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Contact Officer:

Sophie Butcher, Democratic Services Officer
Tel no: 01483 444056

22 February 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 MARCH 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: 532 087 138#.

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

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

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
Vice-Chairman: Councillor Colin Cross

Councillor Jon Askew
Councillor Christopher Barrass
Councillor David Bilbé
Councillor Chris Blow
Councillor Ruth Brothwell
Councillor Angela Goodwin

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

Authorised Substitute Members:

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

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

QUORUM 5

THE COUNCIL'S STRATEGIC FRAMEWORK (2021- 2025)

Our Vision:

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

Our Mission:

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

Our Values:

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

Our strategic priorities:

Homes and Jobs

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

Environment

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

Community

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

AGENDA

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

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

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

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

3 MINUTES (Pages 15 - 22)

To confirm the minutes of the meeting of the Committee held on 2 February 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 23 - 24)

All current applications between numbers 20/P/01057 and 21/P/01456 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/01057 - White Horse Yard, High Street, Ripley, GU23 6BB**
(Pages 25 - 64)

5.2 **20/P/01058 - White Horse Yard, High Street, Ripley, GU23 6BB**
(Pages 65 - 74)

5.3 **21/P/00428 - Howard of Effingham School, Lower Road, Effingham, Leatherhead, KT24 5JR** (Pages 75 - 112)

5.4 **21/P/00976 - Lot 5, Land to the West of Manor Farm Cottages, Westwood Lane, Wanborough, Guildford, GU3 2JF** (Pages 113 - 120)

5.5 **21/P/01456 - Land at Poyle Road, Tongham** (Pages 121 - 152)

6 PLANNING APPEAL DECISIONS (Pages 153 - 180)

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

*Present

PL1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillors Chris Blow, Ruth Brothwell and Colin Cross. Councillors Tony Rooth, Bob McShee and Dennis Booth attended as substitutes respectively. In addition, Councillor David Bilbé sent his apologies with no substitute.

PL2 LOCAL CODE OF CONDUCT - DISCLOSABLE PECUNIARY INTERESTS

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

Councillor Angela Goodwin declared a non-pecuniary interest in the above application by virtue of the fact that she was a Trustee of the Caleb Lovejoy Alms Houses but confirmed that this would not affect her objectivity in considering the application.

PL3 MINUTES

The minutes of the Planning Committee held on 12 January 2022 were approved and signed by the Chairman.

PL4 ANNOUNCEMENTS

The Committee noted the procedures for determining planning applications.

PL5 21/P/01811 - GUILDFORD PLAZA (FORMER BURYMEAD HOUSE), PORTSMOUTH ROAD, GUILDFORD, GU2 4DH

The Committee considered the above-mentioned full application for the 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.

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

- Ms Marie Hanlan (to object)

- Mr Duncan Tindale (Tiger Developments Ltd) (In Support) and;
- Mr Paul Landsberg (Barton Wilmore) (In Support)

The Committee received a presentation from Specialist Development Management Majors, John Busher. The Committee noted the supplementary late sheets which included some typo corrections and one additional late representation from a resident. The application was for the construction of a co-living scheme on the site of the former Burymead House, Portsmouth Road. The development would consist of 301 residential units with an array of internal and external communal areas. The site was located within the town centre and urban area. Burymead House had been demolished in the early 2000's in anticipation of re-development and was an office building up to 10 storeys in height. The site already had two extant planning permissions in place, one for an office development and the second in 2018 for an assisted living scheme which in terms of design was virtually identical to that proposed in this application, except for a different pattern of fenestration and external materials as well as a slight reduction in some building heights. The 2018 scheme was therefore a significant material planning consideration. The site was located within the Millmead and Portsmouth Road Conservation Area as well as a number of listed buildings close to the site including those on Berry Street.

The proposal was split into four individual blocks with each block split into two sections of different heights and roof forms. The height and massing of the buildings were virtually the same as the extant scheme with slight reductions in height compared to the approved scheme. Residents would have their own private studios and living space but was shared with a large area of communal space for residents which included a coffee bar and gym that would be maintained by the owner in perpetuity. Fifty-two of the apartments would have a private communal meal space provided. The outdoor space would be split into an upper courtyard with lower-level seating areas and landscaping.

The Committee noted that despite some minor reductions in height made to the buildings proposed and changes to materials and fenestration, the current proposal was virtually identical to the assisted living scheme which was approved by the Committee in 2018. In terms of design and appearance, officers were still of the view that the proposal was acceptable, subject to conditions to control materials, landscaping and window details. It was also acknowledged that the site was within the Millmead and Portsmouth Road Conservation Area, in close proximity to a number of Grade II listed buildings and the Grade II star listed St Nicolas' Church. Planning officers had concluded that the proposal would result in less than substantial harm to the surrounding heritage assets and that the harm would be at the lower end of that scale and was in accordance with the NPPF. Great weight and considerable importance was afforded to such harm; however, the public benefits of the scheme were considered to outweigh the harm on this occasion. In addition, officers had attributed a moderate level of harm to the lack of any wheelchair accessible dwellings within the scheme. However, the benefits of the proposal were considered to be wide ranging, providing a significant quantum of housing which would meet a demand for smaller accommodation in the town as well as the provision of 67 affordable units. The proposal would also bring a long-term derelict site in a prominent location into reuse and would help to repair the street scene in the area. There would also be economic benefits and improvements to local infrastructure. When taking into account the harm resulting from the scheme and the great weight and importance which must be afforded to the impact on the heritage assets, the planning balance weighed in favour of the application and was therefore recommended for approval subject to a Section 106 Agreement.

The Committee discussed the application and considered that given the extant planning permissions that already existed for this site, the scheme proposed was compliant with planning policy. The Committee recognised the demand for co-living opportunities. The Committee noted that the site had remained a vacant brownfield site for many years and welcomed the development of it. Concern was raised that the accommodation appeared to be geared towards young professionals and there was no mention of couples, single parents or people in

professions such as lorry drivers, shop assistants or people with families who may also have a desire for this sort of accommodation. Clarification was sought from planning officers regarding the allocation of affordable homes and how this allocation would be maintained in perpetuity. The Committee also considered that the open space on Portsmouth Road had a very steep slope and asked planning officers whether it would be levelled out. The Committee was also concerned that all tenants should have adequate access to daylight not just satisfactory access, as alluded to in the planning officers report.

John Busher, planning officer, confirmed that in terms of daylight, it would have been the same situation for the extant scheme. Planning officers had therefore taken a pragmatic approach towards the scheme as a whole in terms of access to daylight for the dwellings, in the rooms and in the communal spaces. The affordable apartments would be let to people on a median wage level of £25,000 per annum or less. The open space provided between Blocks A and C would also be on level land. If tenants were to start a family, then they would need to assess their situation accordingly and move to a larger dwelling as appropriate.

The Committee considered the increase in the number of units to be considerable however also acknowledged that the scheme was located in a sustainable area close to bus, train and cycle networks and would make an ideal purchase for younger people seeking affordable accommodation.

In conclusion, the Committee agreed that on balance the scheme represented a positive contribution towards the housing needs of Guildford. The extant permissions previously secured for the site was a significant material consideration whereby the site had already been considered acceptable for this type of development. The size and massing of the scheme was virtually identical to the extant scheme approved in 2018. The harm caused to the local heritage assets was also outweighed by the benefits of the scheme in helping to plug the gap in the provision of affordable dwellings and overall housing shortage.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Tony Rooth			X
2	Jon Askew	X		
3	Fiona White	X		
4	Dennis Booth	X		
5	Maddy Redpath	X		
6	Bob McShee	X		
7	Pauline Searle	X		
8	Liz Hogger	X		
9	Paul Spooner	X		
10	Marsha Moseley	X		
11	Angela Goodwin	X		
12	Ramsey Nagaty	X		
13	Angela Gunning			X
14	Chris Barrass	X		
	TOTALS	12	0	2

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

RESOLVED to approve application 21/P/01811 subject:

(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.

PL6 21/P/02257 - WATERSIDE FARM COTTAGE, WHARF LANE, SEND, WOKING, GU23 7EJ

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

- Mr Dave Burnett (to object);
- Cllr Pat Oven (on behalf of Send Parish Council) (to object) and;
- Mr Thomas Rumble (Agent) (In Support)

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

The Committee received a presentation from Specialist, Development Management Applications Officer, Katie Williams. The proposed development was identical to that proposed under a previous application, 21/P/01581 which was the subject of a non-determination appeal. This application was considered by the Planning Committee on 1 December 2021 and the Council's decision was that it would have approved the application had an appeal against non-determination not been lodged. The Committee also noted the supplementary late sheets which detailed a correction to the tree report reference.

The application was located within the settlement of Send which had been inset from the Green Belt following the adoption of the 2019 Local Plan. The site was within the corridor of the River Wey, adjacent to the Wey Navigation Conservation Area and also within the 400 metre to 5-kilometre buffer zone of the Thames Basin Heaths Special Protection Area. The site lay outside of flood zones 2 and 3. The site was currently comprised of a detached bungalow and its outbuildings, together with a small area of parking which was currently owned by the Council. The surrounding area included residential properties along Wharf Lane and an area of open space called Heathfield Nature Reserve. A public footpath also ran through to the Wey Navigation.

A new vehicular access was proposed where the existing access to the garages was located and followed the existing hedge line through to a new residential cul-de-sac consisting of semi-detached and detached dwellings. The housing mix was for 2x2 beds, 4x3 beds and 2x4 beds. There was a total of 21 parking spaces, three of which would be allocated for visitors. A parking court was proposed to replace the current garaging replacing the eight garages with eight parking spaces. The existing pedestrian access through to the nature reserve would be retained as well as several mature trees on the site boundaries along with new tree planting. The development offered opportunities to restore and enhance biodiversity and the applicant had submitted an Ecological Management Plan as part of the application which would aim to offset the proposed loss of trees and hedging. With enhanced planting and ecological mitigation measures and also a pre-commencement condition recommended the proposed development was considered by planning officers to not result in harm to the nearby Site of Nature Conservation importance which incorporated the Wey Navigation.

Planning officers had no objection to the principle of development on this site. The proposal would deliver a net increase of seven new homes in a sustainable location. The development would not harmfully affect the character or appearance of the surrounding area including the setting of the adjacent Wey Navigation Conservation Area and would not materially impact on the residential amenities enjoyed by the occupants of the surrounding properties subject to recommended conditions. There would be no adverse impact on the ecology of the site or surroundings, the development would not give rise to conditions prejudicial to highway safety and wouldn't impact on the Thames Basin Heath Special Protection Area (TBHSPA) subject to the conditions and the completion of a Section 106 agreement to secure the necessary SANG and SAMM contributions, the application was deemed to be acceptable.

The Committee discussed the application and whilst sympathetic to the concerns raised by residents, this scheme was identical to the application which the Committee would have approved when considering it at its meeting on 1 December 2021, had it not been submitted for non-determination. In addition, it was confirmed by the planning officer that any concerns regarding SUDs had been dealt with by condition 20, as implemented by Surrey County Council who were the Local Lead Flood Authority. The Committee therefore agreed that the principle of development for this site was acceptable. The S106 Agreement ensured that the Thames Basin Heath Special Protection Area (TBHSPA) was protected by virtue of the SANG and SAMM contributions secured.

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

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Chris Barrass			X
2	Angela Goodwin	X		
3	Jon Askew	X		
4	Paul Spooner	X		
5	Maddy Redpath	X		
6	Fiona White	X		
7	Angela Gunning	X		
8	Liz Hogger	X		
9	Bob McShee	X		
10	Tony Rooth	X		
11	Marsha Moseley	X		
12	Pauline Searle	X		
13	Ramsey Nagaty		X	
14	Dennis Booth			X
	TOTALS	11	1	2

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

RESOLVED to approve application 21/P/02257 subject:

- (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 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.

PL7 20/P/01058 - WHITE HORSE YARD, HIGH STREET, RIPLEY, GU23 6BB

The Committee considered the above-mentioned Listed Building Consent application 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.

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

Mr John Burns (to object) (read by Sophie Butcher, Democratic Services Officer)

The Committee received a presentation from the Specialist Development Management Applications Officer, Katie Williams. The Committee noted that the application site was allocated under Policy 44 of the Local Plan for residential development and retail or service users. The majority of the site had been inset from the Green Belt with just the southern and eastern edges remaining within the Green Belt. The site fronted onto Ripley High Street and the application sought listed Building Consent for the partial demolition of the curtilage listed. A

previous application for residential development on the site was granted at appeal in 2016 and included the demolition of the same section of listed wall as proposed under this current application. The listed wall was associated with the Talbot Hotel which was a Grade II star listed building.

The listed building application sought listed Building consent for the partial demolition of the curtilage listed wall. The same partial demolition was considered under the earlier appeal application where the Inspector allowed the appeal granting the acceptability of creating an opening through the existing wall. The harm caused was considered to be less than substantial and was outweighed by the benefits of enabling the redevelopment of the site, subject to conditions to ensure details were secured for the demolition and repair schedule. The Listed Building Consent could not be implemented until planning permission was secured for residential redevelopment of the site and was therefore recommended for approval.

The Committee queried why it was being asked to decide the Listed Building Consent application before a decision had been made on the actual planning application which was for 26 units. This report referred to the main planning application, stating that a terrace of three dwellings fronting the High Street would enhance the setting of the Conservation Area. If this therefore was part of the consideration of the recommendation to approve, the Committee therefore agreed that it was not in a position to make that decision until it had seen the details of the main planning application. The site was also allocated in the Local Plan A44 for approximately 26 homes and 90 square metres of retail or service units. The Committee agreed to defer this application until both applications could be considered together.

A motion was moved and seconded to defer application 20/P/01058 until it could be considered along with the main application for this site 20/P/01057. (Post meeting note: both applications are now scheduled to be considered by the Planning Committee at its meeting on 2 March 2022).

RECORDED VOTE LIST				
	COUNCILLOR	FOR	AGAINST	ABSTAIN
1	Angela Gunning	X		
2	Maddy Redpath	X		
3	Fiona White	X		
4	Jon Askew	X		
5	Chris Barrass	X		
6	Ramsey Nagaty	X		
7	Bob McShee	X		
8	Paul Spooner	X		
9	Angela Goodwin	X		
10	Tony Rooth	X		
11	Pauline Searle	X		
12	Marsha Moseley			X
13	Dennis Booth	X		
14	Liz Hogger	X		
	TOTALS	13	0	1

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

RESOLVED to defer application 20/P/01058 until it can be considered with application 20/P/01057.

PL8 PLANNING APPEAL DECISIONS

The Committee noted and discussed the planning appeal decisions.

The meeting finished at 9.00 pm

Signed

Chairman

Date

GUILDFORD BOROUGH COUNCIL
PLANNING COMMITTEE INDEX

02/03/2022

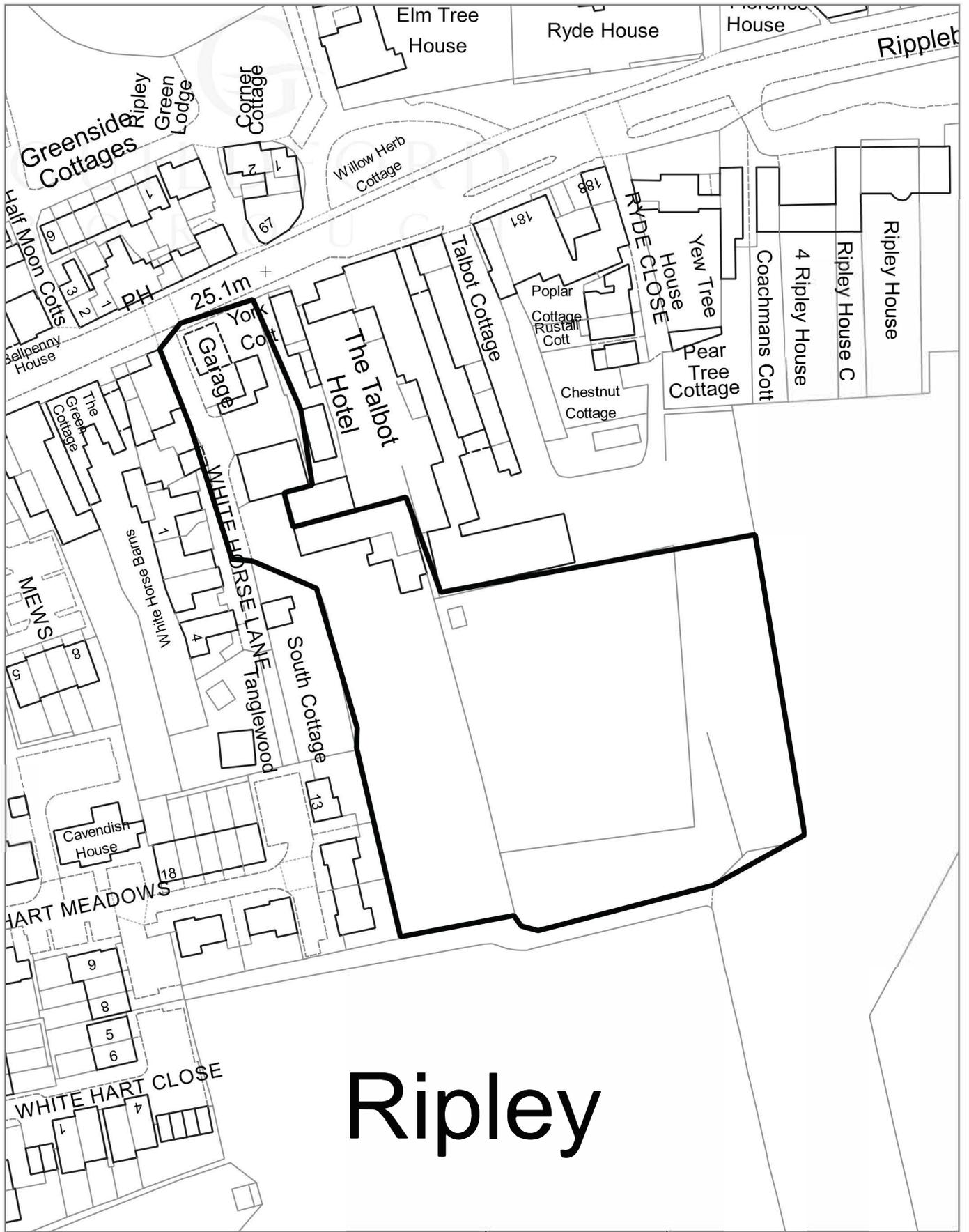
Item No.	Parish	Applicant	Location	App.No.	Rec.	Page
5.1	Lovelace	Mr M Hendy, Shanly Homes Limited	White Horse Yard, High Street, Ripley, GU23 6BB	20/P/01057	S106	25.
5.2	Lovelace	Mr M Hendy, Shanly Homes Limited	White Horse Yard, High Street, Ripley, GU23 6BB	20/P/01058	APPC	65.
5.3	Effingham	Berkley Homes (Southern) Ltd, Berkley House	Howard Of Effingham School, Lower Road, Effingham, Leatherhead, KT24 5JR	21/P/00428	APPC	75.
5.4	Wanborough	Mrs Zhu, 8 Chestnuts	Lot 5, Land to the west of Manor Farm Cottages, Westwood Lane, Wanborough, Guildford, GU3 2JF	21/P/00976	APPC	113.
5.5	Tongham	Bewley Homes Plc, c/o Agent	Land at, Poyle Road, Tongham	21/P/01456	S106	121.

