
SEND 2 - Housing development
SEND 4 - Green and Blue Infrastructure
SEND 7 - Supporting sustainable transport
SEND 8 - Car parking provision

Supplementary planning documents:

Climate Change, Sustainable Design, Construction & Energy SPD 2020
Planning Contributions SPD 2017
Thames Basin Heaths Special Protection Area Avoidance Strategy 2017
Residential Design SPG 2004
Vehicle Parking Standards SPD 2006

Other guidance:

Surrey County Council Vehicular and Cycle Parking Guidance 2018

Planning considerations.

The main planning considerations in this case are:

- the principle of development
- housing need and the mix of dwellings proposed
- design and character

- living environment for future occupiers
- the impact on neighbouring amenity
- the impact on highway safety and the level of parking
- the impact on trees and vegetation
- sustainable design and construction
- the impact on ecology, biodiversity and protected species
- the impact on Papercourt SSSI
- flooding and land drainage
- contaminated land
- the impact on the Thames Basin Heaths Special Protection Area
- legal agreement requirements

The principle of development

With the adoption of the new Local Plan, this site is no longer designated as being within the Green Belt.

The principle of 8 dwellings on this site is therefore acceptable, subject to compliance with the detailed requirements of the above policies.

Housing need / mix

The Council is able to demonstrate a five year housing land supply with an appropriate buffer. This supply is assessed as 7.00 years based on most recent evidence as reflected in the GBC LAA (2021). In addition to this, the Government's recently published Housing Delivery Test indicates that Guildford's 2021 measurement is 144%. For the purposes of NPPF footnote 7, this is therefore greater than the threshold set out in paragraph 215 (75%). Therefore, the Plan and its policies are regarded as up-to-date in terms of paragraph 11 of the NPPF.

Housing mix:

Policy H1: Homes for all

Housing mix and standards

(1) New residential development is required to deliver a wide choice of homes to meet a range of accommodation needs as set out in the latest Strategic Housing Market Assessment. New development should provide a mix of housing tenures, types and sizes appropriate to the site size, characteristics and location.

It is important to note that Policy H1(1) is not intended to be applied in a prescriptive manner. It is a broad assessment of the needs required over the plan period and should be used to guide development proposals. However in applying the mix consideration needs to be given to site specific matters which together will shape the appropriate mix on particular sites.

Proposed mix:

Total Housing mix	No.	SHMA % req	Provided %
1 bed	0	20	0
2 bed	2	30	25%
3 bed	4	35	50%
4 bed	2	15	25%
Total	8		

(table 1)

In terms of the overall mix of the proposal, as shown in table 1 above, the mix is generally close to what the SHMA requires for the borough with a higher proportion of 3 bed units than required by the SHMA.

Overall the housing mix would comprise a greater mix of larger 3 bed units and no 1 bed units. Given that it is relatively small sized site and its location on the edge of Send village, comprising mainly of housing, it is considered that the proposed overall housing mix would complement the local context.

There are no 1 bed units proposed. However these smaller 1 bed units are expected to be delivered in a town/district centre locations (particularly in the town centre which will mainly deliver flatted development), larger sites with a range of character areas or adjoining a transport hub and 2-4 beds units delivered in the out of town settlements. This is an out of town location, where there is greater demand for: family units, downsizers, first time buyers and relations of people who have grown up in the area. So whilst not strictly complying with the SHMA it is considered that the overall mix of units would be appropriate given the location.

Design and character

Para 130 of the NPPF stipulates that developments:

- a) “will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development”;
- b) “are visually attractive as a result of good architecture, layout and appropriate and effective landscaping”;
- c) “are sympathetic to local character and history, including the surrounding built environment and landscape setting”;
- d) “establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit”;

Policy Send 1 - Design of the Send Neighbourhood Plan is relevant. This states: 'High quality and sustainable design is expected in Send and shall conserve and enhance its heritage and environmental assets including the Wey & Godalming Navigations Conservation Area and its setting. All development proposals will be expected to demonstrate how they promote and reinforce the local distinctiveness and high quality built and natural environment of Send with reference to the Send Neighbourhood Development Plan Character Assessment. Proposals should seek to ensure that development does not result in significant adverse effects on the key views identified in the maps on pages 25 to 32 of the Neighbourhood Plan and respects and retains key natural landscape assets. In particular, in the following Character Areas:

A) Wey Navigation and River Wey – proposals must conserve and enhance the Wey & Godalming Navigations Conservation Area;'

The views from the footbridge which crosses the Wey Navigation immediately adjacent to the north eastern corner of the application site are identified as one of the 'key views' (views A1 and A2) in the Send Neighbourhood Plan. It should be noted that the views specified in the Neighbourhood Plan are those looking east from the footbridge towards the Tannery and northwestwards towards Broadmead flats (flood plain). They do not specifically include the views from the footbridge towards the application site. Notwithstanding this, views from the Conservation Area are a material consideration which will be assessed in more detail below.

The application site sits at the end of Wharf Lane which is made up of terraced bungalows along its western side and two storey semi-detached dwellings on more spacious plots along the eastern side. Residential dwellings in Sanger Drive lie immediately adjacent to the site to the west, comprising two storey detached dwelling. There is also an existing detached two storey dwelling which sits to the east of the application site. The boundary with the Green Belt countryside to the east and north is delineated by the eastern side of the public footpath which runs along the eastern boundary of the application site and the southern bank of the Wey Navigation. The nature of the surrounding development and proximity to the countryside provide a semi-rural character to the area with a mix of sizes and styles of dwellings and a mix of plot sizes.

The western boundary of the site with Sanger Drive consists of tall hedging and mature trees, which provide good screening to properties in Sanger Drive which back on to the site. There are also trees and hedging running along the eastern boundary of the site with the public footpath, and the southern boundaries. This existing boundary vegetation is proposed to be retained as part of the proposed development. There is also existing shrub and hedge planting along the northern boundary with the Wey Navigation. This is lower in height and allows views through to the navigation. Concerns have been raised that some trees were removed from site prior to the submission of the application. However, there were no protected trees on the site and several trees have been retained, particularly along the site boundaries.

With regard to the proposed development, firstly a new access is proposed opposite 1 Wharf Lane with a new access road then following the line of an existing tall hedgerow to be retained, leading to the proposed residential cul-de-sac of 8 new dwellings. At the start of the new access road, the existing Council owned garage blocks (comprising 8 individual garages) will be demolished and replaced with a parking court of 8 parking spaces. The position of the existing pedestrian access point to Heathfield Nature Reserve will remain unaltered and will remain accessible via the existing parking court which is very similar to the existing situation.

The proposed residential cul-de-sac will consist of three pairs of two storey semi-detached dwellings (Plots 1 to 6), one pair to the south of the site, and two pairs positioned along the eastern edge of the site, leading to two detached two storey dwellings positioned at the end of the new cul-de-sac, with their rear gardens backing on to the boundary with the Wey Navigation. The proposed layout of the dwellings will be similar to that of dwellings in Sanger Drive, albeit with predominantly semi-detached dwellings. Parking spaces will be provided to the sides of the dwellings, which will also provide generous spacing between the dwellings and to the site boundaries, in keeping with that of surrounding properties.