Total Applications for Committee

5

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20/P/01057 - White Horse Yard, High Street, Ripley



Ripley

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Print Date: 11/02/2022

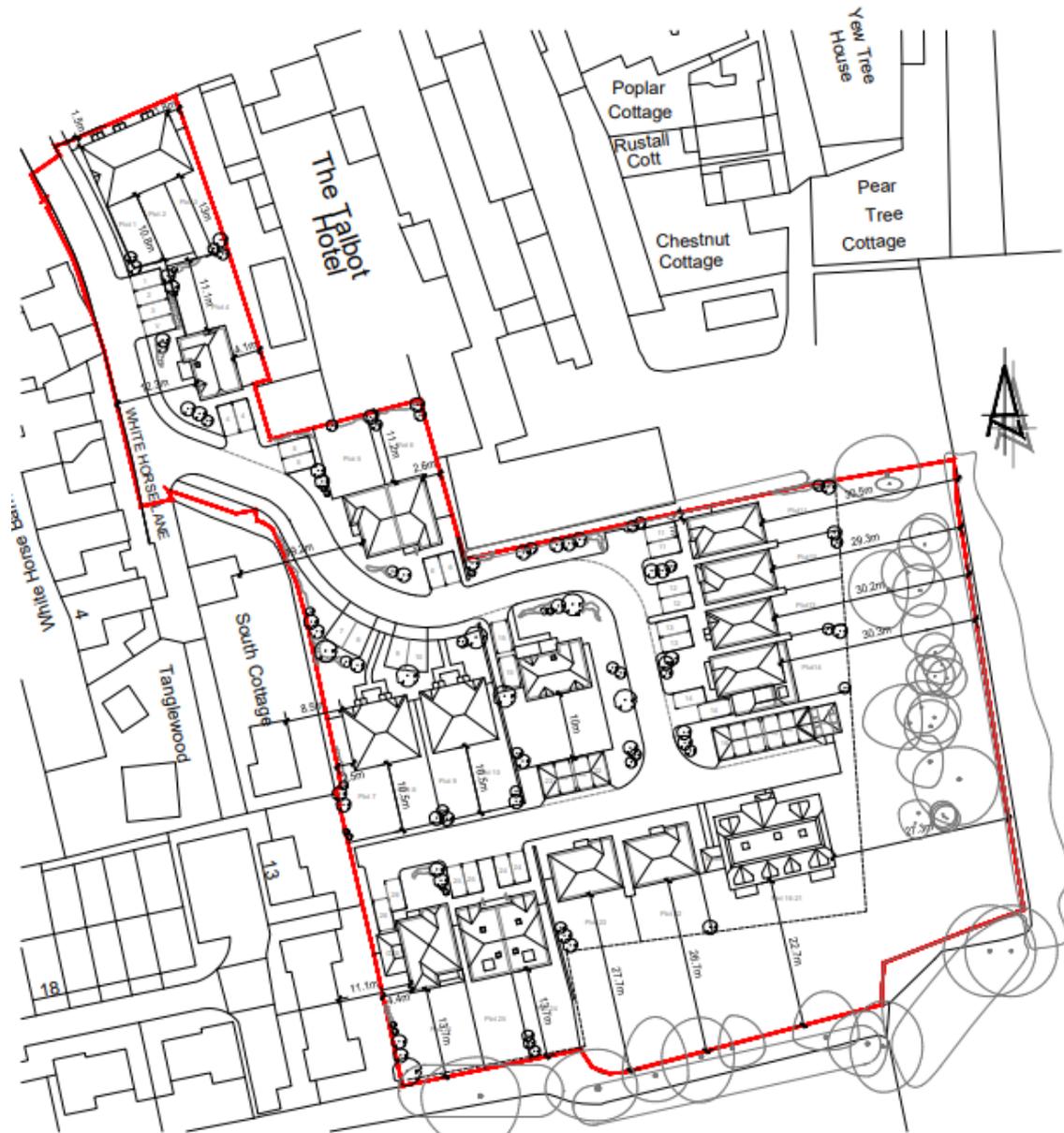


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GUILDFORD
BOROUGH

20/P/01057 – White Horse Yard, High Street, Ripley, GU23 6BB



App No: 20/P/01057 **8 Wk Deadline:** 04/03/2022
Appn Type: Full Application
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: 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.

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

26 homes
2 x 1 bed flats
11 x 2 bed (4 x 2 bed flats, 7 x 2 bed houses)
7 x 3 bed houses
6 x 4 bed houses

Parking

42 parking spaces are provided, this includes one visitor space
Secure cycle parking is provided for the 6 flats.
Building heights range between 6.8m, 8.1m and 9.4m, with the apartment block rising to 9.4m in height

Summary of considerations and constraints

The site is allocated in the Local Plan: strategy and sites under policy A44 for approximately 26 homes and 90sqm of retail/service floorspace.

The site is located within the Ripley Conservation Area and in proximity of a number of grade II and a grade II* buildings.

The majority of the site is inset from the Green Belt, an area to the east and south, outside the development envelope remains within the Green Belt.

The site lies within 400m to 5km of the TBHSPA.

Access is to be provided through modifying the existing White Horse Lane.

A viability appraisal accompanies the application setting out justification for not providing a policy compliant level of affordable housing.

The loss of the employment land is accepted through the allocation. The scheme does not

provide any retail/service floorspace.

The less than substantial harm identified to the heritage assets is outweighed by the public benefits of the site in bringing forward the site allocation and contributing to the housing need. The housing mix is acceptable. Impact on neighbour amenity is acceptable.

There is a moderate potential for maternity bat roost/s in Building K further mitigation details have been requested prior to determination.

Subject to satisfactory bat mitigation being provided the application is recommended for approval subject to conditions and securing appropriate mitigation for the Thames Basin Heaths SPA, highways, education, open space and affordable housing.

RECOMMENDATION:

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

- a contribution of £17,499 towards early years education infrastructure;
 - a contribution of £79,211 towards primary years education infrastructure;
 - a contribution of £88,532 towards secondary years education infrastructure;
- Total contribution £185,242 towards education infrastructure;**
- a contribution of £6,000 towards the speed management plan for the High Street;
 - a contribution of £30,000 to improve the junction of Newark Lane and Ripley Lane;
 - a contribution of £40,419 towards playing fields/youth;
 - a contribution of £32,907 towards playspace;
 - a contribution of £3,952 towards amenity/Natural open space;
 - a financial contribution of £437,491 towards affordable housing;
 - a late stage, upwards only, review mechanism at 75% of disposal of dwellings to capture and secure additional contribution towards affordable housing;
 - SANG to be privately secured;
 - a contribution of £22,216.56 towards SMM.

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.

(iii) In the event that a satisfactory s.106 is not completed, the application be refused by the Head of Place/Director of Service Delivery.

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:

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

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

4. No development including demolition shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason: To allow adequate archaeological investigation before any archaeological remains are disturbed by the approved development. This pre commencement condition goes to the heart of the planning permission.

5. A photographic record of the internal and external features of the Coachworks Barn shall be submitted to and approved in writing by the Local Planning Authority prior to its demolition.

Reason: To secure the proper recording of the undesignated heritage asset. This pre commencement condition goes to the heart of the planning permission.

6. No works or demolition shall take place on the Coachworks Barn until a method statement for the dismantling of the building so that the works do not damage/harm the adjacent curtilage listed wall has been submitted to and approved in writing by the local planning authority. The works shall thereafter be carried out in accordance with the approved details.

Reason: In order to safeguard the special architectural and historic interest of the heritage asset. This pre commencement condition goes to the heart of the planning permission.

7. Prior to commencement of development the applicant must undertake an updated preliminary ground level roost assessment of all trees which are impacted by the proposals, including all trees to be felled or at risk of damage through construction activity. These details and any required mitigation measures shall be submitted to and approved by the LPA.

Reason: To ensure protection of protected species.

8. The development hereby approved shall be carried out in strict accordance with the precautionary method of working, all actions detailed in the recommendations section and enhancement measures outlined in page 2 of the ERAs Consultancy November 2020 report, the ERAs Consultancy 'Ecological Assessment Phase 1 Habitat & Protected Species Survey' August 2021 and the Thompson Environmental Ecological Enhancement Plan November 2021.

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

9. Prior to the commencement of any work including demolition on the site, the Applicant must carry out a bat presence/likely absence survey, between mid-May and July, in line with the good practice guidelines, to identify whether a maternity roost is present or likely absent and use this information to refine the bat mitigation strategy submitted. Upon the completion of the bat survey, the results should be provided to the Local Planning Authority, along with the final bat mitigation strategy. In the event that a bat roost (s) is recorded then no work will be able to start on the building until a European Protected Species Mitigation Licence has been granted by Natural England. Works shall only commence once the LPA has approved in writing the bat survey and final mitigation strategy, or, Natural England have granted a European Protected Species Mitigation Licence.

Reason: In order to protect the favourable conservation status of bats.

10. No residential development, excluding demolition, shall take place until written confirmation has been obtained from the Local Planning Authority that the Council has secured Suitable Alternative Natural Green Space (SANG) and no dwelling shall be occupied before written confirmation has been obtained from the Local Planning Authority that the works required to bring the land up to acceptable SANG standard have been completed.

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

11. Prior to occupation of development a Sensitive lighting Management Plan shall be submitted to and approved in writing by the lpa. The external lighting scheme, should be informed by the Bat Conservation Trusts' document entitled "Bats and artificial lighting in the UK – Bats and The Built Environment Series" Guidance Note 08/18.
The development shall strictly accord with the approved details.

Reason:To help prevent adverse effect to foraging bat species.

12. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the

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

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

13. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
- a) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy.
 - b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
 - c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.
 - d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
 - e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

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

14. No development, other than that required to be carried out as part of an approved scheme of remediation, shall take place until an investigation and risk assessment in addition to any assessment provided with the application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the local planning authority. The report of the findings must include:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments;
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).
- This must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination,

CLR 11. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing and until the appropriate remediation has been undertaken.

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

15. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and shall be submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures; ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 (or any Act revoking or re-enacting or amending that Act with or without modification) in relation to the intended use of the land after remediation. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing of the local planning authority.

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

16. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 16, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 17, which is subject to the approval in writing of the local planning authority. Following completion of the remediation works, a verification report must be submitted to and approved in writing of the local planning authority.

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

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

Reason: To reduce carbon emissions and incorporate sustainable energy in accordance with the Council's 'Climate Change, Sustainable Design, Construction and Energy' SPD 2020. This pre commencement condition goes to the heart of the planning permission.

18. No development shall commence until a Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority that demonstrates how waste generated from demolition, construction and excavation activities would be dealt with in accordance with the waste hierarchy. The Site Waste Management Plan will subsequently be kept up-to-date throughout the development process in accordance with the established methodology.

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

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 approved shall not be first occupied unless and until the proposed vehicular access to White Horse Lane has been constructed and provided with visibility zones, in accordance with the approved plans, reference to Transport Statement, Drawing No. Figure 3.1 and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.0 m high.

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

21. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans, Drawing No. 1366_Pln_201 rev A, 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 purpose.

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

22. The development hereby approved shall not be first occupied unless and until space has been laid out within the site for covered bicycles to be parked in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority. Thereafter the parking areas for bicycles shall be retained and maintained for their designated purposes.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles.

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

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

24. The development hereby approved shall not be occupied unless and until at least 20% of the available parking spaces for flats/apartments are provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector - 230 v AC 32 amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

25. 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) HGV deliveries and hours of operation
- (f) vehicle routing
- (g) measures to prevent the deposit of materials on the highway
- (h) before and after construction condition surveys of the highway and a

commitment to fund the repair of any damage caused
(i) 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.

26. Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users. This pre commencement condition goes to the heart of the planning permission. Construction Environmental Management Plan prior to commencement of development the following details to be submitted to and approved in writing by the lpa.

(1) You are advised that the Council will expect the following measures to be taken during any building operations to control noise, pollution and parking:

- a) A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;
- b) Site perimeter automated noise and dust monitoring;
- c) Engineering measures to eliminate or mitigate identified environmental impacts e.g. hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.;
- d) Arrangements for a direct and responsive site management contact for nearby occupiers during demolition and/or construction (signage on hoardings, newsletters, residents liaison meetings, etc.)
- e) A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme;
- f) To follow current best construction practice BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites',
- g) BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground borne vibration,
- h) BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting,
- i) Relevant EURO emission standards to comply with Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999,
- j) Relevant CIRIA practice notes, and
- k) Noise mitigation measures employed must be sufficient to ensure that the noise level criteria as outlined in BS8233:2014 and WHO guidelines is achieved.

Reason: To protect neighbouring resident amenity and adjacent habitats. This pre commencement condition goes to the heart of the planning permission.

27. The development must accord with the Arboricultural Method Statement and Tree Protection Plan prepared by Keen Consultants dated June 2020. 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.

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.

28. Prior to occupation full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 10 years, have been submitted to and approved in writing by the local planning authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and retained.

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

29. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the Planning Authority. The content of the LEMP should include the following:

- a) description and evaluation of features to be managed;
- b) ecological trends and constraints on site that might influence management;
- c) aims and objectives of management;
- d) appropriate management options for achieving aims and objectives;
- e) prescriptions for management actions, together with a plan of management compartments;
- f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) details of the body or organisation responsible for implementation of the plan;
- h) ongoing monitoring and remedial measures.

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

Reason: Biological communities are constantly changing and require positive management to maintain their conservation value. The implementation of a LEMP will ensure the long term management of habitats, species and other biodiversity features.

30. Prior to occupation details of the housing mix shall be submitted to the Ipa for approval in writing. To demonstrate that:
10% of the homes shall meet Building Regs M4(2) 'accessible and adaptable dwellings' and 5% of the dwellings shall meet Building Regs M4(3) 'wheelchair user dwellings'.

31. Reason: To ensure policy compliant housing.
The windows in the side elevations of plots 7, 24 and 26, and the rear elevation of plot 4 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.

32. Reason: In the interests of residential amenity and privacy.
Prior to occupation of the last dwelling confirmation that the scheme has achieved a Secure By Design accreditation shall be submitted to the Ipa.

Reason: To create safe and accessible environments.

Informatives:

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

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

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

2. 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. Thames Water

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 0203577 9483 or by emailing trade.effluent@thameswater.co.uk

4. Highways

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

The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice

The developer is advised that as part of the detailed design of the highway works required by the highways conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street

furniture/equipment.

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

Officer's Report

Site description.

The 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.

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.

The following supporting statements accompany the application:

- Landscaping and Ecological Enhancement Plan November 2021
- Bat Surveys 2021
- Preliminary Ecological appraisal
- Built Heritage Statement
- Landscape and visual impact appraisal
- Transport statement
- Flood Risk and Drainage Assessment
- Drainage Assessment
- Archaeological desk based assessment

- Tree Survey and Impact Assessment Report Keen Consulting 2020
- Sustainability and Energy Statement
- Hurst Warne Retail Marketing and availability Reports 2020
- Aviron Phase I and II Geo- Environmental Risk Assessment April 2019

26 homes

2 x 1 bed flats

11 x 2 bed (4 x 2 bed flats, 7 x 2 bed houses)

7 x 3 bed houses

6 x 4 bed houses

Parking

42 parking spaces are provided, this includes one visitor space

Secure cycle parking is provided for the 6 flats.

Building heights range between 6.8m, 8.1m and 9.4m, with the apartment block rising to 9.4m in height

Relevant planning history.

16/P/00608 - Outline planning permission for the demolition of existing petrol filling station, car sales buildings and dilapidated workshops and the construction of up to 26 residential units to the rear and 2 retail/commercial units on the High Street frontage (for flexible A1, A2, A3 or A4 use) and associated car parking and landscaping all matters reserved except access. Refused. Allowed at Appeal.

20/P/01058 - 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. Currently under consideration.

Consultations.

Statutory consultees

County Highway Authority: The proposed development has been considered by County Highway Authority who having assessed the application on safety, capacity and policy ground, recommends conditions regarding visibility zones, junction improvement, parking and turning of vehicles, secure cycle parking, electric vehicle charging, and a Construction Transport Management Plan, in addition to requested contributions to highway safety improvements in the vicinity of the site.

Surrey County Council Education: Seek contributions towards early years, Primary and secondary education infrastructure to mitigate the effects of the development.

Natural England: no response.

Thames Water: No objection. Waste water comments: There are public sewers crossing or close to the development. Surface water drainage: if the developer follows the sequential approach to the disposal of surface water no objection. Prior approval from Thames Water Developer Services is required where the developer proposes to discharge to a public sewer. Management of surface water should follow Policy SI 13 of the London Plan 2021. Expect developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the

public sewer. Request Groundwater informative. No objection regarding Waste Water Network and Sewage Treatment Works Infrastructure capacity.

Surrey Wildlife Trust: Reviewed the following documents: ERAs Consultancy '20/P/01057 White Horse Yard, High Street, Ripley GU23 6BB' letter report (18th November 2020); Thomson Environmental Consultants 'OSHA106 003 LEEP BNG3.0' (19th November 2021); and Thomson Environmental Consultants 'OSHA106/003/001/001: Landscaping and Ecological Enhancement Plan' (22nd November 2021). Thompson Environmental Consultants OSHA106/003/001/002: Landscaping and Ecological Plan and ERAs Consultancy 'Ecological Assessment Phase 1 Habitat & Protected Species Survey (August 2021). Bat Surveys (25th October 2021). The proposal would achieve a measurable net loss in biodiversity and does not meet the requirements of the NPPF, recommend a 'Urban Tree habitat of Good condition, this is likely to be longer than the standard minimum of 30 years. Following receipt of a Bat Mitigation Strategy (draft Bat Mitigation Strategy by Thompson Environmental Consultants dated January 2022) a condition is recommended.

Surrey Police: Request condition regarding Secure by Design accreditation.

Surrey County Council Archaeology: No objection subject to condition.

Surrey Lead Local Flood Authority: Satisfied that the proposed drainage scheme meets the requirements of the NPPF, its accompanying PPG and the Non-Statutory Technical Standards for sustainable drainage systems. Recommend conditions regarding details of the SuDS and a verification report.

Internal consultees

Head of Environmental Health and Licensing: Conditions to address contaminated land, remediation and verification.

Cleansing: No objection

Tree officer: No objection subject to condition.

Parish Council

Ripley Parish Council: objects on the following grounds:

- fails to meet requirements of the Lovelace Neighbourhood Plan Policies: LNPH1 (g, j); LNPH2 (a, c); LNPH3 (a, b, d, e, f, g, k, l, m, n, p); LNPEN3(a-e); LNPEN4 (a-d); LNPEN5 (a-e); LNPI1 (a-f); LNPI2; LNPI3; LNPI4; LNPI6
- loss of existing viable employment sites
- neighbour amenity
- lack of affordable housing
- design
- flooding
- light pollution
- air quality
- traffic
- infrastructure
- public transport and sustainable travel
- parking

Amenity groups/Residents associations

Guildford Society: object on the following grounds:

- out of character
- no attempt to fit within highly sensitive context
- viability assessment needs to be scrutinised
- no indication of curb on SW side

Third party comments:

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

- appeal access gave a practical way to access site
- current residents have rights over the lane
- out of character with Conservation Area
- over development
- right to light
- damage to neighbouring buildings (officer note: this is covered by separate legislation)
- negative impact on residential amenity
- loss of protected trees (officer note: the site has been assessed by the council's tree officer with no objections raised)
- lack of parking
- impact of increased traffic
- road safety on lane
- lack of affordable housing
- loss of trees impact on biodiversity
- bats
- loss of employment
- absence of retail unit required in the allocation
- viability appraisal must be independently assessed
- no reference to White Horse cottage, Barn Cottage and The Pharmacy listed buildings
- lack of infrastructure
- structural damage to The Barn and York Cottage

Planning policies.

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 13: Protecting Green Belt Land

Chapter 15: Conserving and enhancing the natural environment

Chapter 16: Conserving and enhancing the historic environment

South East Plan 2009:

NRM6 Thames Basin Heath Special Protection Area

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.

H1	Homes for all
H2	Affordable Homes
P2	Green Belt
P5	Thames Basin Heaths Special Protection Area
E8	District Centres
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
A44	Land at the rear of the Talbot, High Street, Ripley

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

G1	General Standards of Development
G5	Design Code
R2	Recreational Open Space in Large Resid.
HE4	New Development which affects the setting of a Listed Building
HE7	New Development in a Conservation Area
HE9	Demolition in Conservation Area
NE4	Species Protection

Neighbourhood Plans:

Lovelace Neighbourhood Plan made on 19 May 2021.

Policy LNPH1: Suitability of Development sites
Policy LNPH2 Housing for all
Policy LNPH3 Housing Density and Design
Policy LNPEN2: Biodiversity and Natural Habitats
Policy LNPEN4: Light Pollution
Policy LNPEN5: Air Quality and Traffic
Policy LNPI1: Infrastructure
Policy LNPI2: Public Transport and Sustainable Travel
Policy LNPI3 Cycling and Walking
Policy LNPI4: Parking
Policy LNPI6: Health care and Education

Supplementary planning documents:

Climate Change, Sustainable Design Construction and Energy SPD

Planning Contributions SPD

Vehicle Parking Standards SPD

Thames Basin Heaths Special Protection Area Avoidance Strategy 2017

Ripley Conservation Area Appraisal 2017

Planning considerations.

- the principle of development
- appeal decision
- green belt
- housing/dwelling mix
- living environment
- affordable housing
- the impact on the heritage assets
- the impact on the scale and character of the existing site and character of the area
- the impact on neighbouring amenity
- loss of employment
- highway/parking considerations
- impact on trees and vegetation
- biodiversity
- refuse and recycling
- sustainability
- archaeology
- Thames Basin Heath SPA
- legal agreement requirements
- balancing

Principle of development

The site is allocated under Policy A44 within the local plan (LPSS), identifying the site for approximately 26 homes and 90sqm of retail or service uses (A1-A4). The principle of residential development is therefore secured.

The proposal however does not make provision for any retail/service use. As the site allocation (Policy A44) includes 90 sqm of retail or service uses. The absence of retail/service use from the proposed development gives rise to conflict with the local plan policy A44. The loss of retail provision within the district centre needs to be considered below.

Policy A44 requires the retail/service use to front the high street and a sensitive design, siting and form of development, given the edge of village/semi-rural location. Key considerations are the Conservation Area, the frontage of the site and the proximity of grade II* and II listed buildings.

Part of the application site (red edge) is located within the green belt. This is land to the east and west of the rear boundaries of the proposed development. Development including the rear gardens is not shown to be located within land identified as Green Belt. The land to the eastern part of the site is shown as woodland, with the Green Belt land to the south of the site identified for wild flower/grass meadow within the Landscaping and Ecological Enhancement Plan.

Appeal decision

Prior to the adoption of the LPSS an outline application, (access only) for up to 26 residential units and 2 retail/commercial units was allowed at appeal (appeal reference APP/Y3615/W/16/3164814, application reference 16/P/00608). At this time the majority of the site was located within the Green Belt. The appeal allowed the demolition of the existing petrol filling station, car sales building and dilapidated workshops and the construction of up to 26 residential units and 2 retail/commercial units.