As mentioned above, much of the existing boundary trees and hedging will be retained, and where existing hedging is to be removed, for example on the boundary to the rear of 20 Sanger Drive, new hedge planting is proposed. Further new tree planting is also proposed within the site, including as part of a significant area of soft landscaping area along the western boundary opposite plots 3 to 6. When matured, this new planting will provide additional screening to properties in Sanger Drive. Following officers' concerns regarding the provision of a close board fence on the rear boundaries of Plots 7 & 8 with the Wey Navigation, the agent has submitted revised plans to show the proposed fencing omitted from this boundary and indicating that new soft landscaping / planting is now proposed to be provide along on this boundary, to ensure it the boundary treatment is sensitive to its riverside setting and does not detract from the visual amenity along the Wey Navigation. The provision of appropriate soft landscaping along this boundary will also assist in ensuring the ecology of the site and surrounding is not adversely impacted. [The impact on biodiversity will be assessed in more detail further on in this report.] The provision of an appropriate soft landscaping scheme, including new tree and hedge planting and landscaping proposals for northern boundary with the Wey Navigation can be secured by condition.

The proposed dwellings will be of a traditional design, incorporating traditional pitched roofs with gable features and traditional materials and detailing including porch canopies and bay windows. As noted above, parking will predominantly be provided alongside the dwellings including through the provision of car barns. The proposed parking layout will minimise its visual impact whilst providing sufficient parking for each of the proposed dwellings.

It is considered that the design, size and height of the proposed dwellings and plot sizes, will not be out of character with the surroundings and the retention of the majority of existing trees and vegetation on the site boundaries, together with new tree and hedge planting, will ensure the development sits comfortably in the context of the surroundings and will ensure the semi-rural character of the area is not adversely affected.

Heritage asset - Wey Navigation Conservation Area

The Wey Navigation in Guildford is a designated heritage asset along its route and runs through several conservation areas, including the Wey and Godalming Navigations Conservation Area.

Along this stretch of the Wey Navigation (adjacent to the application site), the existing dwellings along Sanger Drive (to the west of the application) are located in close proximity to the navigation and are visible in views from it.

The proposed development would introduce new dwellings on to a largely undeveloped site, in close proximity to the navigation. The dwellings on Plots 7 & 8 would be positioned in closest proximity and would back on to the navigation with their rear boundaries adjoining the southern bank. However, these dwellings would not extend closer to this boundary than the existing dwellings in Sanger Drive which sit alongside the application site to the west. The proposed scale, height and design of the dwellings would appear sympathetic to the character of the surroundings and would be read against the existing established dwellings within Sanger Drive. As noted above, the provision of sensitive boundary treatment along the northern boundary of the new dwellings is considered very important in ensuring there is no adverse impact on the visual amenity of the Wey Navigation's setting. Subject to a condition to ensure details of landscaping on this boundary are submitted to the LPA for approval, it is considered that the proposed

development would not result in harm to the setting of the Conservation Area.

For these reasons, the proposals will also not have an adverse impact on the views from the High Bridge (footbridge) as required by Policy Send 1 of the Send Neighbourhood Plan.

It is therefore considered that the proposal is in accordance with policies D1 & D3 of the 2019 Local Plan and Policy Send 1 of the Send Neighbourhood Plan.

Living environment for future occupiers

Policies H1 and D1 of the 2019 Local Plan require all new residential development to conform to the nationally described space standards as set out by the Ministry of Housing, Communities and Local Government (MHCLG) 2015. The accommodation schedules submitted with the application confirms that all of the proposed dwellings would conform to the nationally described space standards. The proposal also shows the provision of good sized private garden areas for all of the dwellings. The proposal therefore meets the requirements of Policies H1 and D1 of the 2019 in this regard.

Impact on neighbouring amenity

Neighbouring properties in Sanger Drive back onto the application site, and therefore have rear windows and rear gardens facing towards the application site.

As noted above, there is currently substantial trees and tall hedging along the western boundary of the application site with the properties in Sanger Drive which is shown to be retained as part of the proposed development and will provide screening. The proposed new dwellings closest to the western boundary will be the dwelling on Plot 2 and Plot 8 and both will have flank elevations facing towards the shared boundary, with only a small landing window proposed at first floor level for each dwelling.

There will be a separation distance of approximately 3.7m between the nearest flank elevation of the dwelling on Plot 2 and the shared boundary with 20 Sanger Drive, and a further 18m (approx) beyond the boundary to the neighbouring dwelling itself. The minimum separation distance between the two storey flank elevation of the dwelling on Plot 8 will be 5.2m to the shared boundary and 12.4m (approx) beyond that to the two storey rear elevation of the neighbouring dwelling at 15 Sanger Drive. Whilst the proposed new dwellings will be visible to these neighbouring dwellings, it is considered that due to these separation distances and the orientation of the dwellings on Plots 2 & 8, there will not be adverse impact in terms of a detrimental loss of sunlight or daylight or overbearing impact or a detrimental loss of privacy to the rear gardens or rear windows of neighbouring dwellings in Sanger Drive.

The proposed dwellings on Plots 3 to 6 will be orientated facing towards the western boundary of the site, but their front elevations will be set away from this boundary by a minimum distance of approximately 15.8m. This distance is considered sufficient to ensure there will not be unacceptable overlooking or loss of privacy to the rear gardens or rear windows of properties in Sanger Drive from the dwellings on Plots 3 to 6. The separation distance will also ensure there will not be any adverse loss of light or overbearing impacts resulting from these proposed dwellings. Furthermore, an extensive area of landscaping is proposed between these proposed dwelling and the boundary which will provide screening further reducing the impact.

The separation distances to other neighbouring properties in Wharf Lane are also considered sufficient to ensure there will be no adverse impacts on the amenities enjoyed by the occupants of these properties in terms of loss of light or loss of privacy.

The proposal will introduce two new vehicular access points, which will be positioned opposite existing dwellings on the eastern side of Potters Lane. Whilst this would introduce new vehicle movements, due to the number of dwellings proposed, it is considered that this would not lead to unacceptable noise, light or disturbance for the occupants of neighbouring dwellings in Wharf Lane or Sanger Drive.

It is therefore concluded that the proposals accord with Policy G1(3) of the saved Local Plan.

Impact on highway safety and parking provision

Surrey County Council, in their capacity as County Highway Authority (CHA), has no objection to the application subject to recommended conditions and informatives.

The CHA has not raised any objection to the proposed new access point on Wharf Lane which is considered to have suitable visibility on both directions.

The submitted transport assessment states that there will be some increase in vehicular trips (46 trips over the 12 hour period) resulting from the proposed development. However, the CHA does not consider this will result in a significant increase in vehicular trips on the surrounding highway network.

In terms of parking provision, the proposal would accommodate 18 car parking spaces (including car barns) for the 8 residential units. The 8 properties would range in size from two, three and four bedroom properties and according to the Council's adopted parking standards this would require a parking provision of 19 spaces. It is also important to note 3 visitor spaces are also proposed in addition, with two visitor spaces along the access road and one adjacent to Plot 6. The proposed parking provision therefore accords with the Council's adopted parking standards. As some of the parking spaces are to be provided by way of car barns, it is considered necessary to attach a condition to ensure these are retained for vehicle parking in perpetuity.

A revised site layout has been submitted which shows one of the bin collection points re-positioned in order to address concerns raised by the Council's Operational Services team. The refuse collection arrangements are subsequently considered acceptable.

The two blocks of 8 existing single garages, will be replaced with a parking court providing 8 parking spaces. There will therefore be no loss of parking compared to that provided within the existing garage blocks.