The main issues considered by the Inspector were:

- The effect of the proposed development on the significance of heritage assets;
- Loss of employment;
- Whether very special circumstances exist to overcome inappropriate development in the Green Belt, loss of openness and any other harm'

The site has since been inset from the Green Belt and allocated for housing under policy A44. As such very special circumstances is no longer a consideration. The loss of employment land has been accepted subject to the allocation containing 90 sqm of retail/services floor space.

In considering the impact of the proposed development on the significance of heritage assets the Inspector commented on the evidential, historical and aesthetical of the Talbot (II* listed) and the eastern Barn (II listed).

The development to the rear would be largely shielded by the large two storey modern barn accommodation block located adjacent to the northern boundary, however there would be views of the development from the Inn's car park next to the accommodation block and from the block itself.

The Inspector accepted that the Elmwood Coachworks building is a non designated heritage asset and is a reasonably good example of the sort of vernacular Victorian buildings built behind the main high street frontages. Thereby making a contribution to the character and appearance of the CA. The retained boundary wall would continue to sufficiently enclose the Inns courtyard to prevent the setting of the listed buildings from being eroded. Views of the proposed dwellings would not adversely affect the setting of the listed buildings themselves because the site boundary is far enough away and such views are framed by the modern accommodation block. Concluding that the proposal would not adversely affect the setting of the listed buildings or their significance.

The loss of the Coachworks building would give rise to limited harm, albeit it has been extensively altered. Noting the external walls facing the Talbot would be retained its loss would not preserve or enhance the character and appearance of the CA, resulting in less than substantial harm, considering this to be a limited level of harm. This harm would be outweighed by the social and economic benefits of housing at a time when the LPA could only demonstrate a 2.36 year housing land supply. Benefit enhanced by scheme providing 50% affordable housing and environmental benefits in removing the former petrol filling station and canopy.

The High Street streetscene is important to the Conservation area's character in addition to the deciduous woodland at the eastern end of the CA. Planting would be reinforced to the southern and eastern boundaries.

The Inspector concluded the loss of employment land to be justified due to the policy E3 of the GBLP 2003 being out of date, no strong economic reasons why change of use to residential would be inappropriate on the site and, whilst attributing little weight to, the site allocation in the emerging LP.

The application site has been inset from the Green Belt, accordingly the green belt very special circumstances considerations by the Inspector are no longer relevant.

The Inspector in para 34 states that the density of 26 dwellings would not harm the character and appearance of the area. The proposal is also for 26 dwellings.

The appeal was allowed.

Green Belt

The NPPF para 137 states that great importance is attached to Green Belt, with the fundamental aim of Green Belt policy to prevent urban sprawl by keeping land permanently open. Policy P2 of the LPSS protects the Green Belt against inappropriate development in accordance with the NPPF.

The proposed block plan accompanying the application includes a dotted line to the south and east within the red edge of the application site. This denotes the Green Belt boundary and identifies the red edge of the application site as containing Green Belt Land to the southern and eastern parts of the site. In order to protect the Green Belt from inappropriate development the rear boundaries of the plots 11, 12, 13, 14, 22 and 23, and the rear and side boundary of the flatted block (units 16-21) must not include land identified as Green Belt. It is necessary that boundary treatment details are secured through a landscaping condition to ensure that the Green Belt land does not form part of the residential curtilages. Subject to this no development will take place within the Green Belt and therefore there would be no inappropriate development in the Green Belt.

Housing/dwelling mix

Dwelling mix

Policy H1 of the LPSS 2015-2034 states 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 Strategic Housing Market Assessment (SHMA). New development should provide a mix of housing tenures, types and sizes appropriate to the site size, characteristic and location.

SHMA

Market housing:

size of unit	SHMA	Proposed	SHMA %	Proposed %
1 bed	3	2	10%	8%
2 bed	8	11	30%	42%
3 bed	10	7	40%	27%
4 bed	5	6	20%	23%

Policy H1(1) of the LPSS is not intended to be applied in a prescriptive manner. It is a broad assessment of the needs required over the plan period and should be used to guide development proposals. However, in applying the mix as set out in the latest Strategic Housing Market Assessment (SHMA) consideration needs to be given to site specific matters which together would shape the appropriate mix on particular sites. The proposal broadly complies with the

SHMA, regarding the provision of 1 and 4 bedroom homes. There is a slight deviation with the scheme proposing a greater proportion of 2 bedroom units and a lower proportion of 3 bed units.

Neighbourhood Plan policy LNPH2 for the affordable housing element on major sites requires a mix of a minimum of 25% 3 bed or more, a minimum of 25% will be 2 bed and a maximum of 25% will be 1 bed. It does not stipulate a mix of market housing. The supporting text of the policy states that the Lovelace Housing Survey identified amongst starter homes and affordable homes for rent, small 2-3 bedroom homes as being the most popular. It goes on to state in the next 15 years 45 households are looking to move those remaining in the area have a requirement for 2 (43%) and 3 (30%) bedroom properties.

Given the character of the area, the proposed housing mix is considered to be appropriate.

This application is for full planning permission and represents a potential for early delivery of housing, which is required to meet the council's housing targets. As a full application there is no need for further reserved matters and therefore there is a realistic opportunity for the housing being delivered in the short term.

Living environment

Policy H1(3) of the LPSS requires all new development to conform to the nationally described space standards as set out by the Ministry for Housing, Communities and Local Govt (MHCLG). The application proposes the creation of 2 x 1 bed, 11 x 2 bed, 7 x 3 bed and 6 x 4 bed properties, comprising a mix of flats and houses.

NDSS

The applicant has provided a NDSS compliance table:

PLOT NO.	TYPE (H/F)	NO. OF BEDS	NO. OF PERSONS	REQUIRE D AREA (M2)	ACTUAL AREA (M2)	AREA (SQFT)	REQUIRE D BUILT IN STORAGE (M2)	ACTUAL BUILT IN STORAGE (M2)
plot 1	End Terrace	2	4	79	81	872	2	2.9
plot 2	Mid Terrace	2	4	79	81	872	2	2.9
plot 3	End Terrace	2	4	79	81	872	2	2.9
plot 4	Detached	3	6	102	119	1281	3	3.0
plot 5	Semi Detached	3	6	102	106	1141	3	2.6
plot 6	Semi Detached	3	5	93	108	1163	3	2.7
plot 7	Semi Detached	2	4	79	81	872	2	2.9
plot 8	Semi	2	4	79	81	872	2	2.9

plot 9	Detached Semi Detached	2	4	79	81	872	2	2.9
plot 10	Detached Semi Detached	2	4	79	81	872	2	2.9
plot 11	Detached	3	6	102	114	1227	3	2.6
plot 12	Detached	3	6	102	114	1227	3	2.6
plot 13	Detached	3	5	93	100	1076	3	2.8
plot 14	Detached	4	7	115	146	1572	3	3.8
plot 15	Detached	3	6	102	119	1281	3	2.9
plot 16	GF Flat	2	4	70	72	775	2	2.2
plot 17	GF Flat	2	4	70	74	797	2	2.2
plot 18	FF Flat	2	4	70	72	775	2	2.2
plot 19	FF Flat	2	4	70	74	797	2	2.2
plot 20	SF Flat	1	2	50	56	603	2	1.5
plot 21	SF Flat	1	2	50	56	603	2	1.5
plot 22	Detached	4	7	115	132	1421	3	3.0
plot 23	Detached	4	7	115	132	1421	3	3.0
plot 24	Semi Detached	4	7	121	143	1539	3	3.1
plot 25	Semi Detached	4	7	121	143	1539	3	3.1
plot 26	Detached	4	7	115	159	1711	3	3.6

The NDSS compliance table above confirms all the residential units will accord with the nationally described space standards.

Policy H1 (4) requires on residential developments of 25 homes or more 10% of new homes will meet Building Regulations M4 (2) and 5% of new homes will meet Building Regulations M4(3). A condition is recommended to ensure the development meets these standards.

Each dwelling will have its own private garden amenity space. The apartment block (plots 16-21) is afforded communal amenity space to the east and south that is identified as being inset from the green belt. A greater proportion of land to the east and south of the proposed built form lies within the Green Belt and will provide visual amenity. 2 of the flats (first floor) will be afforded a private balcony. All 6 flats will be dual aspect.

The garden depths provided range from a minimum of approximately 8 metres on plot 23, 9m plot 22 and approximately 9.5m for plot 14, the remainder of the houses have garden depths between 10m and 13.7m. To the rear of plots 11- 14, and 22-23 land within the red edge,

denoted by the dotted line on the accompanying block plan is located within the Green Belt. The garden depths described above do not include the land that falls within the Green Belt. Each dwelling is provided with adequate private amenity space. A communal garden area is provided to the flatted bloc (plots 16-21) at a minimum depth of 6m to the south and minimum of 4m to the east. Again, this area is part of the land inset from the Green Belt. Plots 11-14, 16-21, and 22-23 will benefit from the visual openness of the Green Belt that they abut.

Affordable housing

Policy H2 of the LPSS states that on sites providing 11 or more homes, the Council will seek at least 40% of the homes on these sites as affordable homes. The Lovelace Neighbourhood Plan policy LNPH2 also requires a minimum of 40% affordable homes.

Policy H2 (5) makes provision for housing contributions to be provided off site or by payment in lieu where it is agreed that on site provision and management would be impractical. Where viability is under discussion it is important for the starting point to be the amount of contribution that can be achieved. Once this is secured discussions can take place in terms of whether this can be provided as an on site provision. Where the financial contribution would result in a small number of units provided on site it may be difficult to secure an affordable housing provider. A financial contribution in these instances, subject to a review mechanism, is appropriate rather than on site provision.

The outline permission approved at appeal sought to provide 50% affordable housing. The application as originally submitted proposed no affordable housing. The applicant submitted a viability appraisal this has been independently reviewed by Dixon Searle Partnership (DSP).

The proposal, accompanied by a viability assessment set out why the development cannot viably provide policy compliant affordable housing, following independent review this now seeks to provide a financial contribution towards affordable housing. The applicant has advised that the difference in affordable housing provision is a result of the following: the outline application; 50% affordable housing was offered unilaterally to secure the release of the site from the Green Belt, as far as the applicant is aware the viability position was not assessed or checked at that time; the application was in outline with some matters reserved which may have had a bearing on the information that could be scrutinised; the outline permission has lapsed. The applicant has undertake a viability appraisal to support their stance that on-site affordable housing provision would not be viable. This has been reviewed independently by DSP. This resulted in the applicant increasing their financial contribution offer. This has been further reviewed by DSP.

The applicant in their submission provided an assessment of existing value carried out by Hurst Warne to accompany the original assessment of viability prepared by Kempton Carr Croft (KCC). This was based on actual rents being achieved at the time of the report. The applicant puts forward that these figures should be more relevant than comparable figures offered by Dixon Searle. In this instance provided the actual rents were appropriate (not over or under inflated) it would reasonable to accept this position. The applicant agreed with Dixon Searle approach for a notional value being applied to the ancillary use of the adjoining hard standing scrub land.

The applicant has accepted Dixon Searle's approach and their suggested BLV/EUV of £1.775m. However points out that the scheme has been reduced to 26 units and the viability position should be amended to reflect this rather than the 28 dwellings originally proposed. This is agreed.

Following the review by Dixon Searle, and on the basis of the reduced number of units the applicant provided an updated viability appraisal prepared by KCC.

The amended appraisal (February 2022) in summary comprised:

Pro rata the achievable GDV originally proposed under the 28 unit scheme, to reflect the 26 unit scheme now proposed

Sales - Uplift in land registry HPI applied from February 2021. Assumption made 7.5% uplift to provide a GDV of £14,985,426.

Build Costs average of DSP build cost of £187.20psf and applicant build cost of £197.37psf equates to £192.29psf. Uplift of 7% equates to build cost of £205.75psf.

The viability appraisal calculates on this basis:-

Residual Land Value: £2,212,491

Less Benchmark Land Value: £1,775,000

Surplus: £437,491

On the above basis the applicant is now proposing an off site contribution of £437,491 towards affordable housing in addition to the S106 contributions sought below. The viability of the scheme has been the subject of discussion and independent review. DSP have advised that the actual sales values cannot be known until the site is delivered and the sales value put forward appears a reasonable compromise. DSP have advised that differing views are held on the build costs and a compromised position is a sensible way forward.

Whilst securing on site provision of affordable housing is preferable, where viability demonstrates only a small financial contribution is viable. This would only translate to a small number of units on site. This is likely to give rise to issues of finding an RP to take on the management of the onsite affordable units. In this instance a financial contribution is considered the best option, it also allows for a late upward review to capture any additional surplus. Were the provision to be secured onsite an early review would be required, the downside of this is it would not capture the extent of any surplus available. On this basis it is considered that a financial contribution with a late stage upward only review is the best approach.

Where viability is under discussion and given the impact of Covid-19 and house price inflation and the length of time the application has been being considered it would be reasonable and give comfort to the lpa to require as part of the S106 agreement a review mechanism to enable the potential to secure a greater provision towards affordable housing should the final figures dictate.

A compromised position of £437,491 has been made, this follows on from a nil position originally offered (July 2020) and subsequent offers of £277,166 (September 2021) and £53,218 (January 2022). Giving consideration to the wider assumptions the offer of £437,491 subject to a late review mechanism clause within the S106 is reasonable. The late review mechanism at 75% of disposal of the units would give more accurate account of the build costs and sales values. This would be an upwards only review to capture any additional surplus and given the assumptions being made this is considered to be reasonable.

The applicant has agreed to accept a late review mechanism clause. On this basis the Council can take comfort that should any additional surplus be available this can be captured to increase the financial contribution towards affordable housing to achieve as close to policy compliant affordable housing contribution.

Heritage asset

Impact on the Ripley Conservation Area
Impact on Grade II and Grade II* Listed Buildings

Statutory provisions:

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.'

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.

Heritage asset

The Talbot
The Barn
The curtilage wall
White Horse Cottage
Barn Cottage
The Pharmacy
Ripley Conservation Area

The site lies adjacent to the 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.

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.

Non designated heritage asset 'L' shaped barn. This has been significantly altered both externally and internally however its footprint still provides a reasonably good example of the sort of vernacular Victorian buildings built behind the main high street frontages and its contribution to the conservation area. Conditions are recommended to secure photographic evidence and to ensure the wall can be retained to the boundaries with the Talbot to protect the setting of the listed buildings. Some harm is identified through the loss of the non designated heritage asset.

A curtilage wall runs north south within the rear part of the site. This is listed. The removal of part of the 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 Exacliber 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.

White Horse Cottage, Barn Cottage and The Pharmacy are Grade II listed, located on the High Street and White Horse Lane. With regard to setting the removal of the petrol station fore court and canopy will be of significant benefit to the setting of the listed buildings. The use of White Horse Lane as the sole access to the development is weighed against the more recent use of the access to serve the commercial premises and car yard. The proposed development at 8.5m in height is appropriate. Materials and landscaping to be secured by condition. Some harm is identified.

The Ripley Conservation Area.

The removal of the existing former petrol filling station fore court and canopy would enhance the character of the Conservation Area. The woodland and trees to the south and east is to be retained, additional planting can be secured through condition to enhance this feature of the conservation area. The proposed terrace of 3 dwellings would be located fronting the High Street, maintaining the building line of the neighbouring property to the east. The use of clay tiles, with upper storey to be tile hung, and frontages set close to the pavement edge to follow the historic character. No harm is identified.

As such the application will result in:

Less than substantial harm to the significance of the designated heritage asset namely the curtilage wall, White Horse Cottage, Barn Cottage and The Pharmacy noted above. 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 works proposed are necessary to facilitate the development of the allocated site. The loss of the non designated heritage asset and the removal of two small sections of the wall have been previously considered by PINS and accepted. The site was subsequently formally allocated for housing within the adopted local plan LPSS 2019.

The site at present has a largely detrimental impact on the character and appearance of the conservation area, by virtue of the visual impact of the hard standing and car sales buildings fronting the High Street and the extensive parking area to the rear which makes it an incongruous and unsightly contribution to the main village centre. The removal of the commercial garage structures and car yard would not only benefit the conservation area, but would be of significant benefit through improving and enhancing the setting of the neighbouring listed buildings (The Ripley Pharmacy and Cottage adjoining; The Talbot & Barn across the rear of the Talbot as well as the overall streetscape. This represents public benefit.

The development, an allocated site will provide 26 housing units contributing towards the boroughs identified housing need, representing public benefit. Materials and landscaping will be the subject of condition.

The harm to the significance of the designated heritage asset is outweighed by the public benefit identified and therefore permission should be granted. Due regard has been given to the provisions of Section(s) 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, the NPPF and policy D3 of the Local Plan: strategy and sites 2015-2034.

Impact on the character of the area.

The existing site comprises a disused petrol filling station fore court with shop and two large commercial structures to the rear. The site is currently accessed from the High Street via White Horse Yard. As above the development would result in the demolition of a non heritage asset, part of a listed curtilage wall, a commercial barn and a redundant filling station and shop. The site has a short frontage to the High Street, with the majority of the site located to the rear behind development fronting High Street. The High Street frontage is characterised by development relatively tight to the pavement edge. Development to the rear of the linear High Street tends to take on a more adhoc form, with no overriding character. All on site buildings are to be removed to facilitate the development.

The proposed development would utilise the existing access into the site from White Horse Lane, allowing the creation of a small terrace of three dwellings to front the High Street. These would be provided with short front curtilages to reflect the adjacent York cottage and The Barn. The access into the site would meander towards the rear of the site, terminating in a 't' junction.

The development comprises a mix of detached, semi-detached and terraced properties in addition to a flatted block. Heights of development range between 8.1 and 9.4m in height, with two storey and two storey plus roof accommodation. Two of the plots are afforded an attached garage, (plots 14 and 16).

Policy LNPH3 requires heights of residential developments to respect the character of the settlement built form; building line and boundary treatment should complement the conservation area; gardens and communal gardens to be provided to houses and flats respectively; major development will provide appropriate green space for recreational use; developments do not increase pressure on the TBHSPA; internal roads must be sufficient for service vehicles to access and turn, in addition to accessible and unobtrusive bin stores. Refuse and cycle storage will be provided within the rear curtilages of the dwellings with a dedicated cycle store and dedicated bin store for the 6 apartments.

The proposed terrace of three dwellings observes the building line to the immediate east of the site. This is shown to be fully hipped in design, maximum of 8.5m in height, with tile hanging to the first floor front and side elevations. A pitched canopy roof will be provided to each front door. A footpath is proposed alongside the widened lane, with verge to allow sufficient separation to Plot 1. Four parking spaces are provided the rear of plot 1, on a ratio of one space per unit with one visitor space. Moving along White Horse Lane, plot 4 is orientated to face the access road, with dual aspect. Its main garden extends north towards the terrace of three, directly adjoining the rear garden of plot 3.

Plots 7 & 8 measure a maximum of 8.9m in height, fully hipped with gable detailing to the front elevation. Plot 15 is a two-storey detached property, with the first floor set predominantly within the roof space, giving rise to a building height of 6.8m. It is set within the development with the internal road surrounding to the north, east and south. A wide verge is shown to the north and east of the dwelling. It is important that this feature remains open to provide space within the streetscene.

The apartment block located within the southeastern corner of the inset land comprises three floors of accommodation (ground, first and second). In an attempt to reduce the overall height a large area of flat roof is proposed, with part barn style hip to the side elevation. At 9.4m in height the roof form gives rise to a horizontal emphasis with two large dormer windows to the front elevation and four to the rear roof slope. The rear roof slope appears overly cluttered. The scale of the apartment block appears out of character with the scale of the remainder of the development. Due to its location within the site it would not result in undue harm to the character of the surrounding area.

Parking for the 6 flats are located within a parking barn opposite the flatted block, to the other side of the internal access road four parking spaces are provided serving plots 22 and 23 opposite. These will be provided within an open sided structure with a pitched roof over. Attached to the structure providing the flats parking spaces is an enclosed bin store also serving the flats.

The development rises again to 9.4m in height with the 2.5 storey pair of semi-detached dwellings (plots 24 and 25). Separated by the curtilage listed wall this has the potential, due to its siting to be overly dominant to the future occupants of plot 23.

Plot 26 is a 4 bed detached property with hipped roof and single storey attached garage.

Space exists within the development along the internal road to provide meaningful street planting that can be secured through a landscaping condition.

Impact on residential amenity

Properties along White Horse Lane and White Horse Meadows

White Horse Cottage, 1-4 White Horse Barns, South Cottage, The Stables, Tanglewood and 11,12, 13 White Horse Meadows.

White Horse Cottage, 1-4 White Horse Barns, South Cottage, The Stables and Tanglewood are served by White Horse Lane. The proposal seeks to modify this access to access the site. Plot 4 will face towards 1-4 White Horse Barns, a 15 metre separation between the front to front arrangement will be observed.

South Cottage and The Stables share a common boundary with the application site. These are 2 storey houses. A wall to wall separation of 19.2m would be observed between South Cottage and Plot 5.

The development (plot 7) would observe a 8.5m separation between the side elevation facing towards The Stables. The roof would be fully hipped away from the boundary, at two storey height and extending no deeper than the width of The Stables the proposed development would not give rise to unacceptable loss of light or privacy.

11 and 12 White Horse Meadows are bungalows. The two storey element of Plot 26 would be located approximately 11m from the rear elevation, with a single storey attached garage located approximately 8m from the rear elevation of 12 White Horse Meadows. This is on balance considered to be acceptable.

A condition is recommended regarding first floor openings within the side elevations of plots 7, 24 and 26, limiting to obscure glazed and non opening below 1.7m measured internally to protect residential amenity.