The site is within a sustainable location within cycle and walking distance of local services in the village of Send. There are also bus stops located on Send Road. The westbound bus stop is located approximately 210 metres and the eastbound bus stop approximately 260m from the development site. The site is therefore considered to be easily accessible to local services in the village.

It is therefore concluded that the proposals accord with Policy ID3 of the 2019 Local Plan.

Trees and vegetation

As noted above there are existing mature trees and hedging on the site boundaries.

An Arboricultural Report has been submitted with the application. The only trees proposed to be removed are Leylandii including a group of Leylandii on the eastern boundary with the public footpath. The Council's Tree Officer has advised he has no objection to their removal which will benefit a mature Silver Birch tree on the eastern boundary of the site which is to be retained. New tree planting is also proposed which can be secured as part of a landscaping condition.

The proposed Tree Protection Measures plans show the requirement of a no dig surfacing for the parking area adjacent to the Silver Birch T7. The Tree Officer has advised that a condition should be included requiring the Arboricultural Report to be adhered to in full, in particular the recommendations regarding site supervision and sequence of works.

It is concluded that subject to conditions to ensure that the development is carried out in accordance with the Arboricultural Report recommendations, Tree Protection Plan and a landscaping plan to ensure there is new tree planting, there will not be a detrimental impact on the trees and vegetation on the site or the visual amenities they provide. The proposal therefore accords with Policy NE5 of the saved Local Plan.

Sustainable design and construction

Policy D2 of the Adopted Local Plan sets out the measures that must be met by new developments. This is supported by the recently adopted Climate Change, Sustainable Design, Construction & Energy SPD 2020. New buildings are required to:

- Achieve a 20% reduction in carbon emissions over and above Building Regulation Standards
- Water Efficiency measures
- Applications for development, including refurbishment, conversion and extensions to existing buildings should include information setting out how sustainable design and construction practice will be incorporated

The Climate Change SPD clarifies when this information should be provided, whilst it states some information should be forthcoming at the time of submission. It is important to have this information early to ensure sustainability principles drive early site design.

A Sustainability and Energy Report from Bluesky Unlimited has been submitted (dated 14 July 2021). This confirms that the above requirements are proposed to be met for the development through the use of building fabric efficiency, the installation of flue-gas and waste water heat recovery units to the six semi-detached houses and the installation of 3 x 300W photovoltaic panels to each of the two detached houses that comprise Plots 7 and 8. The implementation of these measures can be secured by condition.

Impact on ecology, biodiversity and protected species

The presence of protected species is a material planning consideration, which needs to be addressed prior to any permission being granted.

It is noted that a Site of Nature Conservation Importance (SNCI) lies in close proximity to the application site, running from the footbridge to the north east of the site, eastwards along the Wey Corridor.

The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

Paragraph 175 of the NPPF also requires that “*opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity*”.

Surrey Wildlife Trust (SWT) has been consulted on the application.

The applicant has submitted a Preliminary Ecological Appraisal (PEA) and a Landscape and Ecological Management Plan. The PEA has confirmed the likely absence of roosting bats from the site. However, SWT has advised that the site is likely to be used by foraging bats and subsequently a condition is recommended to ensure any lighting scheme installed on the site is sensitive to bats.

SWT has raised concerns that there may be the potential for Great Crested Newts (GCN's) on the site. In response, the applicant's ecologist has stated that there are five GCN records 1-2Km east of the site. It is possible that GCN's occupy ponds nearer to the site. However, it is their professional view that that is unlikely. Much of the surrounding landscape is ecologically separated by barriers presented by the River Wey and River Wey Navigation. GCN's do not cohabit with fish or live in flowing water and to the south, the built-up nature of Send excludes GCN from those areas. As a result a precautionary condition is recommended and SWT has agreed that this is an acceptable approach.

SWT advise that this development offers opportunities to restore or enhance biodiversity and such measures will assist the Local Planning Authority in meeting the above obligation and also help offset any localised harm to biodiversity caused by the development process. The applicant has submitted a LEMP as part of the application. This LEMP notes that “The landscaping scheme has yet to be confirmed, but will aim to offset the proposed loss of trees and hedges.” SWT recommend that, prior to the commencement of works, the LEMP is updated to provide details of the landscaping plans. The finalised landscaping plans should take in to account all of the recommendations within the submitted LEMP.

In addition, SWT has recommended that a Construction Environmental Management Plan (CEMP) is also required in order to ensure that the proposed development does not result in harm to the nearby Site of Nature Conservation Importance (SNCI) which incorporates the Wey Navigation to the north east of the site. It is considered that this can be dealt with by way of a suitably worded pre-commencement condition (Condition 23).

It is concluded that subject to the recommended conditions to secure the required mitigation measures and protection measures during construction, together with ecological enhancements through the submission of an updated LEMP, the proposed development would comply with the requirements of the NPPF and Policy ID4 of the 2019 Local Plan.

Impact on Papercourt SSSI

The site lies within approximately 1km of the Papercourt Site of Special Scientific Interest (SSSi).

Natural England has been consulted on the application and has advised that in order to mitigate any adverse effects on the Papercourt SSSI, conditions should be attached to secure the provision and implementation of a Construction Environmental Management Plan (CEMP) and a SuDS Construction Management and Monitoring Plan.

Natural England would like to see a CEMP in regards to runoff and sediment control and for site clearance, in line with the Ciria guidance and one that can be presented to any contractor used.

Any SuDS will need to be managed and monitored appropriately to ensure they do not become blocked and cause more issues with potential run off from the site causing a potential impact on the SSSI downstream. As such we would advise the provision of a SuDS Construction, Management and Monitoring Plan be secured via condition and an appropriate contractor selected.

These measures are subsequently recommended to be secured by condition.

Flooding and land drainage

The application site is within Flood Zone 1 (Low Probability). This zone comprises land assessed as having a less than 1 in 1000 annual probability of river or sea flooding in any year (<0.1per cent). Paragraph 100 of the NPPF states that development be directed away from area at the highest risk. The proposal is therefore an acceptable location for new residential development in line with the aim of the NPPF.

The site area is 0.36Ha and therefore a Flood Risk Assessment is not required.

Notwithstanding this, a Pluvial Flood Risk Technical Note has been submitted with the application which details proposals for managing surface water drainage as part of the proposed development. The Local Lead Flood Authority (LLFA) has assessed the submitted information and has advised that additional information is required in order to ensure that the proposals comply with the requirements of the NPPF, its accompanying PPG and the Non-Statutory Technical Standards for sustainable drainage systems.

As the proposal is not for a major development (below 10 dwellings), the LLFA has agreed that these requirements can be dealt with by conditions in this instance. Subject to these conditions, it is considered that surface water drainage can be managed satisfactorily to ensure there is no increased surface water flood risk to the site or surrounding area.

Contaminated land

The application site is within 250m of historic landfill sites/commercial and industrial activities. The Environmental Health Officer (EHO) has no objection to the application subject to conditions being attached requiring a Phase One survey for ground contamination to be carried out prior to the commencement of development and any subsequently recommended remediation works being implemented.

Thames Basin Heaths Special Protection Area

The site is within the 400m to 5km buffer zone of the Thames Basin Heath SPA.

The proposed development may adversely impact the TBHSPA due to the net increase in residential units at the site. The Council's adopted TBHSPA Avoidance Strategy 2017 requires a SANG contribution and an Access Management (SAMM) contribution to avoid any adverse impact in line with the tariff within the annual updating of the off-site contributions document.

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

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

Legal agreement requirements

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

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

As the application would result in the net gain of 7 new residential units, in order for the development to be acceptable in planning terms, a S106 agreement is required as part of any subsequent planning approval to secure a financial contribution towards a SANG and SAMM, in line with the Guildford Borough Council TBHSPA Avoidance Strategy 2017. This strategy has been formally adopted by the Council. In line with this strategy and the requirements of Regulation 63 of the Habitats Regulations 2017, a S106 agreement is required to ensure that the additional residential units proposed by this development would not have any likely significant effect on the TBHSPA. The level of financial contribution sought is required to be in line with the specific tariffs set out in the adopted Avoidance Strategy which relate to the number of residential units and number of bedrooms proposed. As such, the requirement for the S.106 agreement meets the three tests set out above. Provided that a S.106 agreement is in place to mitigate against the likely significant effect on the TBHSPA, the proposed development would be considered acceptable in planning terms in this regard.

Conclusion

The development is identical to the recent application considered by planning committee and currently at 'non-determined' appeal.

There is no objection to the principle of the development and the proposal would deliver a net increase of eight new homes in a sustainable location. The development would not harmfully affect the character or the appearance of the surrounding area, including the setting of the adjacent Wey Navigation Conservation Area and would not materially impact on the residential amenities currently enjoyed by the occupants of the surrounding properties. Subject to the recommended conditions there will be no adverse impact on the ecology of the site or surroundings. The development would not give rise to conditions prejudicial to highway safety and would not impact on the Thames Basin Heaths Special Protection Area.

Subject to the conditions and the completion of a s106 Agreement to secure the necessary SANG and SAMM contributions, the application is deemed to be acceptable and the application is recommended for approval.

Planning Committee

2 February 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)

<p>1.</p>	<p>Alex Jordan (Round Tree Developments Ltd) Round Tree Farm, The Street, West Horsley, KT24 6HW</p> <p>20/P/02122 – The development proposed is for the conversion of three agricultural barns to form a detached dwelling and an associated garage.</p> <p>Delegated Decision: non-determination</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The main issues are whether the proposal would represent inappropriate development in the Metropolitan Green Belt (the Green Belt), and if inappropriate development, the effect of the proposal on the openness of the Green Belt, and whether any harm by reason of inappropriateness, or any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development, • sustainability, and; • the effect of the proposal on the Thames Basin Heaths Special Protection Area (SPA). • The appeal site is located in the Green Belt and the 400m to 5km zone of the SPA near to the settlement of West Horsley. The immediate built environment is typified by loose-knit development bordered by agricultural type fields that is strung along the main road known as ‘The Street’. The site is accessed via a short turning near to the junction with ‘Long Reach’ which leads to a farm courtyard type area that is flanked by a number of modest dwellings and a range of agricultural and livestock barns. • The proposal is to convert the three agricultural barns and the single-storey building into a 3 bedroom residential dwelling with a garage and a garden. • It has been brought to my attention that there are two prior approval schemes¹ adjacent to the appeal site and that there is an extant permission for the conversion of the barns into a single dwelling.² These are noted. However, I have limited details of the prior approval schemes before me, and the extant permission is for a scheme of a different scale altogether to the proposed development and does not include the portal frame building. Therefore, as is correct I have considered the proposal on its own planning merits. 	<p>DISMISSED</p>
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<ul style="list-style-type: none"> • Whereas, the portal frame building, which is an essential component of the proposal, has a more contemporary open-steel framework with a relatively light-weight corrugated metal roof and a rough unmade floor. As such, whether the proposed development would retain the architectural form and appearance of the buildings or not, to wholly convert the combined barns into a residential dwelling would require extensive construction works to the portal structure. Therefore, in the planning judgement, I conclude that the requirements for an exception included in Paragraph 50(d) of the Framework have not been met. It follows then that the development would be inappropriate development in the Green Belt. • Given the timber-frame barn and store have stood on the site for many years, I acknowledge that the loss of openness that would be directly attributable to these sections of the proposal would not be great in itself. However, the portal structure would be transformed from a simple open-sided agricultural type barn into a solid and enclosed building with timber clad elevations and urban style fenestration. Indeed, the resultant dwelling would be substantially larger than the existing buildings. Therefore, in comparison to the existing open-sided building, this section of the proposal would have a stark and abrupt visual impact on the Green Belt, particularly when viewed from 'Long Reach' and the surrounding fields. Furthermore, the single-storey building would be extended to one side to form a garage, and hence be of some bulk and mass in comparison to the existing building. • Consequently, when considered as a whole, I conclude that the proposal is inappropriate development that would materially harm the openness of the Green Belt. • I have found that the proposal is inappropriate development that would erode the essential characteristics of the openness of the Green Belt. Furthermore, the substantial weight to be given to Green Belt harm is not clearly outweighed by the other considerations sufficient to demonstrate that very special circumstances exist. • Accordingly, the proposal does not meet the requirements of Policy P2 of the Guildford Borough Local Plan strategy and sites 2019 (GBLP), which says, amongst other things, that Green Belt will continue to be protected against inappropriate development in accordance with the Framework. • For similar reasons, the proposal is contrary to Paragraph 147 of the Framework which says that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. • The Council contend that the details of sustainable design and construction practice related to the proposal are less than ideal. Nonetheless the appellant forwards in the submitted statement of case that the re-use of the buildings would have environmental benefits including the use of renewable and sustainable technologies. I also acknowledge the relative proximity of the proposal to the village of West Horsley. However, from the minimal evidence before me, I cannot be certain if the proposal would achieve aims such as, but not limited to, the reduction of carbon emissions, and the requirements of Policy D2 of the GBLP, or that these requirements could met through the imposition of a condition(s). • I conclude therefore, that the proposal would not meet the aims of Policy D2 (1 & 3) of the GBLP, which requires that conversion and 	
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	<p>extensions to existing buildings should include information setting out how sustainable design and construction practice will be incorporated, and the Framework when read as a whole.</p> <ul style="list-style-type: none"> • The appeal site is located in the SPA and is therefore, subject to the Habitat Regulations which protect the SPA. If I had come to a different conclusion, it would have been necessary for me as a competent authority to undertake an ‘Appropriate Assessment’ and give further consideration to the likely effectiveness of any mitigation measures, including the appellants recently submitted Unilateral Undertaking. However, as I have found against the appellant on the main issues, and therefore planning permission is to be refused, this matter need not be considered any further in this case. • For the reasons given above I conclude that the appeal should be dismissed. 	
<p>2.</p>	<p>Mr Mark Brown (Brofam 2 Ltd) 37 Beechgrove Guildford, GU2 7UZ</p> <p>21/W/00010 – The development proposed is described as the erection of a single storey rear extension which would extend beyond the rear wall of the original dwelling house by 6m, with a maximum height of 4m at the highest point and a maximum height of 3m at eaves. The extension to be built with materials consistent with, and or to match, the existing dwelling house.</p> <p>Delegated Decision – To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The main issue is whether the proposed extension meets the requirements of Class A, having regard to the information provided with the application. • The appeal property is a semi-detached house with a detached garage in the rear garden, on one side. In order to benefit from permitted development rights, the proposed extension must meet the requirements set out in paragraph A.4(2) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO). • There is no dispute that the information required by paragraph A.4(2)(c)(d) and (e) was provided. The application form included a written description of the proposed development and dimensions sufficient to comply with the requirements set out in A.4(2)(a)(i),(ii)(iii) and (iv). Paragraph A.4(2)(b) requires the provision of a plan. Although not to scale, the submitted plan includes a scale bar and shows the site and the development adequately. • However, the plan also shows that an extension of the size proposed could not be constructed without overlapping, and having an effect on, the existing garage. The appellant suggests that it would be demolished or moved. Nonetheless, there is no plan to indicate precisely how the garage would be altered. Without clear plans, either the proposed extension could not be built, as the garage is in the way, or it would be joined onto the garage. This would have implications for the overall size of the extension and how it should be assessed against the requirements of the GPDO, including paragraph A.1(g)(i). Moreover, in these circumstances it would not, therefore, be 	<p>DISMISSED</p>