White Horse Cottage, Barn Cottage and The Pharmacy front the High Street and White Horse Lane. Resident concern is raised that the foundations of these listed buildings could be harmed by construction traffic and the use of the lane as the access to the development, where the appeal scheme proposed a separate element.

York Cottage lies to the east of the application site. Plot 3 would be located 1.8m from the boundary reducing to 1.4m. Whilst there will be an impact on the residential amenities of the neighbouring property this would not be unreasonable in a tight knit historic setting. Plot 4 located to the southwest has been designed with one first floor window in the rear elevation (facing into the side boundary of York Cottage). This serves the internal staircase and could be conditioned to be obscure glazed and non opening below 1.7m. One side elevation window is proposed to the side elevation facing north, which would give rise to oblique views of the neighbouring property.

Subject to conditions, on balance the impact on neighbouring properties is acceptable.

Loss of employment

The proposal would result in the loss of employment uses. However, with regard to the employment uses on site, the site is not protected under policy E3 of the LPSS, and there is no marketing requirement for the loss of the B2 workshops as Policy A44 allocates the entire site for a mix of alternative uses and therefore complies with policy E3 (12). This said there is conflict between the proposal and policy A44, which allocates the site for 90sqm (approx.) of retail or service uses fronting the high street, in addition to 26 homes. The proposal seeks permission for a residential scheme with no mixed-use element.

The application is accompanied by a Marketing Report undertaken by Hurst Warne. This identifies the site as being at the periphery of the centre and not receiving much footfall. The Council's survey data (May 2019) showed strong trading performance across the whole centre with low vacancies. It is acknowledged that Covid-19 is likely to have had an impact on store closures however it is expected that these would be fewer than in town centres as most district centres are local in nature. It is also considered that there would be continued opportunities and demand from local residents.

The site frontage is located within a district centre (and therefore the primary shopping area for the centre) and is a sequentially preferable location for new retail (policy E8 para 3 of the LPSS). The site is not located within a continuous line of retail development, residential properties lie immediately to the west and east of the entrance on the High Street, with the site being located towards the outer reaches of the local shopping centre. The impact of Covid 19 is also likely to have had an impact on the viability of the location.

In the absence of any retail/services provision, and due to the sites location towards the edge of the centre and the evidence provided some harm is attributed to the conflict with the policy allocation A44.

Highways and Parking

The existing lane varying between 3.1m and 4.5m in width is proposed to be widened to provide a 4.8m access road. A 2m wide footway is proposed alongside the access road.

The site is sustainably located within 200m of bus stops on the High Street. Surrey County Highway Authority have advised that according to the Transport Statement it is demonstrated that trip generated for the proposed development will have net benefit on the local highway network in comparison with the existing use. It is not considered that the proposed development will result in a significant increase in vehicular trips on the surrounding highway network.

The contribution of £30,000 towards the improvement of the junction Newark Lane and Ripley Lane will be beneficial to road safety.

42 parking spaces have been provided, this includes 1 visitor space based on 1 space per 1 and 2 bed, 2 spaces per 3 and 4 bed, with 2 of the 4 bed properties benefiting from an additional garage space.

A secure cycle store is provided for the 6 flats. With cycle parking to be provided within the rear gardens of the houses. A condition is recommended to secure details of the cycle parking.

Subject to conditions, the Highway Authority has raised no objection on highway safety or parking grounds.

Trees

An Arboricultural Impact Assessment and Method Statement by Keen Consulting accompanies the application. The Tree officer has reviewed the arboricultural documentation and visited the site. Tree removal to facilitate the development is limited and consists of low grade specimens. The trees to be removed are not specimens worthy of a Tree Preservation Order and their removal will not impact on the character or appearance of the Conservation Area. No objection is raised subject to a suitably worded condition.

Biodiversity and ecology

Bats

Surrey Wildlife Trust have advised that the LPA has a duty to consider impacts to bats when assessing applications and that due to the lack of surveys the LPA does not have sufficient information on which to base a decision under Regulation 55 (9) (b). Without being provided with assurance that survey data the LPA cannot be sure that the applicant will be able to maintain the population at favourable condition status as the presence and status of roosts is not known and therefore appropriate avoidance, mitigation and compensation measures cannot be determined. Following further discussion Surrey Wildlife Trust has advised that to date, the Applicant has not provided sufficient evidence to determine the presence/likely absence of roosting bats from Building K, due to the absence of any survey work between May and August. The Bat Survey Report (Thomson Environmental Consultants, 2021) assessed that Building K has the potential to support a maternity and transitional roost and classified it with overall moderate suitability.

In meeting its obligations, the LPA must be confident that the project will not breach the legislation afforded to bats, and bat roosts, and that the conservation status of bats can be maintained. Should any licences be required, the LPA must be confident that the actions are licensable (i.e. a project is not adversely impacting a roost that Natural England would not licence impacts to).

Further information has been sought from the applicant to provide the LPA with a bat mitigation strategy which demonstrates that conservation status of bats can be maintained should a maternity bat roost be present in Building K. The mitigation strategy should be based upon Building K supporting a high conservation status maternity roost so that the LPA can be assured that the conservation status of bats can be maintained. This mitigation strategy should show the location (s) of proposed mitigation and compensation, such as building enhancements, and bat boxes, including type. Surrey Wildlife Trust have advised that the granting of planning permission should only be given if the mitigation strategy is acceptable, and provides the LPA with the assurance that it is meeting its obligations.

In addition to this Surrey Wildlife Trust recommend a condition requiring a bat presence/likely absence survey between mid-May and July, in line with good practice guidelines to identify whether a maternity roost is present or likely absent. This information will refine the bat mitigation strategy. The results of the survey along with the final bat mitigation strategy shall be submitted to the LPA for approval. In the event of a bat roost/s being present the applicant is required to obtain a European Protected Species Mitigation Licence from Natural England.

Surrey Wildlife Trust have advised that the draft bat mitigation strategy is appropriate in scope and sets out the draft mitigation strategy assuming a maternity roost is present. The Strategy sets out the requirement for the bat survey, required in the maternity season prior to any works commencing. This is to be secured through an appropriately worded condition requiring the submission of a final mitigation strategy to the LPA for approval prior to any works commencing. Subject to conditions the LPA's obligation would be met.

Other species

Surrey Wildlife Trust requested and reviewed the updated Walkover report.

No significant change to reptiles and amphibians. Great Crested Newt has been justified as likely absent.

The site remains suitable for Stag beetle, the enhancement measures recommended in section 8.7 of the August Updated 2021 walkover report should be implemented.

The updated walkover survey did not identify any new signs of badger. Due to their nature prior to commencement the area should be rechecked for badger.

No objection subject to conditions to ensure the development is carried out in accordance with the precautionary method of working set out in the November 2020 letter report.

The site falls within a Surrey Biodiversity Opportunity Area, River Wey (plus tributaries) Flood plain Grazing Marsh, Lowland Meadows, Wet Woodland, Urban.

Biodiversity Net Gain

The proposal whilst providing a number of biodiversity measures does not secure a net biodiversity gain. In order to do this a provision to off site enhancement would need to be made. Currently there is no mechanism to facilitate this.

The Government announced it would mandate net gains for biodiversity in the Environment Bill in the 2019 Spring Statement, The Environment Bill received Royal Assent on 9 November 2021. Mandatory biodiversity net gain as set out in the Environment Act applies in England only by amending the Town & Country Planning Act (TCPA) and is likely to become law in 2023. In the absence of this change to the TCPA and no Development Plan policy regarding biodiversity net gain it would be unreasonable to refuse the application on failing to secure net biodiversity enhancement. However, as para 175 of the NPPF sets out the principles that should be applied to habitats and biodiversity and policy ID4 of the LPSS seeks to contribute to biodiversity, it would be appropriate to require biodiversity enhancements by condition. This is supported by Policy LNPEN2 of the Neighbourhood Plan which seeks to achieve measurable gains and protect natural habitats.

The application is accompanied by a Landscaping and Ecological Enhancement Plan (LEEP) by Thompson Ecology. These biodiversity enhancements which include, native planting, bird and bat boxes, bat sensitive lighting, reptile refugia, can be conditioned. Surrey Wildlife Trust have advised that the LEEP overall appears appropriate in scope and content but does not achieve measurable gain.

The LEEP, to be secured by condition, whilst not providing measurable biodiversity gain would provide biodiversity enhancement. This is considered to meet policy ID4 of the LPSS.

Refuse and Recycling

The operational and technical services officer has provided comments on the application as follows: the dimensions of the refuse vehicle tracked can be seen on Site Layout drawing number 06. The vehicle tracked is slightly shorter but wider than the standard vehicle however, no concerns are raised as the turning space shown to be provided is fit for purpose. Note the change to the location of the communal bin and whilst stating a preference for the communal bin store to be located to the other end of the flats parking bays raise no objection to the current location.

No objection is raised on refuse and recycling grounds.

Sustainability

In order for the development to comply with the Council's Climate Change, Sustainable Design Construction and Energy SPD 2020 and Policy D2 of the LPSS 2015-203, the new dwellings would need to achieve a 20% reduction in carbon emission through the use of renewable energy.

The application is accompanied by a Sustainability and Energy report prepared by Bluesky

unlimited. The proposal states it will incorporate fabric improvements above building regulation requirements to minimise the energy requirements. Photovoltaic roof panels and air source heat pumps have been considered to address the carbon reduction requirements. A condition is recommended to secure the details to ensure that each dwelling achieves a minimum reduction of 20% in carbon emissions. The policy requires each unit to achieve a minimum of 20% reduction in carbon emission.

Water efficiency measures are stated to be incorporated, this can be secured by condition.

Materials and Waste

The document states that preference will be given to the use of local materials and suppliers. All timber used within the construction process will be recycled. The applicant is aware of the waste hierarchy. A construction waste plan can be conditioned.

Archaeology

Surrey County Council Archaeology have commented on the application. The site is partly within the designated Area of High Archaeological Potential for the historic centre of Ripley. It is likely that archaeological evidence relating to the origins and development of the settlement will exist here. A desk based archaeological assessment by RPS accompanies the application. The Assessment is appropriate and concludes whilst there are no identified archaeological assets on the site, the site is located within an area that could reasonably be expected to have a moderate potential to contain remains relating to the medieval settlement of Ripley. The site has the potential to contain unknown heritage asset, although it is acknowledged that some disturbance will have been caused by underground tanks associated with the existing petrol station. A programme of archaeological investigation comprising the excavation of trial trenches could be carried out in advance of development. This will enable the nature, extent and significance of any surviving buried remains to be determined and suitable mitigation measures to be designed.

An appropriately worded condition is recommended to secure preservation by record.

Drainage

The site is located within flood zone 1. A Flood Risk Assessment and Drainage Statement and strategy has been provided. This has been reviewed by the LLFA, who are satisfied subject to conditions.

Thames Basin Heaths Special Protection Area and Appropriate Assessment

The application site is located within 400m to 5km buffer zone of the Thames Basin Heaths. Natural England advise that new residential development in proximity of the protected site has the potential to significantly adversely impact on the integrity of the Thames Basin Heath through increased dog walking and an increase in recreational use. The applicant is willing to enter into a S106 agreement. The application would result in a net increase of 26 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 adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD in July 2017 which provides a framework by which applicants can provide or contribute to the delivery, maintenance and management of Suitable Alternative Natural Green Space (SANGS) within the borough and to Strategic Access Management and Monitoring (SAMM) which can mitigate the impact of development. The Council currently does not have capacity in Council owned SANG for this development. The applicant has been advised of this. The development is only acceptable if the impact on the TBHSPA can be mitigated, which is reliant on the provision of SANG. A Grampian style condition is therefore proposed

requiring SANG to be secured prior to residential development taking place. The applicant has been advised that the development site falls within the catchment of the privately owned Longreach SANG. The proposed Grampian condition would prevent the development coming forward before SANG has been secured. The development therefore meets the appropriate assessment test.

As part of the application process the Council, as the competent authority, 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 has been consulted on the AA.

It is therefore concluded that subject to the completion of a legal agreement and the Grampian condition to secure SANG, the development impact on the TBHSPA would be mitigated and would meet the objectives of the TBHSPA Avoidance Strategy, Policy P5 of the LPSS and Policy NRM6 of the South East Plan 2009. For the same reasons the development meets the requirements of Regulation 63 of the Habitats Regulations 2017.

S106 legal requirements

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

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

highways

The following contributions are sought to mitigate the development:

£6,000 towards the speed management plan for the High Street which is endorsed by Surrey Police and can be delivered by the Road Safety team

£30,000 to improve the junction of Newark Lane and Ripley Lane which currently result in queuing on Ripley High Street affecting the flow of traffic.

The requirement is necessary, reasonable and directly related to the development.

Education

Following contributions are sought towards education infrastructure:

£17,499 towards early years

£79,211 towards primary years

£88,532 towards secondary years

Total contribution £185,242

The calculation is based on the pupil yield from the housing mix proposed and the Surrey S106 Education formula.

Necessary to support the infrastructure required by the increase in housing stock and to mitigate the effects of the proposed development.

The requirement is necessary, reasonable and directly related to the development.

Open space

Saved policy R2 requires developments of 25 or more dwellings, or more than 0.4ha to provide recreational space provision based on the standards set out in saved policy R2, unless the provision of open space on the ward is and will remain after the development adequate, based on the standards set out in saved policy R2.

The development based on the standards set out in saved policy R2 requires contributions towards:

Playing fields/youth £40,419

Play space £32,907

Amenity/Natural open space £3,952

The requirement for open space is necessary, reasonable and directly related to the development.

Thames Basin Heaths SPA

As the application would result in the net gain of 26 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. The SAMM figure is £22,216.56. If the Council had sufficient SANG availability the SANG figure would be £166,788.15. The applicant has been advised that the site falls within the catchment of the privately owned Longreach SANG. As stated above a grampian style condition in addition to the S106 is proposed to secure appropriate mitigation. This strategy has been formally adopted by the Council. In line with this strategy and the requirements of Regulation 63 of the Habitats Regulations 2017, a S106 agreement is required to ensure that the additional residential units proposed by this development would not have any likely significant effect on the TBHSPA.

As set out above any subsequent section 106 legal agreement would require the applicant to make payment in line with the SANG and SAMM contributions as set out by the TBHSPA Avoidance Strategy 2017 and the associated tariff within the annual updating of off site contributions to Special Protection Area Mitigation and Open Space.

The Council is of the opinion that the TBHSPA requirements would meet the three tests set out above.

Affordable Housing

To secure a financial contribution of £437,491 towards affordable housing with an upwards only late review mechanism at 75% of disposal of units.

As required by policy H2 of the LPSS.

The requirement is necessary, reasonable and directly related to the development.

Balancing

Harm

Impact on heritage assets - lower end of less than substantial harm identified to the heritage assets therefore moderate weight in the planning balance is afforded whilst still accepting that special attention must be given to preserving heritage assets.

Conflict with policy A44 in failure to provide retail/service floor space. Harm is afforded to the conflict with the local plan policy allocation. Based on the information provided with the application, and edge of village centre and impact of Covid-19, the level of weight applied to this harm is reduced and is considered to carry moderate weight.

Benefit

Removal of the existing structures and car yard and retention of the wall of the barn 'non designated heritage asset', significantly benefits the setting of the listed buildings and would enhance the character and appearance of the Conservation Area. Significant weight is afforded to this benefit.

Allocated site - the site is allocated within the local plan for approximately 26 dwellings. The principle of housing is therefore secured. Some weight is afforded to this which is at a significant level.

This development represents a potential for early delivery of housing which is required to meet our housing targets, in permitting this application full permission would be granted without the need for further reserved matters therefore there is a realistic opportunity of this being delivered in the short term. Significant weight is afforded this matter.

Construction phase will provide employment - This will provide a benefit to the local and wider economy for the duration of the demolition and construction process. Some weight is applied as this is time limited for the duration of the works, overall this carries limited weight.

Neutral

Impacts of the development on infrastructure. This would be mitigated through a S106 agreement securing the necessary mitigation for highways, education Thames Basin Heath and open space provision. These matters weigh neutral in the balance.

A viability appraisal has been carried out in accordance with local plan policy H2 to delivery an off site contribution towards affordable housing, with an upward only late stage review mechanism. This is neither a benefit nor harm. This weighs neutral in the balance.

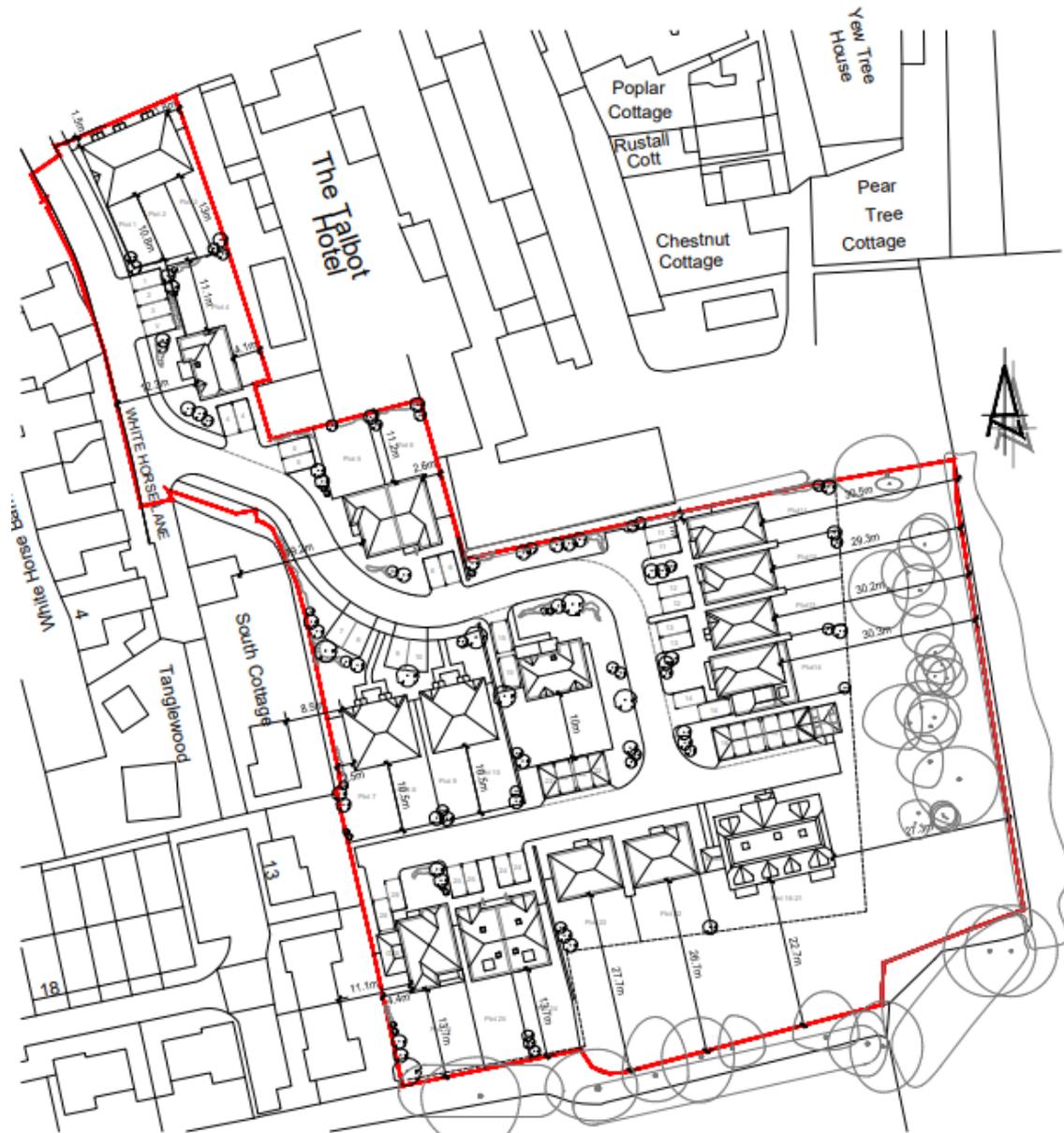
The benefits of the development outweigh the less than substantial harm to the heritage assets and the harm arising from conflict with the local plan policies.

Conclusion.

The proposal is for the development of an allocated site, some harm is afforded to the conflict in failing to provide 90sqm of retail/service use, however given the site location towards the periphery of the centre and the justification provided this is outweighed by the benefits of the proposal. The layout affords a good residential living environment to occupants. Subject to securing the appropriate mitigation for TBHSPA, highways, education, open space and a contribution towards affordable housing, subject to an upwards only late review mechanism the application is recommended for approval.

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



App No: 20/P/01058 **8 Wk Deadline:** 04/03/2022
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

This application was deferred from 2 February 2022 committee for members to consider at the same time as the full application is being reported.

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)	Amended
Location Plan	1366/PLN/200	-
Demolition Plan	1366/PLN/221	-

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.

4. No works to the listed wall shall take place until a full repair schedule and method statement for the alteration, repair and reinstatement of the curtilage listed wall including drawings as may be required for new openings (piers, gates etc.) has been submitted to and approved in writing by the local planning authority. The works shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard the historic interest of the heritage asset. This pre commencement condition goes to the heart of the listed building consent.

5. No works or demolition shall take place on the Coachworks Barn until a method statement for the dismantling of the building so that the works do not damage/harm the adjacent curtilage listed wall has been submitted to and approved in writing by the local planning authority. The works shall thereafter be carried out in accordance with the approved details.

Reason: In order to safeguard the special architectural and historic interest of the heritage asset. This pre commencement condition goes to the heart of the listed building consent.

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 Exacliber 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:

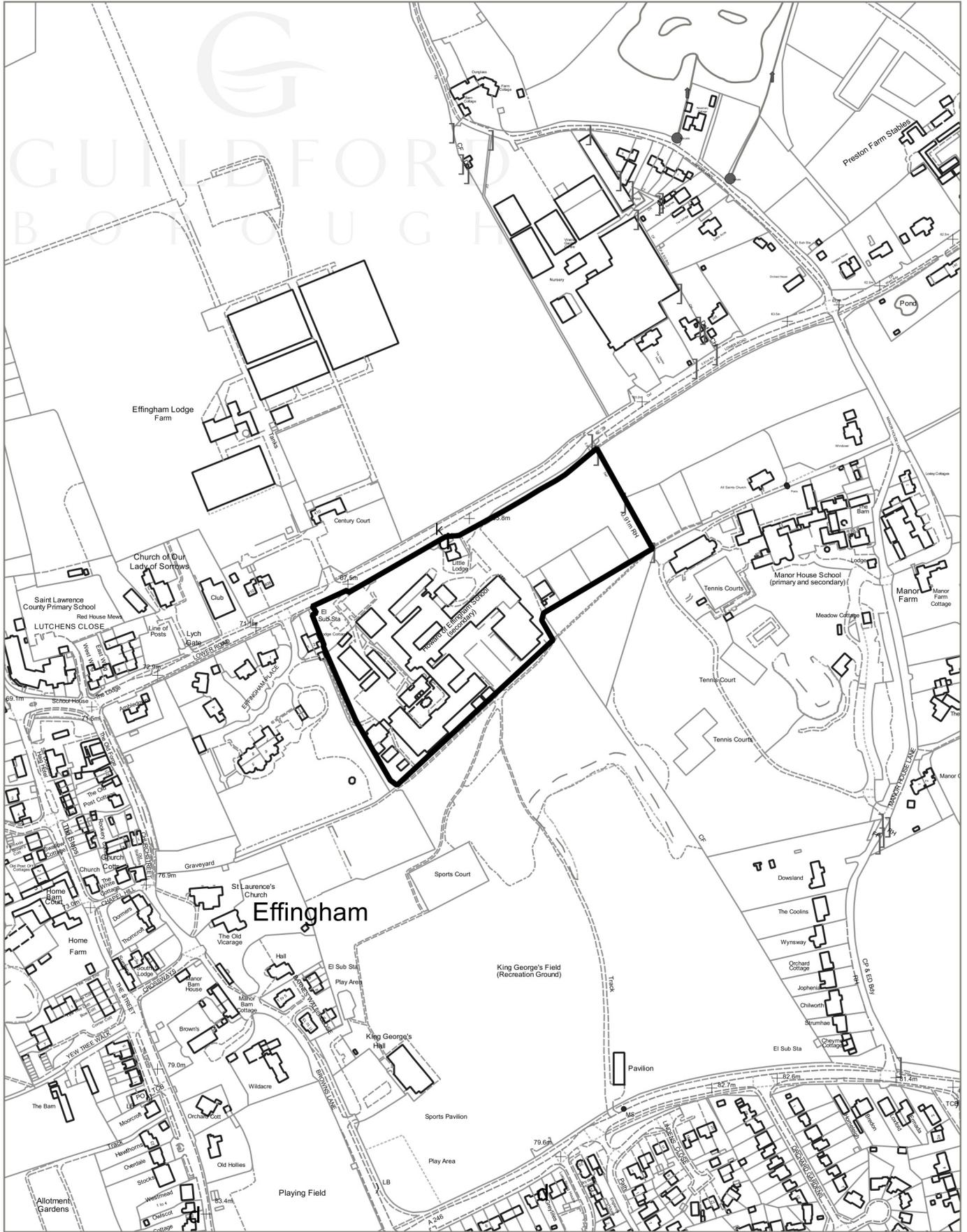
Less than substantial harm to the significance of the designated heritage asset and/or its setting. In line with para 202 of the NPPF it is necessary to weigh this against any public benefit. In line with the Planning (Listed Building and Conservation Area) Act 1990 special regard is given to preserving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

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21/P/00428 - Howard Of Effingham School, Lower Road, Effingham, Leatherhead



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Print Date: 11/02/2022



21/P/00428 – Howard of Effingham School, Lower Road, Effingham, Leatherhead



Not to scale

App No: 21/P/00428
Appn Type: Full Application
Case Officer: John Busher
Parish: Effingham
Agent : Mr Oliver Gardiner
Berkley Homes (Southern)
Ltd
Bekley House
Bay Tree Avenue
Leatherhead
KT22 7UE

8 Wk Deadline: 31/05/2021

Ward: Effingham
Applicant: Mr Oliver Gardiner
Berkley Homes (Southern) Ltd
Berkley House
Bay Tree Avenue
Leatherhead
KT22 7UE

Location: Howard Of Effingham School, Lower Road, Effingham, Leatherhead, KT24 5JR

Proposal: Reserved matters application pursuant to outline permission 14/P/02109 approved on 21/03/2018, to consider appearance, landscaping, layout and scale in respect of the erection of 99 dwellings

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

This application is the final reserved matters application for the hybrid development for the replacement of the existing Howard of Effingham school and the provision of 295 dwellings. The hybrid planning application was given permission by the Secretary of State in 2018. Reserved matters applications have already been approved for the replacement school, as well as 159 of the dwellings on the Lodge Farm site. This proposal relates to the residential re-development on the existing school site, which will become vacant once the new school has been constructed on the site opposite. It was approved with outline permission for 99 dwellings.

The site is located on the southern side of Lower Road in Effingham. It is currently occupied by a range of permanent and temporary school buildings, a sports hall, play areas, pitches and staff and visitor parking.

The site is bordered to the west by the Effingham Place residential development (which includes one Grade II listed building) and to the south by the King George V recreational and sports area. To the east of the site is a collection of buildings which includes All Saints Church (Grade II*) and Manor House School (Grade II). These are both within the administrative boundary of Mole Valley District Council (MVDC). The site is outside of, but adjoining Effingham Conservation Area (to the south and west of the site). To the east of the site and again within Mole Valley District Council is Little Bookham Conservation Area.

The site is not located in the Green Belt, although it does boarder it to the north and south.

Summary of considerations and constraints

This reserved matters application relates to the housing to be provided on the existing Howard of Effingham secondary school site. The detailed proposal does vary slightly from the indicative scheme presented at outline stage, however, that is to be expected and is allowed as part of the process. However, it is noted that the size, scale and location of the built form on the site is still broadly similar.

The scheme has been amended at the request of officers which has improved the design of some of the dwellings and reduced heights on some of the taller buildings. The design and layout of the proposal is now deemed to be acceptable.

It is noted that concerns have been raised regarding the impact of the development on surrounding heritage assets. However, it will be set out in the report that Officers believe that the proposal, as amended, is no more harmful to heritage assets than the outline proposal was.

The proposal provides an 'open' boundary to the King George V (KGV) recreation ground which would be delineated with a wooden rail fence. While concerns have been raised regarding access between the site and KGV, the installation of a more solid boundary treatment along this part of the site would not be appropriate. As such, Officers are content with this aspect of the proposal.

Other matters such as highways capacity and safety, drainage and the impact on the Green Belt have all been considered as part of the appeal and are not for consideration again as part of this proposal.

RECOMMENDATION:

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

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

Drawing Title	Drawing number
Site Layout	S857/HE/01 Rev O
Plots 1-5 Elevations 1	S857/HoE/P1-5/04 REV A
Plot 1-5 Elevations 2	S857/HoE/P1-5/05 REV A
Plot 1-5 Elevations 3	S857/HoE/P1-5/06
Plot 1-5 FF Plans	S857/HoE/P1-5/02 REV A
Plot 1-5 GF Plans	S857/HoE/P1-5/01 REV A
Plot 1-5 SF Plans	S857/HoE/P1-5/03 REV A
Plots 6-8 Elevations	S857/HoE/P6-8/02 REV B
Plot 6-8 Plans	S857/HoE/P6-8/01 REV B
Plot 9-10 Elevations	S857/HoE/P9-10/02 REV B
Plot 9-10 Plans	S857/HoE/P9-10/01 REV A
Plot 11-12 Elevations	S857/HoE/P11-12/02 REV B
Plot 11-12 Plans	S857/HoE/P11-12/01 REV B
Plot 13-14 Elevations	S857/HoE/P13-14/02 REV B

Plot 13-14 Plans	S857/HoE/P13-14/01 REV B
Plot 15 Elevations	S857/HoE/P15/02 REV B
Plot 15 Plans	S857/HoE/P15/01 REV A
Plot 16 Plans	S857/HoE/P16/01 REV A
Plot 16 Elevations	S857/HoE/P16/02 REV A
Plot 17-18 Elevations	S857/HoE/P17-18/02 REV B
Plot 17-18 Plans	S857/HoE/P17-18/01 REV B
Plot 19-20 Elevations	S857/HoE/P19-20/02 REV A
Plot 19-20 Plans	S857/HoE/P19-20/01 REV A
Plot 21-22 Elevations	S857/HoE/P21-22/02 REV A
Plot 21-22 Plans	S857/HoE/P21-22/01 REV A
Plot 23-24 GF&FF Plans	S857/HoE/P23-24/01 REV A
Plot 23-24 SF Plans	S857/HoE/P23-24/02 REV A
Plot 23-24 Elevations	S857/HoE/P23-24/03
Plot 25 Plans	S857/HoE/P25/01 Rev A
Plot 25 Elevations	S857/HoE/P25/02 REV B
Plot 26-27 Elevations 1	S857/HoE/P26-27/03 REV C
Plot 26-27 Elevations 2	S857/HoE/P26-27/04 REV C
Plot 26-27 GF&FF Plans	S857/HoE/P26-27/01 REV C
Plot 26-27 SF Plans	S857/HoE/P26-27/02 REV C
Plot 28 Elevations	S857/HoE/P28/02 REV B
Plot 28 Plans	S857/HoE/P28/01 REV A
Plot 29 Plans	S857/HoE/P29/01
Plot 29 Elevations	S857/HoE/P29/02 REV B
Plot 30 Elevations 1	S857/HoE/P30/03 REV B
Plot 30 Elevations 2	S857/HoE/P30/04 REV A
Plot 30 FF Plans	S857/HoE/P30/02 REV A
Plot 30 GF Plans	S857/HoE/P30/01 REV A
Plot 31 Elevations	S857/HoE/P31/02 REV B
Plot 31 Plans	S857/HoE/P31/01 REV A
Plot 32 Elevations	S857/HoE/P32/02 REV A
Plot 32 Plans	S857/HoE/P32/01 REV A
Plot 33 Elevations	S857/HoE/P33/02 REV A
Plot 33 Plans	S857/HoE/P33/01
Plot 34 Elevations	S857/HoE/P34/02 REV A
Plot 34 Plans	S857/HoE/P34/01
Plot 35 Elevations	S857/HoE/P35/02 REV A
Plot 35 Plans	S857/HoE/P35/01
Plot 36 Elevations	S857/HoE/P36/02 REV A
Plot 36 Plans	S857/HoE/P36/01
Plot 37 Elevations	S857/HoE/P37/02 REV B
Plot 37 Plans	S857/HoE/P37/01 REV A
Plot 38-41 FF Plans	S857/HoE/P38-41/02 REV C
Plot 38-41 GF Plans	S857/HoE/P38-41/01 REV C
Plot 38-41 Elevations 1	S857/HoE/P38-41/03 REV D
Plot 38-41 Elevations 2	S857/HoE/P38-41/04 REV D

Plot 42-43 GF Plans	S857/HoE/P42-43/02 REV A
Plot 42-43 FF Plans	S857/HoE/P38-41/04 REV D
plot 42-43 Elevations	S857/HoE/P42-43/03 REV B
Plot 44-45 Elevations 1	S857/HoE/P44-45/04 REV A
Plot 44-45 Elevations 2	S857/HoE/P44-45/05 REV A
Plot 44-45 FF Plans	S857/HoE/P44-45/02 REV A
Plot 44-45 GF Plans	S857/HoE/P44-45/01 REV A
Plot 44-45 SF Plans	S857/HoE/P44-45/03 REV A
Plot 46 Plans	S857/HoE/P46/01 REV B
Plot 46 Elevations	S857/HoE/P46/02 REV C
Plot 47-50 Elevations 1	S857/HoE/P47-50/04 REV A
Plot 47-50 Elevations 2	S857/HoE/P47-50/05 REV A
Plot 47-50 Elevations 3	S857/HoE/P47-50/06 REV A
Plot 47-50 FF Plans	S857/HoE/P47-50/02 REV A
Plot 47-50 GF Plans	S857/HoE/P47-50/01 REV A
Plot 47-50 SF Plans	S857/HoE/P47-50/03 REV A
Plot 51 Elevations	S857/HoE/P51/02
Plot 51 Plans	S857/HoE/P51/01
Plot 52-55 Elevations 1	S857/HoE/P52-55/03 REV A
Plot 52-55 Elevations 2	S857/HoE/P52-55/04 REV A
Plot 52-55 FF Plans	S857/HoE/P52-55/02 REV A
Plot 52-55 GF Plans	S857/HoE/P52-55/01 REV A
Plot 56-57 Elevations 1	S857/HoE/P56-57/03
Plot 56-57 Elevations 2	S857/HoE/P56-57/04
Plot 56-57 FF Plans	S857/HoE/P56-57/02
Plot 56-57 GF Plans	S857/HoE/P56-57/01
Plot 58-59 Elevations	S857/HoE/P58-59/02
Plot 58-59 Plans	S857/HoE/P58-59/01
Plot 60-62 Elevations	S857/HoE/P60-62/03
Plot 60-62 FF Plans	S857/HoE/P60-62/02
Plot 60-62 GF Plans	S857/HoE/P60-62/01
Plot 63-66 Elevations 1	S857/HoE/P63-66/03
Plot 63-66 Elevations 2	S857/HoE/P63-66/04
Plot 63-66 FF Plans	S857/HoE/P63-66/02
Plot 63-66 GF Plans	S857/HoE/P63-66/01
Plot 67-78 Elevations 1	S857/HoE/P67-78/04 REV C
Plot 67-78 Elevations 2	S857/HoE/P67-78/05 REV C
Plot 67-78 FF Plans	S857/HoE/P67-78/02 REV B
Plot 67-78 GF Plans	S857/HoE/P67-78/01 REV B
Plot 79 Plans	S857/HoE/P79/01 REV C
Plot 79 Elevations	S857/HoE/P79/02 REV C
Plot 80 Plans	S857/HoE/P80/01 REV A
Plot 80 Elevations	S857/HoE/P80/02 REV C
Pot 81-82 Elevations	S857/HoE/P81-82/02 REV C
Plot 81-82 Plans	S857/HoE/P81-82/01 REV C
Plot 83-84 Elevations	S857/HoE/P83-84/02 REV C

Plot 83-84 Plans	S857/HoE/P83-84/01 REV C
Plot 85-86 Plans	S857/HoE/P85-86/01 REV B
Plot 85-86 Elevations	S857/HoE/P85-86/02 REV C
Plot 87 Elevations	S857/HoE/P87/02 REV B
Plot 87 Plans	S857/HoE/P87/01 REV A
Plot 88-89 Plans	S857/HoE/P88-89/01 REV B
Plot 88-89 Elevations	S857/HoE/P88-89/02 REV C
Plot 90-91 Elevations	S857/HoE/P90-91/02 REV B
Plot 90-91 Plans	S857/HoE/P90-91/01 REV B
Plot 92-93 FF Plans	S857/HoE/P92-93/02 REV B
Pot 92-93 GF Plans	S857/HoE/P92-93/01 Rev B
Plot 92-93 Elevations 1	S857/HoE/P92-93/03 REV C
Plot 92-93 Elevations 2	S857/HoE/P92-93/04 REV C
Plot 94-95 Elevations 1	S857/HoE/P94-95/03 REV C
Plot 94-95 FF Plans	S857/HoE/P94-95/02 REV B
Plot 94-95 GF Plans	S857/HoE/P94-95/01 REV B
Plot 96-99 Elevations 1	S857/HoE/P96-99/04 REV D
Plot 96-99 Elevations 2	S857/HoE/P96-99/05 REV D
Plot 96-99 FF Plans	S857/HoE/P96-99/02 REV C
Plot 96-99 GF Plans	S857/HoE/P96-99/01 REV C
Plot 96-99 SF Plans	S857/HoE/P96-99/03 REV C
Bin and cycle store plots 67-78	S857/HoE/P67-78/BCS
Car barn plots 1-3	S857/HoE/P1-3/GD
Car barn plots 4-7	S857/HoE/P4-7/GD REV A
Car barn plots 48&54	S857/HoE/P48-54/GD
Garage plots 32-37	S857/HoE/P32+37/GD REV B
Garage plots 8-11	S857/HoE/P8+11/GD REV B
Garage plots 15-79-81	S857/HoE/P15-79&81/GD REV B
Garage plots 16-99 20-21	S857/HoE/P16-99 +20-21/GD REV A
Garage plots 79-81	S857/HoE/P79&81/GD REV A
Garage plots 82-87	S857/HoE/P82-87/GD REV A

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

2. 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 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 only be carried out in accordance with the approved details and samples.

Reason: To ensure that the appearance of the development is satisfactory.

3. Following the approval of the external materials required by condition two and before above ground works take place (excluding ground works and construction up to damp proof course (dpc) and the construction of the access) a sample panel (not less than one metre square, showing materials, face bond and pointing) of the external flint elevations, 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 plots with this elevational finish. The works shall thereafter be carried out in accordance with the approved sample panel.

Reason: To ensure that the appearance of the development is satisfactory.

4. Prior to the commencement of development (excluding ground works and construction up to damp proof course (dpc) and the construction of the access) written details and/or samples of:

- a) fenestration details; and
- b) fascias, soffits and gutters

to be used externally shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved details.

Reason: To ensure that the appearance of the development is satisfactory.

5. Before the first occupation of the development a certificate demonstrating that Secured by Design has been successfully achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development is acceptable in terms of crime and safety.

6. Before the first occupation of the development, full details, of both hard and soft landscape proposals, including a schedule of landscape maintenance for a minimum period of 10 years, shall be submitted to and approved in writing by the Local Planning Authority. The approved landscape scheme (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and retained.

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

7. Prior to the occupation of the 50th dwelling the Local Area for Play (LAP) shall be laid out in accordance with a scheme to be submitted and agreed in writing by the Local Planning Authority and made available for use. The scheme shall include details of the proposed play equipment, surface materials, boundary treatments as well as evidence that the future maintenance of the LAP has been secured. The development shall only be carried out in full accordance with the agreed details.

Reason: To ensure the satisfactory provision of children's play space.

8. Before the first occupation of the development hereby approved, details of the all boundary treatments within and around the site and a timetable for their construction shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented in accordance with the agreed details and retained for the lifetime of the development.

Reason: To safeguard the visual amenities of neighbouring residents and the locality.

9. Prior to the first occupation of the development hereby approved a scheme for the provision of fast charge sockets (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) for (i) all dwellings which include on-plot vehicle parking and (ii) 20% of the vehicle parking spaces for the apartments shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented before the first occupation of the individual dwellings. Thereafter, the approved scheme shall be retained and maintained to the satisfaction of the Local Planning Authority.

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

10. Prior to the first occupation of the development hereby approved a scheme for the provision of fast charge sockets (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) for the dwellings which do not have on-plot vehicle parking (excluding apartments) shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented before the first occupation of the individual dwellings. Thereafter, the approved scheme shall be retained and maintained to the satisfaction of the Local Planning Authority.

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

11. No part of the development shall be occupied unless and until the redundant footway along the north-west boundary of the site is replaced with landscaping in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the first occupation of the dwellings and 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.

12. No part of the development hereby approved shall be occupied unless and until the footway along the northern boundary of the site is constructed in accordance with drawing number S857-HE-01 Rev_O. This includes the portion of footway which enters the north-west of the site opposite Plot 11 and Plot 16. Once constructed the footway shall be dedicated as public highway and shall be retained in perpetuity.

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

13. The development hereby approved shall not be commenced unless and until a scheme for detailed layout of internal roads, footways and cycle routes has been submitted to and approved in writing by the Local Planning Authority. Such details shall include the provision of visibility splays (including pedestrian inter-visibility splays) for all road users, pram crossing points and any required signage and road markings. There shall be no obstruction to visibility splays between 0.6m and 2m high above ground level. The approved details shall be implemented before the first occupation of the development or in accordance with a timetable which has also been approved in writing by the Local Planning Authority and thereafter retained.

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

14. The pedestrian access from the site to Public Footpath Number 118, south of Plot 36, shall remain open and accessible to the public at all times and shall be retained and maintained to the satisfaction of the Local Planning Authority.

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

15. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with drawing number S857-HE-01 Rev_O for vehicles and 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 purpose.

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

16. The development hereby approved shall not be first occupied unless and until the secure, covered, illuminated cycle storage facilities have been laid out within the site in accordance with drawing numbers. S857/HoE/P67-78/BCS, S857/HoE/P51/01 and S857/HoE/P56-57/01) for cycles to be parked to serve the 12no. apartments at Plots 67-78 and the 2no. 'Flat Over Garages (FOGs)' at Plots 51 and 56. Thereafter the cycle parking facilities shall be retained and maintained for their designated purpose.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to travel by means other than private motor vehicles.