	<p>appropriate to impose a condition to secure any changes to the garage that would be necessary in order to permit the extension.</p> <ul style="list-style-type: none"> • Consequently, with regard to paragraph A.4(3)(b), there is insufficient information to establish that the proposed development would comply with the provisions applicable to development permitted by Class A which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g). • For the reasons given above, I therefore conclude that the appeal should not succeed. 	
<p>3.</p>	<p>Mr J Wood Shepherds Hill, Broadfield Road, Peaslake GU5 9TB</p> <p>21/P/00282 – The application sought planning permission for the erection of a detached two storey five bedroom house with basement and integral double garage (part retrospective application) without complying with a condition attached to planning permission Ref 16/P/01356, dated 18 August 2016.</p> <p>The condition in dispute is No 2 which states that: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, B, C, D, E shall be carried out on the dwellinghouse(s) hereby permitted or within their curtilage.</p> <p>The reason given for the condition is: The local planning authority wishes to retain control over any future extensions / outbuildings at the property, in order to safeguard the character of the area.</p> <p>Delegated Decision – To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • Planning permission was previously granted (Ref: 16/P/01356) at the appeal site for the erection of a detached 2-storey 5 bedroom house with a basement and an integral double garage. That permission included a condition restricting permitted development rights in relation to Schedule 2, Part 1, Classes A, B, C, D, and E of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPD0). The appellant seeks to remove the reference to Class E in that condition (retaining the reference to Classes A, B, C and D). • The Council’s decision notice states that the reinstatement of permitted development rights would allow uncontrolled development to take place within the Green Belt, resulting in the incremental erosion of the openness of the Green Belt and would be contrary to the purpose of including land within the Green Belt. The main issue in this appeal therefore is whether the reference to Class E in the disputed condition is reasonable and necessary in the interests of protecting the openness of the Green Belt and the purposes of including land within the Green Belt. • The appeal site contains a large detached house set within an expansive plot. The driveway and garden is enveloped by a substantial area of natural meadow on 2 sides, beyond which lie open fields. Due 	<p>DISMISSED</p>