17. The development shall only be carried out in accordance with the approved Energy Statement (prepared by Southern Energy Consultants, dated 27.02.21). Prior to the occupation of each house type, a summary showing the emissions rate, as set out in the final SAP assessment, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce carbon emissions and incorporate sustainable energy in accordance with Policy D2 of Guildford Borough Local Plan: Strategy and Sites.

18. 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 details, location and the design of the proposed photovoltaic panels have 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 the proposal remains in keeping with the character and appearance of the surrounding area and to protect the setting of the conservation area and neighbouring listed buildings.

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 Supplementary Planning Guidance 'Sustainable Design and Construction' 2011.

20. Before the development hereby approved is first occupied, a Waste and Refuse Strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall include details such as the location of bin stores, presentation points etc. The approved strategy shall be implemented in full before the first occupation of the development and shall remain in operation in perpetuity.

Reason: In the interests of residential and visual amenity, and to encourage waste minimisation and recycling of domestic refuse, in the interests of sustainable development.

21. No development above ground level shall commence until a Sensitive Lighting Management Plan (for all roads and public areas) (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 and to protect the visual amenity of the surrounding area.

22. 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 at the same time as other services during the construction process and be available for use on the first occupation of each building where practicable or supported by evidence detailing reasonable endeavours to secure the provision of FTTP and alternative provisions that have been made in the absence of FTTP.

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

23. Before the development hereby approved is commenced, a plan showing the location of the ten Building Regulations 'accessible and adaptable dwellings M4(2) and the five Building Regulations M4(3)(2) wheelchair accessible dwellings 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.

24. Before the commencement of the development hereby approved, evidence that bat surveys which are in line with best practice have been undertaken between May and July to determine whether a maternity roost is present, and between November and February to determine whether a hibernation roost is present shall be submitted to and approved in writing by the Local Planning Authority. The surveys must be undertaken the season before construction activities commence. The development shall only be carried out in accordance with the agreed details.

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

25. The development hereby permitted shall only be built in accordance with the measures, processes and standards set out in the following documents:

- Energy Statement (prepared by Southern Energy Consultants, revision dated 18/02/2022).
- Supplementary Sustainability Statement (prepared by Berkeley Homes, dated February 2022)
- Sustainable Specification and Procurement Policy (prepared by Berkeley Group PLC, dated June 2017)

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

Reason: To ensure that the development takes sustainable design and construction principles into account, including climate change adaption and reducing carbon emissions and addressing the performance gap.

26. Prior to the occupation of each completed building, a pressure test must be undertaken and the results submitted to and approved in writing by the Local Planning Authority. Where a pressure test does not meet the standards proposed in the Energy Statement (a maximum air leakage rate of 4m³/h.m²@50Pa) the building must be brought up to standard prior to the occupation of each completed building and the final results submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development takes sustainable design and construction principles into account, including climate change adaption and reducing carbon emissions and addressing the performance gap.

27. No development shall commence until a Site Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority that demonstrates how waste generated from construction and excavation activities would be dealt with in accordance with the waste hierarchy. The development shall only be carried out in accordance with the approved Site Waste Management Plan which will subsequently be kept up-to-date throughout the development process in accordance with established methodology.

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

28. The approved Arboricultural Method Statement and Tree Protection Plan prepared by Barrell Tree Consultancy, dated 16th February 2021 (Ref. 13441-AA7-CA), must be adhered to in full. No development shall commence until tree protection measures, and any other pre-commencement measures as set out in the AMS and TPP, have been installed/implemented. This included the requirement of a pre-commencement site meeting with the project arboriculturist, LPA Tree Officer, and Site Manager. The protection measures shall be maintained in

accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site. This condition may only be fully discharged on completion of the development subject to satisfactory written evidence of monitoring and compliance by the pre-appointed consulting arboriculturalist.

Reason: To protect the trees on site which are to be retained in the interests of the visual amenities of the locality. It is considered necessary for this to be a pre-commencement condition because the adequate protection of trees prior to works commencing on site goes to the heart of the planning permission.

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 before submission. However, Officers have secured amendments to the scheme during the formal assessment. As amended, the proposal is now deemed to be acceptable.

3. Highways informatives:

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

The 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 footways, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme.

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice

The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

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

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

4. The applicant is advised that in relation to condition 18, the Local Planning Authority expects the use of photovoltaic panels which are flush with the roof surface. This is in order to protect the character and appearance of the development and the setting of the conservation area.
5. The applicant should ensure that an appropriate bat mitigation licence for the development has been sought and approved.

Officer's Report

Site description

This application is the final reserved matters application for the hybrid development for the replacement of the existing Howard of Effingham school and the provision of 295 dwellings. The hybrid planning application was given permission by the Secretary of State in 2018. Reserved

matters applications have already been approved for the replacement school, as well as 159 of the dwellings on the Lodge Farm site. This proposal relates to the residential re-development on the existing school site, which will become vacant once the new school has been constructed on the site opposite.

The existing school site is located on the southern side of Lower Road in Effingham. It is currently occupied by a range of permanent and temporary school buildings, a sports hall, play areas, pitches and staff and visitor parking. There is also an older lodge building to the front of the site, however, this is being retained as part of the scheme.

The site is bordered to the west by the Effingham Place residential development (which include one Grade II listed building) and to the south by the King George V recreational and sports area. As noted above, the site directly opposite the existing school on the other side of Lower Road also forms part of the original hybrid application and reserved matters approval has already been given for the replacement school and 159 dwellings on this site. To the east of the site is a collection of buildings which includes All Saints Church (Grade II*) and Manor House School (Grade II). These are both within the administrative boundary of Mole Valley District Council (MVDC).

The site is outside of, but adjoining Effingham Conservation Area (to the south and west of the site). To the east of the site and again within Mole Valley District Council is Little Bookham Conservation Area.

There is a public footpath running along the southern boundary of the site.

The site is within the 5 to 7 kilometre buffer of the TBHSPA. The site is not located in the Green Belt, although it does boarder it to the north and south.

Proposal

Reserved matters application pursuant to outline permission 14/P/02109 approved on 21/03/2018, to consider appearance, landscaping, layout and scale in respect of the erection of 99 dwellings.

The proposed reserved matters application generally follows the parameter plans which were approved by the Secretary of State in 2018. The proposal includes the provision of 99 dwellings (this quantum having been already approved), with one access serving the development to the west of the existing gate lodge (where the main vehicular access into the school is at present). This would lead to a central green with a retained tree in the middle and this green would be flanked on three sides by the taller buildings within the scheme.

A row of two storey dwellings would front Lower Road, most with a parallel internal access road running in between, which means that these properties would be well set back from the road. Along the south-western boundary of the site, there would also be a ribbon of mainly two storey dwellings which would front onto the King George V recreation area. Again, most of these dwellings would either be set behind existing trees or well set back into the site behind an internal access road. The rest of the site is arranged in perimeter blocks which would front onto the internal estate roads. The proposal contains one block of apartments in the north-eastern corner of the site.

The proposal provides a total of 235 car parking spaces. A Local Area for Play is provided along the western boundary.

It should also be noted that following concerns that were expressed by Officers, the applicant has amended the scheme since its original submission. The main changes include:

- improvements to the layout of the development - including setting blocks to face the internal roads;
- improvements to the design and finish of some of the dwellings; and
- a reduction in some of the building heights.

Residents and consultees were given the opportunity to comment on the amended plans.

Proposed Mix					
	1-bed	2-bed	3-bed	4+-bed	Total
Total dwellings	9	16	51	23	99
Of which...					
Houses	--	13	50	23	86
Apartments	9	4	--	--	13
Affordable	9	5	5	--	19

Relevant planning history

Reference:	Description:	Decision Summary:	Appeal:
21/P/01306	Hybrid planning application for outline planning permission (only access to be considered) for the erection of 4 self-build dwellings on land at 408-410 Lower Road, Effingham following demolition of all existing buildings; and full planning permission for the erection of 110 dwellings, with access, parking, community assets, landscaping, and associated works on land at Effingham Lodge Farm, Lower Road, Effingham.	Pending	N/A
21/P/01283	Variation of condition 1 (approved plans) of planning permission 14/P/02109, approved at appeal on 21/03/2018, to refer to updated parameter plans annotated to show the areas no longer to be developed pursuant to that application.	Pending	N/A

20/P/02048	Reserved matters application pursuant to hybrid application 14/P/02109 for the replacement of Howard of Effingham School to consider the detailed design, associated playing fields, MUGA, parking and landscaping works.	Approve 01/03/2021	N/A
20/P/00249	Reserved matters application pursuant to outline application 14/P/02109, approved on 21/03/2018 for the nursery school and caretakers lodge.	Approve 15/04/2020	N/A
19/P/01760	Reserved matters application pursuant to outline application 14/P/02109 for the development of 159 dwellings with associated access, parking and landscape works.	Approve 18/02/2020	N/A
19/P/01451	Reserved matters application pursuant to hybrid application 14/P/02109 for the replacement of Howard of Effingham School to consider the detailed design, associated playing fields, MUGA, parking and landscaping works (amended plans received which alter the size of the sports hall from 33m x 27m to 34.5m x 25.87m).	Approve 10/01/2020	N/A
14/P/02109	Hybrid planning application for outline permission (only access to be considered) for the erection of a replacement secondary school for Howard of Effingham and up to 258 residential dwellings with means of access at Howard of Effingham School and Lodge Farm, Lower Road following demolition of all existing buildings; and full permission for the erection of 37 dwellings, with access, parking and landscaping works on land at Brown's Field, Brown's Lane, Effingham.	Refused	Appeal Allowed

Consultations

Statutory consultees

County Highway Authority, Surrey County Council: No objections, subject to conditions and informatives.

Natural England: No objections raised, subject to the development complying with the adopted

Thames Basin Heaths SPA SPD.

Lead Local Flood Authority (LLFA), Surrey County Council: No objections raised. [Officer Note: It is noted that this is a reserved matters application which follows from the approval of outline planning application 14/P/02109. The outline application included a full Flood Risk Assessment and drainage details. The outline was approved with conditions that control SuDS and drainage. These conditions will need to be discharged in the usual manner. As such, it is not necessary to impose the conditions recommended by the LLFA through this consultation response].

County Archaeologist, Surrey County Council: Notes that there is already an archaeology condition in place on the consented hybrid scheme. Recommends an informative stating that an archaeological field evaluation of the site is required once the school has been vacated but before the development commences.

Environment Agency: No requirement to provide comments on reserved matters applications. However, it is noted that the proposal should comply with the conditions recommended by the Environment Agency for the outline application.

Historic England: No comments to offer.

Sport England: Sport England note that the proposed development does not fall within their statutory remit [Officer Note: It is noted that Sport England were heavily involved with the original hybrid application and by the time the scheme was before the Secretary of State, they raised no objections to the proposal].

Internal consultees

Operational Services, Recycling and Waste: No comments received.

Non-statutory consultees

Mole Valley District Council: Note that the following points should be considered:

- the three-storey building at the north-eastern corner of the site could be a dominant feature on the outer edge of the site. It extends very near to the northern boundary and its long rear elevation would be very exposed to views from the land to the east and the main road;
- the impact of the proposed layout and scale on the Little Bookham Conservation Area and the Grade II* All Saints Church and proposed graveyard extension. The layout at the eastern side of the site differs greatly from the indicative layout submitted with the hybrid application 14/P/02109. In this indicative layout the two buildings at the eastern side were smaller and oriented so as preserve open space between them and into the site. The scale and orientation of the buildings now proposed in this location would have a stark and overbearing appearance towards the setting of the heritage assets;
- GBC is asked to take all reasonable steps to ensure that the outline permission conditions 16 and 17 are met in full and adhered to. These conditions relate to highway safety and parking along Lower Road and within the site; and
- GBC is asked to ensure that the level of pressure on roads and infrastructure is no greater than what was allowed under the outline permission 14/P/02109.

Regarding the amended plan, MVDC state that the changes do not overcome their concerns.

They reiterate that the reserved matters proposal would be more harmful than the appeal scheme to the setting of the listed buildings to the east.

Thames Water: No objections raised.

Surrey Police, Designing Out Crime: No objections. Secured by Design accreditation recommended.

Parish Council

Effingham Parish Council: The Parish Council's letter does not confirm whether they object to the proposal or not. The following points are noted:

- serious concerns about the scale, size and layout of the proposed dwellings and their proximity to each other. The design is densely packed and completely out of character with the village. It will harm the historic open setting of the village and cause material harm to the character and appearance of the Conservation Area;
- grave concerns about the close proximity of the housing on the southern side of the development to the KGV boundary and the Conservation Area;
- the borders of the development need improved shielding so as not to be out of character and unsightly. Footpaths are a highly valued asset to the village, providing access to leisurely walks through the surrounding countryside. Their role is not just functional and the views and openness should be given greater protection from encroachment by the development;
- concerned that the Lower Road street scene will be inappropriate to one of the major entry roads into the village;
- there should be more green space and open areas with development broken down into smaller discrete settlement areas. As it currently stands it has the feel of an urban estate;
- although the parking provision accords with ENP R1 for parking places for residents the Parish Council considers feel that there is insufficient visitor parking;
- requests GBC to thoroughly check whether the developer is including rooms that could be used as bedrooms meaning the loss of small homes and under provision of parking; and
- requests GBC speaks to the developer about restricting pets, especially dogs and cats, moving easily from the development on to the KGV fields and woods.

Regarding the amended plans, the Parish Council confirmed that their concerns remained. The following additional points were noted:

- the amended plans for the southern boundary with the KGV propose inadequate fencing in the Conservation Area. More robust fencing is required to restrict pets, especially dogs and cats, moving easily from the development on to the KGV fields and woods, and to stop possible traveller incursions, which have been and still are a concern in the Lower Road area; and
- continue to make to point that for the great majority of plots, that the Parish Council identified as being designed to possibly include an extra bedroom under the subterfuge of including a 'study' or 'dressing room'.

Amenity groups/Residents associations

Effingham Residents Association: The Residents' Association letter does not confirm whether they object to the proposal or not. The following points are noted:

- concerned that this reserved matters application is not compliant in a number of areas with the outline application agreed by the Secretary of State and the parameter plans with which it

had to largely accord;

- inadequate plans and drawings have been submitted;
- proposal is an overdevelopment of the site and its perceived density is not acceptable due in part to the number of three storey dwellings;
- the proposed dwellings have small amenity spaces and would be more suited to a city than a rural village;
- adverse impact on Lower Road streetscene;
- adverse impact on the King George V recreation area and Effingham Conservation Area;
- two hectares of open space should be provided across the wider application site;
- inadequate links to local footpath network;
- adverse impact on All Saints Church and Little Bookham Conservation Area;
- 13 visitor car parking spaces is inadequate;
- no mention of electric vehicle charging points;
- concerns regarding impact on dark skies;
- concerns over drainage and flooding;
- concerns regarding bat roosts; and
- lack of information on the retention of the gatekeepers lodge.

Regarding the amended plans, the Residents Association noted the following additional comments:

- disappointed that Berkeley Homes has not taken the opportunity to produce a new design that would actually complement the site, the village and the adjoining Conservation Area;
- relieved that Berkeley Homes has addressed the issue of the building heights not complying with the parameter plan. However, we still find the design and height of the buildings to be overbearing for this site;
- has a number of concerns about the new layout and, in particular, where it still does not comply with the parameter plans;
- concerns regarding proposed boundaries of the site and security; and
- other concerns in original letter remain.

Effingham Village Recreation Trust: The Trust's letter does not confirm whether they object to the proposal or not. The following points are noted:

- the Trust considers that the planning application has not sufficiently taken into account the need to minimise the general environmental impact of the development on King George V recreation area;
- the proposed access road at the south side of the development site is only separated from KGV woodland by a narrow strip of land. Views from the woodland, which at this point contains well used public footpaths, will be diminished; and
- directly to the south of the development site is a network of public footpaths across the northern side of KGV. These footpaths are arterial routes for foot traffic within the village and to other locations and are vital to healthy and sustainable living. Shielding between KGV and the new development is needed to maintain the privacy of the new residents and to prevent conflict between residents and visitors making their lawful passage along the footpaths.

Regarding the amended plans, the Trust noted the following additional comments:

- amended plans now under consideration continue to raise, and indeed amplify, the above concerns;
- the KGV land shares an extensive boundary along the proposed development's southern side. As such, this planning application is likely to have a considerable impact on many aspects of the Trust's land and its ability to discharge its charitable objectives in accordance

with the Trust's governing Charity Scheme;

- application has not sufficiently taken into account the need to minimise the general environmental impact of the development on our land;
- adverse visual impact on KGV and lack of boundary screening;
- the plans show a proposed access gate opening from the development site's southern road onto KGV land. This is wholly unacceptable, just as would be any proposal to make an unauthorised entrance onto any private land; and
- any boundary fence between the development site and the KGV land must be continuous, of a strong construction, of adequate height and without any access gates to minimise the risk of unauthorised access.

Guildford Society: Object for the following reasons:

- south-east corner of the site where two buildings with height and blank walls overlook green space need attention either by agreeing good tree barriers in the green space or alternate measures;
- lack of a green link through the site to connect Lower Road to King George V recreation area;
- building design and layout is surprisingly old fashioned and undistinguished;
- no mention of electric vehicle charging points;
- with the passage of time the Society is concerned that reasons to release land for this development are becoming weaker. The Inspector's report at para 35 refers to the lack of a five-year land supply and in paragraph 37 says the housing benefits carry very substantial weight. The local plan now provides a 5-year supply. [Officer Note: This is a reserved matters application. The principle of the development is not open for reconsideration]; and
- the local community benefits proportionally little from the Howard of Effingham school, which has a wide catchment area. On current plans few benefits to the local community are apparent from 14/ P/02109, the large outline housing scheme. [See Officer Note above].

Third party comments

20 letters of representation have been received raising a number of objections and concerns. The principal issues are summarised below:

- increase in the population of the village is not acceptable;
- the site is in the Green Belt and is not appropriate for development [Officer Note: The principle of the development has already been established. In addition, this site is not within the Green Belt];
- the proposal to build a new school does not constitute exceptional circumstances [See Officer Note above will also applies here];
- inherent conflict of interest which exists between the need to provide educational facilities, the responsibility of the local council and the requirement to build more houses [See Officer Note above will also applies here];
- Effingham does not need more housing [See Officer Note above will also applies here];
- increase in traffic;
- position of school is not acceptable [Officer Note: This application does not impact on the location of the school, as this has already been approved];
- concerns that this application is proposing to locate the dense affordable housing, which has very little green space around it, close to the boundary of All Saints Church and graveyard. This will mean that there could be noise emanating from that side of the boundary which would not be conducive to a peaceful graveyard where burials would be taking place. The graveyard and glebe land is regularly visited by those seeking a place of solace and reflection and is particularly important to those who have loved ones laid to rest there. The proposed housing should be set much further back from our boundary and the existing boundary hedge should

- be preserved in order to maintain privacy;
- parking spaces, as allocated for the 99 properties will not fulfil the probable number of vehicles that will belong to the occupants. This will lead to vehicles being parked against pavements, or more likely on pavements making them unsafe for pedestrians;
- proposal ore appropriate for a city centre than a rural area;
- unacceptable layout;
- some dwellings have more bedrooms than are stated;
- concerns regarding the ability to access the KGV recreation area via the development;
- gardens of the dwellings should be against the boundary;
- lack of access to public footpaths;
- concerns regarding flooding and drainage;
- lack of local facilities for residents;
- impact on infrastructure;
- the 99 dwellings should be one-bedroom starter homes;
- size, bulk and height of the dwellings is unacceptable;
- proposed dwellings should reflect the design of the existing gate lodge;
- inadequate sustainability information;
- impact on ecology and wildlife; and
- air and noise pollution.

One letter of representation has been received which is in support of the proposal. No further comments were noted.

Planning policies

National Planning Policy Framework (NPPF):

Chapter 2. Achieving sustainable development

Chapter 4. Decision-making

Chapter 5. Delivering a sufficient supply of homes

Chapter 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

National Design Guide 2019

South East Plan 2009:

Policy NRM6 Thames Basin Heath Special Protection Area

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

It is noted that the Guildford Borough Local Plan: Strategy and Sites 2015-2034 was adopted by the Council on 25 April 2019. Its policies now carry full weight in the assessment of planning applications. 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 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

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

Although the Council has now adopted the Guildford Borough Local Plan: Strategy and Sites 2015-2034 (LPSS), some policies of the saved Local Plan 2003 continue to be relevant to the assessment of planning applications and carry full weight. The extant policies which are relevant to this proposal are set out below.

Policy G1 General standards of development
Policy G5 Design code
Policy H4 Housing in urban areas
Policy HE4 New development which affects the setting of a listed building
Policy R2 Recreational open space provision in relation to large residential developments
Policy NE4 Species protection

Effingham Neighbourhood Plan:

Policy G1 A spatial plan for Effingham
Policy G2 Landscape, heritage, character and design
Policy G3 Archaeology and the historic environment
Policy G5 Assessing suitability of sites for residential development
Policy H1 New homes in Effingham
Policy H2 Mix of housing
Policy ENV4 Dark skies
Policy ENV5 Air quality
Policy R1 Car parking
Policy R2 Sustainable movement: cycle routes, footways and pedestrian routes
Policy SA2 Previously developed land at Effingham Lodge Farm

Supplementary planning documents:

Thames Basin Heaths Special Protection Area Avoidance Strategy SPD
Climate Change, Sustainable Design, Construction and Energy SPD
Planning Contributions SPD
Vehicle Parking Standards SPD
Residential Design SPG

Planning considerations

The main planning considerations in this case are:

- the principle of development
- housing
- impact on the character of the area and design of the proposal
- impact on the setting of the conservation area
- impact on the setting of listed buildings
- impact on neighbouring amenity

- amenity of proposed development
- highway/parking considerations
- flooding and drainage considerations
- sustainable energy
- open space provision
- impact on ecology
- Thames Basin Heaths SPA
- planning contributions

The principle of development

In 2014 a planning application for a replacement secondary school and 295 dwellings was submitted to the Local Planning Authority. Apart from 37 dwellings on a site along Brown's Field, the proposal was for outline planning permission. All matters apart from the access were reserved. In 2015, the Local Planning Authority refused planning permission for the development on various grounds including harm to the Green Belt, impact on ecology, harm to the conservation area and the character and appearance of the surroundings. The applicant appealed the decision and a Public Inquiry took place in May 2017. The appeal was subsequently recovered by the Secretary of State for determination and it was allowed in March 2018.

As regards this site, the appeal allowed the demolition of the existing school and the construction of 99 dwellings in its place. Access would be from Lower Road. The principle of residential development on this site has been firmly established through the appeal proposal and there is no opportunity to re-open this through the reserved matters application.

The current reserved matters application has been submitted to provide the remaining details relating to the appearance, landscaping, layout and scale of the development. While the principle of the development cannot now be reconsidered, the appearance, landscaping, layout and scale of the proposal will need to comply with all relevant local and national policies. This assessment will be carried out below.

Housing

This section of the report will assess the housing provision of the development and its compliance with the Local Plan.

Affordable housing

Policy H2 of the LPSS seeks at least 40 per cent of the homes on application sites to be affordable, with the mix in tenures being the same as set out above. While this is the case, the Secretary of State has already agreed that this site cannot deliver that quantum of affordable housing due in part to the delivery of the replacement secondary school. The applicant has provided the number of affordable units which was agreed through the outline permission. The total provision is 19 units, which are broken down into seven affordable rented properties and 12 discount market sales.

While the proposal is not compliant with the Local Plan in this regard, the departure from the adopted policy has already been agreed by the Secretary of State. The applicant is complying with what has been agreed through the outline permission. Given these circumstances, the Local Planning Authority cannot raise an objection to the proposal on these grounds.

Dwelling mix

Policy H1 of the LPSS states 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 Strategic Housing Market Assessment (SHMA). New development should provide a mix of housing tenures, types and sizes appropriate to the site size, characteristics and location'. The proposed dwelling mix for the development, as well as the SHMA requirement, is provided below.

Further to this, it is noted that policy H2 of the Effingham Neighbourhood Plan requires new residential development of 10 units or above to provide the following mix of housing tenures, types and sizes to meet the needs of prospective households in Effingham and to deliver a wider choice of homes within the Neighbourhood Plan Area:

- at least 20% of market homes shall have only one bedroom, and at least 60% shall have only two bedrooms.
- no more than 40% of two-bedroom market homes shall be flats.
- the percentage of affordable homes shall be as set out in the Guildford Borough Local Plan.
- at least 30% of affordable homes shall have three bedrooms in accordance with the most recent evidence regarding housing mix needs.

The housing mix for the proposed development is set out in the table below.

Table 1			
Overall Housing Mix	No.	SHMA % Req	Provided %
1 bed	9	20	9.1
2 bed	16	30	16.2
3 bed	51	35	51.5
4 bed	23	15	23.2
Total	99		

Table 2			
Market Mix	No.	SHMA % Req	Provided %
1 bed	0	10	0
2 bed	11	30	13.8
3 bed	46	40	57.5
4 bed	23	20	28.7
Total	80		

Table 3			
Affordable Mix	No.	SHMA % Req	Provided %
1 bed	9	40	47.4
2 bed	5	30	26.3
3 bed	5	25	26.3
4 bed	0	5	0
Total	19		

It is noted that the proposal is not in line with the Council's desired housing mix as set out in the SHMA. The proposal would also fail to provide the mix required by the Neighbourhood Plan.

While this is the case, it must be noted that the outline application was considered against a

viability assessment which set out that due to the delivery of the replacement school (and the other infrastructure requirements), the proposal was only viable with a reduced affordable housing provision and on the basis of the housing mix which was set out in the appeal. Altering the housing mix considered by the Secretary of State, by increasing the number of smaller units that the scheme delivers is highly likely to negatively impact on the scheme viability. As a consequence, the delivery of the school may be threatened.

While it is acknowledged that under normal circumstances the Council would expect a site of this size to be SHMA compliant, given the unique situation and the appeal decision, the proposed mix is accepted on the basis that it is required to ensure that the scheme as a whole, is delivered.

It is also noted that approximately 12 of the proposed dwellings include 'bonus rooms' which could in theory be occupied as additional bedrooms. These 'bonus rooms' include spaces which are marked on the proposed plans as being dressing rooms, studies and tv rooms. Taking a worst case scenario, if all 12 bonus rooms were converted into bedrooms, the proposal would see ten of the proposed three-bedroom units becoming four-bedroom units and two two-bedroom units becoming three-bedrooms. It is acknowledged that this worst case scenario would move the proposal even further away from being compliant with the SHMA. This issue has been brought to the attention of the applicant and they note that under the current circumstances with increased home-working etc it is their experience that customers do use these bonus rooms for their intended purpose (i.e. incidental to the dwelling, rather than for extra bedroom space). However, even if this was not to be the case, the solution would be an amendment to the plans which remove the internal walls which create the 'bonus rooms' resulting in a larger bedroom for each of the 12 plots. This is not something that the Council could control by any means and the internal sub-division of these spaces could be undertaken at any time without the benefit of planning permission. In addition, the possible 12 additional bedrooms and slightly larger dwellings would not have such an impact on the borough wide SHMA requirement that a refusal on these grounds could be substantiated. Given this, and the complicated nature of the proposal, which has viability issues, it is considered that the proposal is acceptable in this regard.

Accessible units

Policy H1 of the LPSS requires 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 'accessible and adaptable dwellings' and 5% of new homes will be required to meet Building Regulations M4(3)(b) category 3 wheelchair user accessible dwellings standard'.

According to the Design and Access Statement, the proposal would provide a total of five wheelchair user dwellings and ten accessible dwellings. This is compliant with the Council's requirements and they will be secured through condition.

Impact on the character of the area and design of the proposal

Paragraph 126 of the NPPF states that 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. The NPPF notes that decisions should ensure that developments:

- 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;

- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- establish or maintain 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;
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The National Design Guide also provides useful information on how to design scheme which take into account context, identity, the built form and public spaces etc.

Policy D1 of the LPSS makes clear that new development will be required to achieve a high quality design that responds to the distinctive local character of the area in which it is set. The design criterion set out in policy G5 of the saved Local Plan are also relevant.

As regards the impact on the character of the area, the Planning Inspectorate noted that

'there is common agreement that at best the existing school complex has a neutral effect on the setting of the Effingham Conservation Area. A more critical eye might conclude that the ad hoc, incremental arrangement of essentially utilitarian structures detracts from the setting of the historic village, especially when approached from the east. That said, such is the verdancy and depth of the tree cover to the south of the site that the perception of the historic settlement beyond is very limited. In this context, the proposed residential development and, with appropriate handling of form, massing and additional landscape treatment resolved through reserved matters, could quite reasonably ameliorate or overcome and resolve the deleterious utilitarian character of the site and so certainly avoid material harm to the setting of Effingham Conservation Area. On these terms, this element of the development would accord with paragraph 132 of the Framework which seeks the conservation of designated heritage assets and their settings and with policy HE10 of the GBLP, which seeks the same...Again, the western and northern approaches to the Little Bookham Conservation Area and the group of listed buildings located within are screened by dense, characterful, mature and verdant tree cover. In combination with increased distance from Site No.1 and intervening ancillary structures such as high boundary walls, this cover effectively screens the Manor, Farmhouse and Barn from any direct inter-visibility and in such circumstances there would be no material harm to the setting of these listed buildings. The graveyard, with its scattered monuments and shady wooded cover, is an intrinsic and important constituent of the setting of the church, positively contributing to its significance as a highly graded designated heritage asset. The flashes of the verdant green of playing fields beyond, seen beneath the low tree canopy, offer a sense of pastoral context beyond, enhancing the perception of a separation between the settlements. It is the case that the residential development would extend the eastward extent of built form on the site, bringing it closer to the Little Bookham Conservation Area boundary and the limits of the church graveyard. However, the existing school structures on the eastern periphery of the site are the most

substantial within the complex and, with careful consideration of reserved matters, the massing and placement of lesser residential development would effectively mitigate the small encroachment to the east. Moreover, with the addition of appropriate planting to further soften and screen the development when viewed from the west, secured through reserved matters conditions, material harm to the setting of the Little Bookham designated heritage assets could be avoided, also in accordance with the conclusions of Historic England as set out in their initial advice. A constituent of the character of the setting of the church is its relative tranquillity. This is certainly the case in respect of its immediate precincts, where the quiet shade of its enveloping trees provide such respite for those within. However, the presence of traffic on Lower Road is not entirely excluded and the intense activity associated with the school at predicted times is not far away. The comings and goings associated with the proposed residential development are unlikely to be greater, and on balance, this sense of immediate quiet would be maintained. In this regard therefore the development of Site No.1 would preserve the setting of the listed buildings, so according with the requirements of section 66 of the Act and comply with paragraph 132 of the Framework, which affords great weight to the conservation of designated heritage assets and their setting'.

It has been noted in some responses to the planning application that the current proposal does not align with the parameter plans which were considered by the Inspector. Officers have considered this issue and broadly speaking consider that the reserved matters application does correspond with the parameter plans. For instance, the parameter plans show six areas of the site which may accommodate buildings which are two and a half to three storeys in height (a ridge height of between 10.5 to 13.5 metres is also provided), as well as a higher density area around the central open space area. It is also noted that in broad terms, the illustrative masterplan approved by the Secretary of State is being followed through in the reserved matters application. However, as will be set out below, Officers believe that the layout has been significantly improved as a result of the amendments which have been secured through this reserved matters application.

Taking the above context into account, the proposed design and layout of the scheme will be assessed below.

The amended layout, which is based on the illustrative masterplan approved by the Secretary of State, consists of a central open space area which is flanked to the south, east and west by larger townhouse style properties. It is firstly noted that these properties are broadly reflective of the townhouses already approved on the Lodge Farm site and secondly are situated in an area which was designated on the parameter plans for a denser and taller form of development. In this regard the proposal does not offer a conflict with the approved hybrid scheme.

The southern half of the site consist of two rows of dwellings. Officers have secured amendments to the scheme which ensure the dwellings along the northern row all front onto the estate road. This is a significant improvement to the plan and will help with the creation of an attractive streetscene within the development. The southern row would front onto the boundary of the site which is shared with the King George V recreation area. The dwellings here would be in broadly the position indicated on the parameter plans and in the majority of cases would be well set back from the boundary due to their front gardens and the presence of an internal road. The southern boundary of the site is intended to remain open, with only a small knee-rail delineating the different ownerships. It is noted that significant concerns have been raised by the Parish Council and the Effingham Village Recreation Trust regarding the treatment of the southern boundary of the site and the interaction between the two uses. Officers have considered this matter in detail. It is considered that the suggestions made to provide a secure and impenetrable boundary along

the southern boundary of the site would not be appropriate. It is not understood why views of the dwellings from the KGV would be in any way harmful to this area of the village, especially given this relationship was always envisaged in the hybrid proposal. The integration of the two sites would increase pedestrian permeability in the area and would allow the development to better integrate into its surroundings. As a result, Officers do not believe that this area of the design is objectionable.

The northern half of the development would see a row of dwellings front onto Lower Road in much the same way as is shown on the illustrative masterplan. The vast majority of the dwellings would be well set back from Lower Road and would allow for some planting to be provided between the highway and the dwellings. The proposal would provide an active and attractive streetscene to Lower Road, which to some could be considered an improvement over the current school. The dwellings would be well spaced apart, and as a result, the development would not appear cramped or overbearing on the road, in keeping with the semi-rural nature of the village.

The eastern boundary of the site would see the proposed apartment block, parking and a row of terraced housing. It is acknowledged that this side of the site does depart from the illustrative masterplan. The proposal creates two built forms which would run parallel to the western boundary, whereas some of the buildings on the masterplan were set perpendicular to the boundary. The applicant has made some amendments to this area of the site, which have improved the scheme and in urban design and layout terms, the layout would not be objectionable. The impact on the neighbouring heritage assets will be discussed below.

The proposal includes numerous areas of open space within the development. The largest is the area at the centre of the site which will include a retained tree. A further open space area, which includes a Local Area for Play is provided along the western boundary of the site close to the copse which separates the site from Effingham Place.

In terms of design, the proposed dwellings have a relatively traditional appearance. They are well detailed and the Local Planning Authority is content that design will be of a high standard. The materials have been simplified at the request of offers and now the palette consists of red brick, tile hanging, flint and clay tile roofs.

With conditions to control the external materials the proposal is deemed to be consistent with policy D1 of the LPSS, policy G5 of the saved Local Plan and the relevant provisions of the NPPF. The proposal would create a new residential community which is reflective of the surrounding context, but yet will still have its own identity. The development is considered to be of a high standard of design and is also considered to be reflective of the guidance set out in the National Design Guide.

Impact on the setting of the conservation area

Effingham Conservation Area is located to the west and south of the application site. Little Bookham Conservation Area, which is within Mole Valley, is located to the east and south-east of the site. As such, the proposal has the potential to impact on the setting of both conservation areas. Paragraphs 199 and 200 of the NPPF state that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation (and the more important the asset, the greater the weight should be). 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 states that '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'. Policy HE10 of the saved Local Plan states that the Council 'will not grant permission for development which would harm the setting of a conservation area, or views into or out of that area'. Policy G2 of the Neighbourhood Plan is also relevant.

The impact of the development as a whole on the setting of Effingham Conservation Area was assessed in detail by both the Planning Inspectorate and the SoS. It was concluded that the proposed development 'would not have a materially harmful effect on the setting of Effingham Conservation Area taken as a whole'. The reserved matters scheme does not represent a material or significant departure from the indicative outline proposal. The southern boundary of the site is considered to be the most sensitive in this regard. The majority of the dwellings along the southern boundary would be well set back from the boundary of the conservation area and would be screened with a new planting scheme. Compared to the existing situation which sees a mix of un-descript school buildings and green palisade fencing, it could be argued that the proposal would improve the setting of the conservation area in this specific location. It is noted that the south-eastern corner of the site would present rear gardens to the conservation area, which would be screened by panel fencing. A similar arrangement would have been required for the approved hybrid proposal. However, it is noted that the area of land in front of this fencing is planted with a dense scrub and hedging which will help to act as a screen.

As such, it is considered that the Inspector's and SoS decision that the setting of Effingham Conservation would not be harmed by the proposal is still valid and must be given substantial weight in the assessment. No objections have been raised by the Council's Conservation Officer.

As regards Little Bookham Conservation Area, the appeal decision noted that *'the western and northern approaches to the Little Bookham Conservation Area and the group of listed buildings located within are screened by dense, characterful, mature and verdant tree cover...It is the case that the residential development would extend the eastward extent of built form on the site, bringing it closer to the Little Bookham Conservation Area boundary and the limits of the church graveyard. However, the existing school structures on the eastern periphery of the site are the most substantial within the complex and, with careful consideration of reserved matters, the massing and placement of lesser residential development would effectively mitigate the small encroachment to the east. Moreover, with the addition of appropriate planting to further soften and screen the development when viewed from the west, secured through reserved matters conditions, material harm to the setting of the Little Bookham designated heritage assets could be avoided...'* In this regard it is noted that the proposed reserved matters proposal does differ from the hybrid permission. There are still four terraced dwellings and an apartment block proposed along the eastern boundary, however, the buildings have now been switched with the larger apartment building now fronting onto Lower Road, with the terrace dwellings in the south-east corner. The terrace would be modest in size, with a ridge height of approximately nine metres and it would be situated approximately 22 metres from the boundary of Little Bookham Conservation Area. With the retention of the existing tree in this corner of the site and new planting, the proposed terrace building would not result in any harm to the significance of the conservation area. The proposed apartment building has been altered at the request of Officers, and as a result, its bulk and height has been reduced by approximately one metre. Given its current location, the building would be 47 metres away from the conservation area boundary and with additional landscaping along the eastern boundary of the site, and the planting which already exists on the intervening land, the apartment building would not result in any harm to the setting

of Little Bookham Conservation Area.

On this basis, the proposal is not considered to result in any harm to the setting of the conservation areas surrounding the site.

Impact on the setting of listed buildings

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

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). 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.

In this case the proposal has the potential to affect the setting of Effingham Place (Grade II listed), as well as All Saints Church (Grade II*) and Manor House School (Grade II), which are both within the administrative boundary of MVDC.

The principle of siting 99 dwellings within the setting of a number of listed buildings has already

been accepted by the outline permission. It is noted that the layout and design of the scheme is broadly reflective of the outline parameter plans and this needs to be given substantial weight in the assessment.

As regards Effingham Place, the site would continue to be screened from this building by a dense copse of trees. The layout of the western side of the development has not changed significantly, so it is considered that this proposal would not result in any harm to the significance of this asset. The same could be said for the other listed buildings which front onto Lower Road, which would be a significant distance from the site.

As regards the listed buildings within Mole Valley, the concerns raised by that Council are recognised. Officers have secured amendments to the scheme which alter the design of the proposed apartment building and reduce its height by approximately one metre. However, it is noted that MVDC continue to raise concerns about the relationship of the proposal to the listed buildings.

While it is acknowledged that the eastern boundary of the site differs from the outline parameter plans, this is to be expected and is not in itself objectionable. As noted in the section above, the outline scheme saw two main buildings (and a car barn) located perpendicular to the eastern boundary. The result was that less mass would have been presented to views from the east, however, the drawback was that the buildings would have been very close to the boundary. The proposal now sees two buildings which run parallel to the eastern boundary of the site (the car barn has been removed). While this means that more of the buildings would be visible from the east, they are now further away from the common boundary that set out in the outline parameter plans. There would now be a gap of between (approximately) 6.8 and ten metres to the eastern boundary, whereas the outline scheme showed the apartment building within five metres of the boundary at its closest point and the terrace of houses within 1.87 metres. The current proposal also removes built form from the very south-eastern corner of the site, which will give greater opportunity for planting and screening to this part of the development.

It is noted that All Saints Church is located approximately 100 metres to the east of the site. While it has a sense of being located within a rural setting, views of the existing school buildings, particularly the taller sports hall etc, can be gained from within its vicinity, particularly in winter. The proposal is different to the appeal scheme and would change the impact on All Saints Church however, for the reasons set out above, it is not considered that this change would be more harmful to its setting. It should also be noted that the Inspector also took into account the existing screening to the east of the site. He noted that *'it is the case that the residential development of Site No.1 will extend the built form of the school beyond the existing envelope to the east. However, as indicated above, because of the extensive tree cover along the southern part of Lower road and the remaining area of green space beyond and the dense tree planting around the Church of All Saints, the strong sense of separation between the settlements here would remain'*.

With regard to Manor House School it is noted that the built form has been removed from the south-eastern corner of the site and the apartment building has been switched for a relatively modest row of terraced cottages. Taking into account the screening which could be secured in this corner of the site, the proposal would not result in any greater harm to the setting of Manor House School than the outline proposals.

Taking into account the detailed (amended) plans submitted with this reserved matters

application, the Local Planning Authority is satisfied that over and above the outline permission, the proposal would not result in any greater harm to the setting of neighbouring listed buildings.

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

Impact on neighbouring amenity

The proposed development has a limited number of neighbouring properties. The closest to the site is The Lodge Cottage which is located at the entrance to Effingham Place to the north-west of the site. The proposed dwelling on plot 16 would extend beyond the front elevation of The Lodge Cottage, however, due to the distance of separation between the buildings and the boundary treatment, there would be no loss of privacy or amenity to the occupants of this property.

The representatives of All Saints Church and MVDC note that the graveyard to the east of the site is to be extended. Concerns have been raised over the impact on this space in terms of its privacy and tranquility. In terms of privacy it is noted that the possible site for the graveyard extension would be opposite the terrace of cottages. While these properties would have windows overlooking the site, they would be set back into the site by ten metres and would be limited to non-habitable bedroom windows. This building would also be partly screened from views by existing large boundary trees which are being retained. As regards the impact of noise and comings and goings, it is not felt that the current proposal would be materially different from the outline layout in this regard.

The proposal is not likely to have an amenity impact on any other existing residential property.

On the above basis, the proposal would not have any harmful impacts on the amenities of surrounding properties and it is deemed to be acceptable in this regard.

Amenity of the proposed development

Policy H1 of the LPSS states that 'all new residential development must conform to the nationally described space standards as set out by the Ministry of Housing, Communities and Local Government (MHCLG)'.