	<p>to the sloping nature of parts of the site, the house and the meadow is positioned in a prominent position in the landscape. The site is within the Surrey Hills Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value (AGLV).</p> <ul style="list-style-type: none"> • The house on site has been described as a ‘substantial replacement dwelling’ by the Council, and this has not been disputed by the appellant. The Officer’s Report for the planning application for the house stated that it would be approximately 49% larger than the previous dwelling on site. As such, the openness of the Green Belt has been materially reduced by its erection, albeit to a degree previously found acceptable by the Council. • Thus, taking account of both the PPG and paragraphs 54 and 56 of the Framework, I therefore find that the reference to Class E in the disputed condition is reasonable and necessary in the interests of protecting the openness of the Green Belt and the purpose of including land within the Green Belt. Consequently, the proposal to remove Class E from condition 2 is contrary to Policy P2 of the Guildford borough Local Plan strategy and sites 2015 – 2034 (adopted 2019), which provides that, amongst other things, the Metropolitan Green Belt will continue to be protected against inappropriate development in accordance with the Framework, and with the provisions of section 13 of the Framework, which seeks to protect the Green Belt against inappropriate development and to maintain its openness. • For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal is dismissed. • COSTS • Mr J Wood against Guildford Borough Council • The Council did not refer to the PPG in their Officer’s Report for application Ref 21/P/00282. The appellant has also referred to a lack of reasoning in the Officer’s Report for Ref 16/P/01356, with respect to the justification for the inclusion of Class E1 in the disputed condition. • Both issues relate to periods during the determination of the planning applications 16/P/01356 and 21/P/00282. The PPG states that costs cannot be claimed for the period during the determination of the planning application and can only be claimed for unnecessary or wasted expense at the appeal2. • In my appeal decision I have considered the PPG and the National Planning Policy Framework (the Framework) and I have agreed with the Council that the reference to Class E in the disputed condition is reasonable and necessary. The Council’s Officer’s Report for the latter application considered the Framework and the ‘6 tests’ and concludes that the condition meets the tests. As such, whilst the Council may have usefully referred to the PPG within their 21/P/00282 report and provided more justification for 16/P/01356, I do not consider that this has resulted in unnecessary or wasted expense in the appeal process. • I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated. Accordingly, I determine that the costs application should fail, and no award is made. 	<p style="text-align: center;">REFUSED</p>
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<p>4.</p>	<p>Mr Richard Barter (Millgate Developments Ltd) Land at Church Street, Effingham, Leatherhead, KT24 5NA</p> <p>19/P/01726 – The development proposed is for the erection of 17 No dwellings, plus access, parking and landscaping.</p> <p>Officer Recommendation: To Approve Planning Committee: 3 February 2021 Committee Decision: To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The main issues are whether the proposal would preserve or enhance the character or appearance of the Effingham Conservation Area and the setting of the surrounding listed buildings, housing mix, and; planning obligations. • The appeal site is located within the Effingham Conservation Area (CA) and is a grass covered field that is accessed via rising turning head on the eastern side of Church Street near to the junction with Lower Road. The site is lined by hedging and trees and slopes up to meet with the walled graveyard attached to the Grade II* listed St Lawrence’s Church (the Church) and is bounded on the other sides by loose-knit residential development, including the Grade II listed building known as ‘The Lodge’. • The proposal would see the erection of 17 dwellings comprising 12 houses and 5 flats, with gardens, landscaping and parking that would be constructed in traditional style materials. There would be a new access that would lead onto a service road, and an extension to the Church graveyard would be formed to the south-west corner of the appeal site. • Policy ENP-SA1 of the adopted Effingham Neighbourhood Plan 2018 (NP) recognises that some form of development and change would occur at this location although limits the site to the small scale development of 9 dwellings. However, the more recent policies contained within the later Guildford Borough Local Plan: strategy and sites 2019 (GLP 2019) has resulted in the site having been removed from the Green Belt. The appellants argue that the effect of such removal means that the previous limitation of the number of units set out in the NP should no longer apply. Although policies in a later Development Plan would ordinarily prevail, in this instance, I am cognizant of the location of the site within the designated CA and have undertaken my assessment with the CA’s characteristics and significance in mind. • The special character and significance of the CA is derived from bespoke dwellings of different sizes and types with relatively simple elevations that are set next to the unlit highway on irregular plots which do not have a consistent built line or rhythm. The properties have proportionate garden spaces, some of which border the main highway at a right angle. Together the dwellings form an attractive traditional grouping within the CA, that is softened by some relatively ‘open’ spaces such as the appeal site and the nearby graveyard. • while the submitted drawings show that 17 dwellings would be possible on the appeal site, the space around the proposed dwellings would be relatively tight and disproportionate to the overall scale of the building plots. Indeed, although the gardens separate the proposed dwellings from the appeal site boundary and the retained ‘tree-belt’, they would 	<p>DISMISSED</p>
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	<p>fail to provide spatial relief in an otherwise compressed urban type grain of what is proposed that also includes a number of side parking spaces and parking barns. The garden spaces to the front of the new dwellings and the addition of more 'open' space would not be adequate mitigation. Therefore, the proposal would contrast unacceptably with the proportionate garden plots of the dwellings seen along Church Street.</p> <ul style="list-style-type: none"> • I noted that the appeal site is lined by trees and hedges. However, notwithstanding the addition of an extended burial ground, the proposal would be in close proximity to the Church and would erode the spaciousness provided by the appeal site. Therefore, it is likely that the scale and mass of development would be seen from the raised churchyard as a minimum at less leafy times of the year and detract from the prevailing character and appearance of the CA. Overall, I find that the proposal would fail to preserve or enhance the character and appearance of the CA. • the proposal does not meet the aims of Policies ENP-SA1 and ENP-G2 of the NP, Policies D1 and D3 of the GLP 2019, and Policies, G5, HE4, HE6, HE7 and HE10 of the saved Guildford Borough Local Plan 2003 (GLP 2003) which say, amongst other things, that new development should preserve or enhance the character or appearance of the conservation area, and that planning permission will not be granted for development that adversely affects the setting of a listed building by virtue of design, proximity or impact on significant views, and the relevant parts of Chapters 12 and 16 of the Framework. • I have found that the proposed development would fail to preserve or enhance the character and appearance of the CA. It would also have a harmful effect on the significance and setting of the nearby listed Church. In accordance with Paragraph 202 of the Framework, I am required to assess the extent of such harm. In the context of both the CA and listed buildings, I find that the harm would be less than substantial, although I would agree with the Council that this would be in the upper end of such harms. These are to be balanced against the public benefits arising from the proposal and I will return to this later in my decision. • I conclude therefore, that the proposal is contrary to ENP-H2 of the NP and Policy H1 of the GLP 2019, which says that new residential development is required to deliver a wide choice of homes to meet a range of accommodation needs as set out in the latest SHMA. New development should provide a mix of housing tenures, types and sizes appropriate to the site size, characteristics and location, and the Framework when read as a whole. • Whilst I have found in favour of the appellant on the third main issue, this does not justify the harm identified in the first and second main issues. The proposed development would conflict with the adopted development plan in these respects and there are no material considerations indicating a decision otherwise than in accordance with it. • For the reasons given above I conclude that the appeal should be dismissed. 	
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<p>5.</p>	<p>Mr and Mrs Garthwaite 7 Austen Road, Guildford, GU1 3NW</p> <p>20/P/01412 –The development proposed is extensions to existing dwelling including a two storey side extension, a single storey rear extension, alterations to the on-site parking and replacement windows; all together with minor internal alterations.</p> <p>Delegated Decision: To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The main issue is whether the proposal preserves or enhances the character or appearance of the Waterden Road Conservation Area. • The appeal site is a detached house in the Waterden Road Conservation Area and therefore I have had regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. This is reflected in Local Plan (2019)1 Policy D3, Local Plan (2003)2 Policy HE7 and the National Planning Policy Framework3. • The house is on four floors and at the time of my site visit the dwelling was vacant and work was underway for its refurbishment. Of the elements proposed, the reason for refusal refers only to the proposed roof arrangement. The proposal would alter or add accommodation on all four floors but most noticeable from the street would be the extension of the second floor which would result in alterations to the appearance of the roof. In terms of the effect of the proposed works on the Conservation Area, I agree with the Council that that this element would have the most significant impact on the character and appearance of the Conservation Area. • The existing roof arrangement is part of the character of the existing house with its pitched design set behind a parapet. The roof is not the principal feature of the house but blends in simply and proportionally with the more ornate front facade and tall chimneys. The proposal would detract from this by creating a more noticeable feature at roof level. This would appear contrived and incongruous and detract from the overall character and appearance of the house. • I note that there are other designs of houses in the area and the immediate neighbour is quite different in design and in particular, has a much more prominent roof, as do others in the area. However, I consider that the appeal site makes an important contribution to the character and appearance of the area and therefore alterations, particularly those most visible in the street scene, require a greater sensitivity than the proposal offers. • I have considered all matters raised but none alter my conclusion. I conclude that the proposal would not preserve or enhance the character or appearance of the Waterden Road Conservation Area. It would conflict with Policies D3 and HE7 and the Framework and therefore the appeal fails. 	<p>DISMISSED</p>
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<p>6.</p>	<p>Mr & Mrs Porter 81 Saffron Platt, Guildford, Surrey, GU2 9XY</p> <p>21/P/01396 – The development proposed is proposed single storey rear and side extension following demolition of existing rear extension.</p> <p>Delegated Decision: To Refuse</p> <ul style="list-style-type: none"> • The main issue is the effect of the proposed dormer and rear extension on the character and appearance of the area. • The appeal site is a semi-detached bungalow and the dormer window would introduce a new feature into the front roof slope. It would be set back from the eaves but its pitched roof would extend up to the height of the ridge of the main roof. Given that this is a semi-detached property, the dormer would be prominent and out of keeping with the style and appearance of the pair of bungalows. Dormer windows are not a common feature on the front of properties in the area thereby making this one particularly prominent and uncharacteristic. I therefore consider that this aspect of the proposal would be harmful to the character and appearance of the area. • The rear extension would involve the demolition of an existing extension which due to the land levels is elevated above the level of the rear garden. Whilst the proposed extension would extend a short distance beyond the rear wall of the existing extension it would be noticeably wider. It would be set back from the shared boundary with the attached bungalow but would extend further out to the other side of the existing dwelling. This added width and the design of the roof would give the appearance of a poorly contrived addition to the rear of the house. It would fail to respect the form, scale or character of the existing bungalow. • Local Plan (2019)¹ Policy D1 requires all new development to be of a high quality of design that responds to local character. Local Plan (2003)² Policy G5 sets out design requirements for new development. The Council's SPD³ also sets out design principles which seek to ensure that house extensions and alterations are appropriate to the character and appearance of the existing property and the existing street scene around the property. The SPD also advises more specifically on rear extensions and dormer windows. The National Planning Policy Framework⁴ and the National Design Guide⁵ also cites the importance of good design. • I find that the dormer window would introduce an element into the front elevation of the house that would be prominent and out of keeping with the design and character of the bungalow. It would therefore conflict with policies D1, G5 and the advice in the SPD. I appreciate that the main impact of the rear extension would be to the rear of the property but the appearance of the bungalow contributes to the overall character and appearance of the area. The scale and design of the rear extension would fail to respect or make a positive contribution to the existing property which in turn impacts on the area generally. • I have considered all matters raised but none alter my conclusion. I conclude that the proposed dormer and rear extension would have a harmful effect on the character and appearance of the area and conflict with the policies referred to above. The appeal therefore fails. 	<p>DISMISSED</p>
<p>7.</p>	<p>Charlotte & Hamilton Pfister & Chapman</p>	

<p>77 Pewley Way, Guildford GU1 3QB</p> <p>21/P/00510 - The development proposed is construction of two storey side extension with integral garage, following demolition of existing garage, single storey rear extension providing enlarged kitchen area, window bay to the front elevation and new porch over altered entrance. Proposed works to also include changes to the appearance of the elevations with new windows and doors, tile hanging and complete render of the dwelling.</p> <p>Delegated Decision: To Refuse</p> <ul style="list-style-type: none"> • I consider that the main issues are the effect of the proposal on (1) the character and appearance of the area; and (2) the living conditions of the occupiers of the neighbouring property, 79 Pewley Way. • The appeal site is a detached house on the corner of Pewley Way and Addison Road set in a triangular shaped plot extending along Addison Road. Whilst its address is Pewley Way, the front door is actually on Addison Road along with a driveway and garage. The house has previously been extended. • The proposal would involve a fairly extensive refurbishment and new build including a two storey side extension on its northern end. This would replace a single storey attached garage. Previous extensions have elongated the appearance of the house and although a single storey element would be removed, its replacement with the proposed two storey extension would emphasise the linear appearance of the house and its prominence on this corner location. • In terms of the street scene, I find no harm from the other works proposed for the house as there is a mix of detailing to housing in the area and tile hangings and render in particular are not unusual. The proposal overall would include extensive alterations to the appearance of the house but the side extension in particular would not reflect the style or design of the existing house but would appear at odds to its general character and appearance. The dormer window and the half hipped roof emphasise this. • Local Plan (2019)¹ Policy D1 requires all new development to be of a high quality of design that responds to local character. Local Plan (2003)² Policy G5 sets out design requirements for new development and Policy H8 sets out criteria for extensions to dwellings in urban areas. The Council's SPD³ also sets out design principles which seek to ensure that house extensions and alterations are appropriate to the character and appearance of the existing property and the existing street scene around the property. The National Planning Policy Framework⁴ also cites the importance of good design. • I consider that the proposal would conflict with these policies with regard to this issue and therefore find that the proposal would have a harmful effect on the character and appearance of the area. • The appeal site, No 77 is almost at right angles to its neighbour, No 79 and the proposal would include a first floor terrace/balcony as well as a Juliette balcony to the master bedroom. The roof terrace/balcony in particular would provide elevated outdoor amenity space from which it would be possible to look towards the rear of No 79. I note that there is already some overlooking from upper floor windows and from an informal roof area accessed from a first floor bedroom. The latter would have limited use due to its lack of railings but a purpose built 	<p>DISMISSED</p>
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	<p>terrace/balcony would create a more permanent useable area from which to overlook No 79. I noted on my site visit that there was substantial vegetation that provided some screening and any overlooking would be at an angle. Although this angle and the vegetation, should it remain, lessen any actual overlooking, the relationship between the two properties would at the very least create a perception of overlooking that would impact on the living conditions of the occupiers of No 79.</p> <ul style="list-style-type: none"> • Local Plan (2003) Policy G1(3) seeks to protect the amenities of nearby occupiers from unneighbourly development in terms of privacy, amongst other things. This is reflected in the SPD. I consider that the outside terrace/balcony would impact on the neighbour's privacy in conflict with this policy and SPD. On this issue therefore I consider that the proposal would have a harmful effect on the living conditions of the occupiers of No 79. • I have found that the proposal would be unacceptable in terms of its effect on the character and appearance of the area and on the living conditions of the occupiers of the neighbouring property. In particular, the two storey side extension and the creation of a terrace/balcony to the rear would be unacceptable. I have considered all matters raised but none alter my conclusion. • I conclude that the proposal, and in particular the two storey side extension would have a harmful effect on the character and appearance of the area and the rear terrace / balcony would harm the living conditions of the occupiers of the neighbouring property, 79 Pewley Way. As such the proposal would conflict with Local Plan (2019) Policy D1 and Local Plan (2003) policies G5, H8 and G1(3), the Council SPD and the Framework. The appeal therefore fails. 	
<p>8.</p>	<p>Dr Bridget Jones 103 Poyle Road, Tongham GU10 1DY</p> <p>21/P/00765 - The development proposed is demolition of existing conservatory and erection of a two-storey side/rear extension / alterations to roof and new front dormer.</p> <p>Delegated Decision – To refuse</p> <ul style="list-style-type: none"> • I consider that the main issue is the effect of the proposal on the character and appearance of the area. • The appeal site is a detached dwelling that has been extensively extended. The rear of the dwelling in particular bears little resemblance to the more traditional style and character of the dwelling as it appears from Poyle Road. Previous additions appear somewhat disjointed and out of keeping with the form and character of what would have originally been a fairly traditional bungalow. The proposed two-storey element of the proposal would be to the rear but would add to the lack of cohesiveness in the appearance of No 103. It would be large, bulky and at odds with the character of the dwelling. • The proposal would also alter the shape of the roof as seen from the road and add an additional dormer window. The Council does not seem to have raised any particular objection to these elements of the proposal but they do form part of the overall alterations proposed and so contribute to the total lack of respect to the style, proportions and 	<p>DISMISSED</p>

	<p>appearance of the dwelling and add to the confused and disjointed appearance of the house.</p> <ul style="list-style-type: none"> • Whilst I do not consider that the previous extensions have been particularly sympathetic to the original design of No 103, the proposal would do little to bring a cohesiveness back to the style of this property. The proposed alterations and extensions would contribute to the confused and disproportionate additions and alterations and conflict with the objectives of the policies referred to above. • I appreciate that the main impact of the proposal is to the rear of the property but the character of No 103 contributes to the overall character and appearance of the area and the effect of the proposal would fail to respect or make a positive contribution to the existing property which in turn impacts on the area generally. I note that the relatively new development to the east of the appeal site introduces dwellings of a different style and scale than those in the area generally but this does not justify the proposed alterations and extensions to this property. I have considered all other matters raised but none alter my conclusion. • I conclude that the proposal would have a harmful effect on the character and appearance of the area, it would conflict with the policies referred to above and therefore the appeal fails. 	
<p>9.</p>	<p>Mr J Andrews 87 Bushy Hill Drive, Guildford, Surrey, GU1 2UG</p> <p>21/P/01066 - The development proposed is proposed first floor rear extension.</p> <p>Delegated Decision – To Refuse</p> <ul style="list-style-type: none"> • I consider that the main issue is the effect of the extension on the living conditions of the occupiers of the adjoining property, 89 Bushy Hill Drive. • The appeal site is a semi-detached house that has an existing single storey rear extension that is elevated above the level of the rear garden. The proposal would add accommodation above providing additional first floor living accommodation. The adjoining house has not been extended to the rear. • Local Plan (2003)1 Policy H8 sets out criteria for extensions to dwellings in urban areas and, amongst other things, supports extensions that do not have an unacceptable effect on the amenities enjoyed by the occupants of adjacent buildings in terms of privacy and access to sunlight and daylight. The Council's SPD2 also sets out guidance to ensure that extensions do not have an adverse impact on neighbours' amenity. • The neighbouring house, No 89 lies to the north of the appeal site so it is likely that the existing extension causes some loss of light to the existing ground floor and outdoor amenity space. The existing extension has a flat roof but the proposal would add another floor with a pitched roof very close to the boundary with No 89. Whilst there is some question about whether the first floor windows to No 89 serve habitable rooms or not, the added height, close to the boundary would have an impact on No 89. From my observations it would seem that the upper floor windows of No 89 serve a bathroom and a landing and so the impact on them would not be as significant than if they were 	<p>DISMISSED</p>

	<p>bedrooms. This does not rule out my concern about the impact on the ground floor and the neighbours' amenity space.</p> <ul style="list-style-type: none"> • Given that the proposed extension would be for most of the width of the existing house and very close to the boundary, I consider it likely that any loss of light to the occupiers of the neighbouring house would be exacerbated. This would conflict with Policy H8 and the SPD. I also consider that the extension would appear quite overbearing when viewed from No 89. • I have considered all matters raised including the other policies referred to but none alter my conclusion. I conclude that the proposal would have a harmful effect on the living conditions of the occupiers on No 89, it would conflict with Policy H8 and the SPD and therefore the appeal fails. 	
<p>10.</p>	<p>Miss F Tufail 3 Malthouse Cottages, Goose Green, Gomshall, Guildford, GU5 9LW</p> <p>20/P/01572 - The works proposed are a single storey rear extension and internal alterations.</p> <p>Delegated Decision – To Refuse</p> <ul style="list-style-type: none"> • The main issue in this appeal is the effects of the works on the significance of the listed building. • The appeal relates to this mid-terrace property which forms one of 4 dwellings said to have originated in the 16th Century. The terrace is grade II listed. The terrace is formed by the timber-framed structure with exposed timber-work and white-washed render infill. No 3 is a modest dwelling with its 2 rooms on the ground floor and 2 at the first floor and a more recently added conservatory extension at the rear of the ground floor. • The proposal seeks to extend the rear conservatory and provide a new roof form over it and the existing conservatory. The internal alterations would result in the removal of the rear wall that currently separates the conservatory from the original dwelling. • The existing roof is a simple pitch, sloping down from the rear wall of the house. The proposal would add a modest additional length (of around 1.2m) to the conservatory and the new roof would be predominantly flat but the end section would be constructed as a short pitched element. I consider that the end pitched section of roof would appear truncated and awkward. It would contrast with the flat section of roof and would not appear as a coherent addition to the house but an extension with differing features which would contrast with the simple form of the original building, rather than harmonising with it. I noted the rear additions at Nos 1 and 4 within the terrace and these appear simpler and do not represent precedents for the proposal, in my judgement. • The existing wall which divides the main dwelling from the conservatory is likely to be the original rear wall of the building, or represents the location of it. It contains a solid timber door and a window. The appellant suggests that the pier between the door and the window may not be original but offers no evidence to substantiate this claim. The pier is of brickwork and there is some exposed timber-work above the window on the rear elevation. This rear wall represents the original outside wall of the building and it helps to retain the original compartmentalised division 	<p>DISMISSED</p>

	<p>of rooms, separating the original rear room from the conservatory addition.</p> <ul style="list-style-type: none"> • I consider that the removal of the door, window and pier would involve the likely loss of original fabric and it would result in the loss of the compartmentalised nature of the rooms on the ground floor, significantly blurring the distinction between the original room and the new addition. Combined with the unacceptable roof form, this would harm the significance of the listed building. I appreciate that these are parts of the building that are not seen from public vantage points but the proposal would still result in harm. • I consider that the level of harm that would arise from the proposal amounts to 'less than substantial' harm, as set out in the National Planning Policy Framework. The Framework states that great weight should be given to a historic asset's conservation, irrespective of the level of harm and that any harm should require clear and convincing justification. The appellant indicates that the existing conservatory has poorly detailed flashing and that the shallow pitch results in soiling of the roof. Whilst I acknowledge these points, and the fact that the proposal would result in improved accommodation for the appellant, these do not outweigh the harm that I have identified. • The proposal would fail to preserve the historic significance of this listed building and there are no public benefits that would outweigh the harm. The proposal is contrary to Policy D3 of the 'Guildford Borough Local Plan, Strategy and Sites' and there is nothing to outweigh that conflict. As a consequence, the appeal is dismissed. 	
<p>11.</p>	<p>Messrs D & C Beaghan & Taylor Inner Court, Pewley Hill, Guildford GU1 3SP</p> <p>20/P/00941 - The development was originally described as: 'a proposal to infill the Concrete Moat which sits around two sides of the house for safety and preservation reasons; attached document has full details of the proposal.'</p> <p>Delegated Decision – To Refuse</p> <ul style="list-style-type: none"> • The main issue is the effect of the proposal on the heritage asset, having regard to the requirements of local and national policy. • Based on the evidence before me, the appeal site is situated within an area of high archaeological importance. The moat has a clear association with Pewley Fort, a late 19th Century mobilisation centre that formed part of the London Defence Scheme devised in the 1880s. The Fort was one of a series of structures that were built across south and east London, and a number of these are now Scheduled Ancient Monuments. The evidence demonstrates that Pewley Fort has been acknowledged as being of national importance, but due to previous residential development, the site has been altered to such a degree that it is not worthy of being Scheduled. This includes much of the moat having already been infilled. • Due to its lack of specific protection or designation, using the terms of the National Planning Policy Framework (the Framework), the moat should be classified as a non-designated heritage asset. Much of the moat has already been infilled, most likely related to previous residential development, however, as identified above, the element that has been retained has demonstrable historic value. 	<p>DISMISSED</p>

<ul style="list-style-type: none"> • The archaeological value of the site is clear, although the extent of its value is not entirely common ground between the parties. Despite this, due to its similarity to, and association with other sites in different locations which are Scheduled Ancient Monuments, I am satisfied that the approach identified in Footnote 68 is the appropriate way in which to assess the proposal. • On this basis, due to the nature of the proposal which would be reversible and would seek to demark the location of the moat, I agree with the Council that the proposal would cause less than substantial harm to the heritage asset. Consequently, Paragraph 202 of the Framework requires that this harm be weighed against the public benefits of the proposal. • Although the level of harm would be less than substantial, the works would be significant and intrusive. Accordingly, in my view, the level of harm would be at the higher end of the less than substantial harm scale. When giving great weight to the asset's conservation, I am entirely satisfied that this outweighs the public benefits that have been identified by the appellant. • Even if I found that the provisions of Footnote 68 were not applicable, Paragraph 203 of the Framework still requires a balanced judgement having regard to the scale of any harm or loss, and the significance of the non-designated heritage asset. On this basis, for the reasons identified above, I still find that the balance lies with the asset, rather than the proposal. This is because the works would be substantial and intrusive, and I only attach limited weight to the benefits that would be accrued. I arrive at these findings fully aware of the view of the County Archaeologist. However, based on the evidence before me, I am not entirely satisfied that due regard was had to the correct balancing requirements of the Framework in the comments received. This reduces the weight that I attach to their findings. • Consequently, for the reasons identified above, I conclude that the proposal would have a harmful effect on the heritage asset and that this harm would not be outweighed by public benefits. The proposal would therefore fail to accord with Policies D1 and D3 of the Guildford Borough Local Plan (2019), and Saved Policies G5(3) and G5(9) of the Guildford Borough Local Plan (2003), as well as the requirements of the Framework. Taken together, these seek amongst other things, proposals which conserve and enhance the historic environment in a manner appropriate to its significance. • The appeal should be dismissed. 	
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