The applicant has submitted a space standards schedule which confirms that all properties would meet the Council's requirements. In terms of outdoor amenity space it is noted that all of the houses have adequately sized private garden areas. It is acknowledged that there are limited open space opportunities for the proposed apartment building. While this is regrettable, the proposal includes a large area of open space in the centre of the site, as well as a number of other smaller open space areas. There would also be easy access to the KGV recreation area from the site. On this basis, the proposal is deemed to be acceptable in this regard.

The communal open space provided on the site is generally in accordance with the parameter plans approved by the Secretary of State. A large area of open space is provided at the centre of the site, as well as a smaller area to the west, which incorporates a children's play area.

As such, the amenity of the proposed units is deemed to be acceptable.

Highway/parking considerations

Paragraph 111 of the NPPF states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

Access and the effect of the proposed development on the local highway network and the safety of highway users, were matters that were considered as part of the hybrid planning application. Although the Inspector acknowledged the concerns raised by the public and the Parish Council about highway safety and capacity, it was noted that 'there was very little to challenge the conclusions of both other main parties' [i.e. the appellant and Local Planning Authority who raised no objection to the outline application on highways grounds]. The mitigation measures secured as part of the appeal will continue to apply.

In terms of access it is noted that the proposal is consistent with the original proposal submitted for reserved matters approval. It includes one access to the site from Lower Road which would be located in the same position as the main existing access into the school. No objections are raised to this by the County Highway Authority.

In terms of parking the proposal includes a total of 235 on-site parking spaces, this includes 13 visitor parking spaces. This exceeds the maximum parking standards set out in the Council's Vehicle Parking Standards SPD which is for a maximum total of 181 spaces. However, it must be noted that the proposal exceeds the minimum standards set out in policy R1 of the Effingham Neighbourhood Plan, which is for a total of 212 on-site spaces.

While it is acknowledged that the proposal exceeds the Council's maximum standards, the requirements of the neighbourhood plan must be given weight. In this instance, the level of on-site parking is deemed to be acceptable.

Taking into account the outline application and the matters discussed above, together with the fact that the County Highway Authority raise no objection to the development, the proposal would not result in a severe impact on the highway network and is considered to be acceptable in this regard.

Flooding and drainage considerations

The issue of flooding and drainage was considered by the Secretary of State as part of the outline proposal and no concerns were raised.

Although it is acknowledged that residents have raised concerns about the drainage of the site and the capacity of the sewage network in this area, given the above, these matters cannot be considered afresh.

It is however noted that the outline application includes various conditions which require the applicant to submit additional drainage information. This will continue to apply to this reserved matters application.

Sustainable energy

Policy D2 of the LPSS states that new buildings must achieve a reduction in carbon emissions of at least 20 per cent and that this should be through the provision of appropriate renewable and low carbon energy technologies and the use of good quality building fabric.

It is noted that the original energy information submitted by the applicant was not considered to be acceptable. Through negotiation with Officers, an amended Energy Assessment has been submitted which is now considered to greatly exceed the requirements of policy D2 and the Council's Climate Change, Sustainable Design, Construction and Energy SPD.

It is noted that the improvements to fabric standards ensure compliance with the energy hierarchy element of policy D2. Based on the data available, the revised fabric specifications for the standard units will result in them achieving carbon reductions of around 6-16% over the baseline target emission rate. Most units will achieve over 10% and a good number will achieve well above this level. It is noted that the applicant has agreed to fit all of the dwellings with air source heat pumps. Once these are factored in, the scheme achieves an overall carbon reduction of slightly over 56%, and as a gas free scheme it will eventually become zero carbon. This exceeds the Policy D2 requirement for a 20% carbon reduction by some way. This will be secured by condition and should weigh heavily in favour of granting permission.

New development is required to minimise waste, in accordance with the waste hierarchy. A Waste Management Strategy has been submitted with the application and this will be secured through condition.

With regards to water efficiency, measures have been incorporated to ensure water use is less than 110 litres per person per day including water efficient taps, toilets and showers, water meters and flow restrictors to ensure water pressure achieves optimum levels..

With the conditions in place, the proposal is deemed to be compliant with policy D2 of the Local Plan and the Council's Climate Change, Sustainable Design, Construction and Energy SPD.

Impact on ecology

The impact on ecology was carefully considered by the Secretary of State. The ecology conditions imposed on the outline permission will continue to apply to this reserved matters application.

Notwithstanding this, the applicant has submitted a short update to the ecological assessment carried out as part of the outline application. It notes that the ecological condition has not materially changed since the outline permission was granted. In addition, following concern which were expressed by Surrey Wildlife Trust with regard to bats, the applicant has also submitted an outline bat mitigation strategy. If bats are found on site when demolition begins, this plan sets out how this will be controlled and mitigated. Surrey Wildlife Trust has reviewed the bat mitigation strategy and subject to conditions, raises no objections.

Impact on trees

The Council's Tree Officer has assessed the proposal. It is noted that a certain number of trees will need to be felled to facilitate the proposal, and this follows on from the allowed outline proposal.

To facilitate the development proposals, there will be the requirement to remove a total of four B grade trees of moderate quality. These trees were identified in the Barrell tree report (13441-AA7-CA), as T7, a pollarded Lime tree, and three Lime trees that form part of the wider group identified as G60. Neither T7, which has been regularly pollarded, and G60 which have been regularly pruned, are prominent from outside the development site. The Council's Tree Officer is satisfied that there is sufficient retained trees that will buffer their removal and as such, the proposal will not impact on the character of the local area in this regard.

The remaining individual or groups of trees to be removed, categorised as C grade, are all of lower quality with limited potential to contribute to the local character. Their removal will be negated by the retaining of the more prominent trees around the boundaries of the site and a comprehensive new tree planting scheme.

The scheme will result in some relatively limited encroachment within the root protection areas (RPA's) in a number of locations. The Council's Tree Officer has reviewed the proposals and is satisfied that suitable no-dig surfacing can be installed with very limited impact or disturbance to the root systems of the retained trees.

With standard conditions to control the tree protection details, the proposal is considered to be acceptable in this regard.

Thames Basin Heaths SPA

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.

Combined, the proposal would introduce a large quantum of housing into the buffer of the SPA. The applicant has access to the recently opened Long Reach SANG and this will provide the mitigation for the proposal. It is noted that a Grampian style condition was imposed as part of the outline which states that the housing development cannot be implemented until the SANG has been delivered and is in operation.

Given the Grampian condition attached to the outline application, which would still be binding on this reserved matters application, 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.

Planning contributions

The requirements and contributions secured through the s.106 agreement for the outline application will continue to apply. There is no ability for the Council to renegotiate the terms of the agreed s.106 through this reserved matters application.

Conclusion

The principle of residential development on this site has already been established through the approval of outline planning permission by the Secretary of State. The proposed layout is broadly reflective of the indicative outline scheme and further improvements have been agreed during the course of the assessment. The dwellings are traditional in their design and utilise a palette of materials which are considered to be in keeping with the area.

The proposal would not give rise to any additional harm to the conservation areas or surrounding listed buildings. Concerns about the treatment of the southern boundary of the site have been considered, however, the proposal as it stands is considered to be acceptable by Officers, for the reasons set out in the report. While concerns have been raised regarding drainage, highways and that the proposal is not needed, these are matters which have already been considered by the Secretary of State and found to be acceptable.

In all, the proposal is deemed to be acceptable and is therefore recommended for approval.

21/P/00976 – Lot 5, Land To The West Of Manor Farm Cottage, Westwood Lane, Wanborough, Guildford



Not to scale

App No: 21/P/00976 **8 Wk Deadline:** 05/07/2021
Appn Type: Full Application
Case Officer: Emma Wachiuri
Parish: Wanborough **Ward:** The Pilgrims
Agent : **Applicant:** Mrs Zhu
8 Chestnuts
Hutton
CM13 2PA

Location: Lot 5, Land to the west of Manor Farm Cottages, Westwood Lane, Wanborough, Guildford, GU3 2JF
Proposal: Provision of a water tap and a manhole to facilitate the provision of a mains water supply for the purposes of agriculture.

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

This application seeks permission for the provision of a water tap and a manhole to facilitate the provision of a mains water supply for the purposes of agriculture. There are plans to plant some trees. The trees will need to be watered regularly during the early growing stages and there are also plans to graze livestock at a later stage, which requires a water supply as well.

Summary of considerations and constraints

This is an agricultural land within the Green Belt and part of the Surrey Hills Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value (AGLV).

The proposal is for an engineering operation and not a new agricultural building and therefore, there is no requirement to establish whether the proposed works are 'reasonably necessary' for the purposes of agriculture.

The proposed development would be in keeping with the character of the area and would conserve the AONB and would not harm the distinctive character of the AGLV. Furthermore, it would not result in any adverse impact on neighbouring amenity.

RECOMMENDATION:

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

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: block plan and location plan received on 13.05.2021.

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

Informatives:

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

Officer's Report

Site description.

The site comprises part of an agricultural field located to the south of Westwood Lane. The land is within the Green Belt and part of the Surrey Hills Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value (AGLV). There is an Article 4 Direction covering the site.

The area is rural in nature and is defined by a small cluster of dwellings further to the east, open fields immediately to the east, west and north. The site itself is a narrow strip of land accessed via a track running to the north of the application site towards Westwood Lane to the east. The land is currently a field and remains undeveloped, sloping up southwards to the Hogs Back.

Proposal.

Provision of a water tap and a manhole to facilitate the provision of a mains water supply for the purposes of agriculture.

According to the submitted supporting information, the use the land for agricultural purpose will continue and there are plans to plant some trees.

The trees will need to be watered regularly during the early growing stages and there are also plans to graze livestock at a later stage, which requires water supply as well.

The proposal is to install a standalone water tap on a post of no more than 1m high above ground level and the manhole will have a cover with the dimension of 600mmX450mm.

Relevant planning history.

None for the site but the adjoining site has relevant planning history as follows:

Lot 4, Westwood Lane

21/P/00293 - Provision of a water tap to facilitate water for the purposes of agriculture and a manhole to gain access to the metre and stop tap. (Approve 21.05.2021)

Consultations.

Non-statutory consultees

Surrey Hills Area of Outstanding Natural Beauty Officer: no response

Wanborough Parish Council

Objection raised on the following grounds:

- Lack of tree survey
- Lack of biodiversity impact assessment and no measures are being proposed on the conservation or enhancement of the natural environment
- Impact on views across the AONB
- Harmful impact on the setting of the AONB and on character of the AGLV
- Lack of surface water disposal measures
- Increased risk of flooding and no mitigation measures being proposed

[Officer note: the installation of a water tap would not lead to an increase in surface water run-off as there would be no increase in impermeable surfaces]

Third party comments:

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

- Reduce the openness of the area
- Standpipes would be highly visible from all areas of the fields
- Highway safety issues along access road due to increased visits
- Ecological damage
- Would lead to further degradation of the landscape through increased activity
- No evidence of agricultural use of the land

Agenda item number: 5(4)

- Planting trees will alter the Wanborough Fields open landscape
- Proliferation of mains water taps in a small area within Wanborough Fields
- Proposed trees would detract from the open landscape for which AONB/AGLV
- Proposal is in speculation to build houses or other development on the site (Officer note: There is nothing within the application to suggest this and any future proposals would be considered in their own merits)
- Planned future livestock grazing that is mentioned within the submission would require fencing which is inappropriate in this area

[Officer note: This application is for a water tap and manhole only. Planning permission is not being sought for the use of the land which is currently in agricultural use and would remain so should this application be approved.]

Planning policies.

National Planning Policy Framework (NPPF):

Chapter 2: Achieving sustainable development

Chapter 4: Decision-making

Chapter 13: Protecting Green Belt land

Chapter 15: Conserving and enhancing the natural environment

The Guildford Borough Council 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).

S1 Presumption in favour of sustainable development

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

P2 Green Belt

D1 Place Shaping

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

G1(12) Safeguarding and enhancement of the landscape and existing natural features

G1(3) Protection of amenities enjoyed by occupants of buildings

Surrey Hills AONB Management Plan 2020-2025

Other Planning Documents

GBC Landscape Character Assessment & Guidance (2007)

Planning considerations.

The main planning considerations in this case are:

- the principle of development
- impact on character, AGLV and AONB
- impact on neighbouring amenity

Principle of development

The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In accordance with paragraph 150 of the NPPF, certain forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. One such exception is engineering operations. This policy stance is echoed by Policy P2 of the Local Plan. The proposal is for a minor engineering operation and there will be no detrimental impact on the openness of the Green Belt.

According to the submitted supporting information, the use the land for agricultural purpose will continue and there are plans to plant some trees. The trees will need to be watered regularly during the early growing stages and there are also plans to graze livestock at a later stage, which requires water supply as well. Section 336 of the Town and Country Planning Act 1990 defines 'agriculture' as including: 'horticulture, fruit growing, seed growing, dairy farming; the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land. As such the proposed use of the land would fall within the definition of agriculture and no change of use of the land is sought.

Policy RE13 of the saved Local Plan relates to proposals for new agricultural buildings within the Green Belt. However, this is not considered relevant in this case as the proposal is for an engineering operation and not a new agricultural building. There is therefore no requirement to establish whether the proposed works are 'reasonably necessary' for the purposes of agriculture. The principle of the development is therefore considered acceptable.

Impact on character, AGLV and AONB

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

The site is within Landscape Character Areas Rural E1 - Wooded rolling claylands where the key landscape characteristics are:

- Gently undulating lowland based on the Clay, Silt and Sand of the London Clay Formation.
- A largely peaceful, rural area with views to the unsettled slopes of the Hog's Back.
- A predominantly pastoral area of cattle and some horse grazing with some arable farmland, plus copses and woods particularly to the west.
- Varied field patterns with large, medium and small scale fields bounded by hedgerows and fences.
- Mature hedgerow trees and occasional field trees.

The proposal consists of a standalone water tap on a wooden post which will be no more than 1m above ground level and the manhole will have a cover measuring 600mm by 450mm which will be flush to the ground. The proposed development would therefore be minimal in terms of its scale and would therefore not be a prominent feature in the landscape. Furthermore, the provision of taps within the countryside to meet the water needs of livestock would not be out of character in this rural landscape. It is considered that the proposed development would continue to conserve and enhance the AONB and would not result in any harm to the distinctive character of the AGLV. The proposed development is therefore considered to be acceptable in this regard and to comply with policy P1 of the Local Plan: Strategy and Sites 2015 - 2034.

Impact on neighbouring amenity

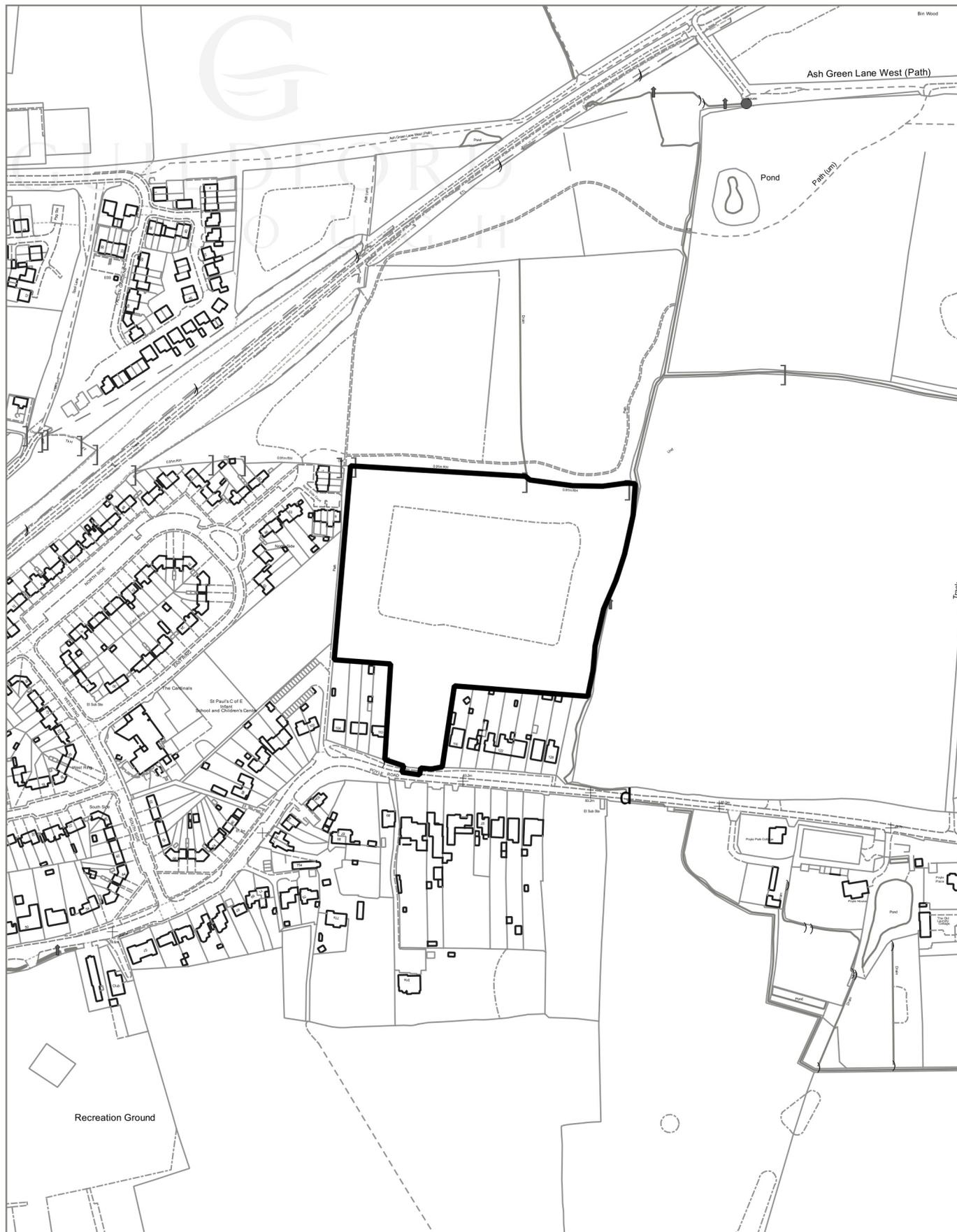
The proposed development would be located at a distance of over 200m to the nearest residential dwelling. Taking into consideration the nature of the proposal and the significant distance between the development and the neighbouring property, no concern is raised with regard to any adverse impact on neighbouring amenity.

Conclusion.

There is no in-principle objection to the proposed development which does not cause any change of use of the land away from an agricultural use, therefore, would be appropriate development under para.150 of the NPPF. Furthermore, it would be in keeping with the character of the area and would conserve the AONB and would not harm the distinctive character of the AGLV. Furthermore, it would not result in any adverse impact on neighbouring amenity. The proposal is therefore recommended for approval.

The proposed development would be in keeping with the character of the area and would conserve the AONB and would not harm the distinctive character of the AGLV. Furthermore, it would not result in any adverse impact on neighbouring amenity. The proposal is therefore recommended for approval.

21/P/01456 - Land At, Poyle Road, Tongham



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Print Date: 11/02/2022



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GUILDFORD
BOROUGH

21/P/01456 – Land At, Poyle Road, Tongham



Not to scale

App No: 21/P/01456
Appn Type: Full Application
Case Officer: Jo Trask
Parish: Tongham
Agent : Mr D Neame
Neame Sutton Limited
West Suite
Coles Yard Barn
North Lane
Clanfield

8 Wk Deadline: 05/03/2022

Ward: Ash South & Tongham
Applicant: Bewley Homes Plc c/o Agent

Location: Land at, Poyle Road, Tongham
Proposal: Application for the erection of 38 no. dwellings, vehicular and pedestrian access car parking and cycle storage together with associated landscaping and servicing (description amended 02/11/2021).

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

This application seeks permission for 38 dwellings. This is a revision to application 20/P/01102 approved for 35 dwellings. This has been commenced and is a material consideration.

38 homes
6 x 1 bed
10 x 2 bed
12 x 3 bed
10 x 4+ bed

of which 15 homes will be affordable

Parking

1 bed dwellings 1 space per dwelling
all other units minimum of 2 spaces
Total 87 parking spaces (22 garages, 58 private parking spaces, 7 visitor spaces)
secure cycle storage provided within curtilages.

Building heights range from 8.3m to 9.4m

Local area of play (LAP) provided on site.

Summary of considerations and constraints

This is an allocated site for housing within the Local Plan, it falls under the housing allocation identified as policy A31. Policy A31 is a strategic location for development, comprising a number of parcels of land in the Ash and Tongham area for approximately 1750 homes.

Planning permission 20/P/01102 was granted for 35 homes. This permission has commenced and is a material consideration in the determination of this application.

The application site proposes 38 homes. This application seeks to essentially amend the existing permission, through a slightly increased site area and 3 additional units.

The site is located in the Ash and Tongham urban area. Trees on site are the subject of a woodland Tree Preservation Order made in 1994.
Site is generally flat. The site lies within 400m to 5km of the Thames Basin Heaths Special Protection Area.

The site is located to the north side of Poyle Road. Access is provided as approved under 20/P/01102.

40% affordable housing is provided.

The housing mix is acceptable. The scheme layout is acceptable. Impact on neighbour amenity is acceptable. Impact on the character of the area is acceptable.

Subject to conditions and S106 contributions to secure appropriate mitigation for the TBHSPA, Highways, Education, Ash Road Bridge, Health care, Open Space and Affordable Housing the application is recommended for approval.

RECOMMENDATION:

Subject to a Section 106 Agreement securing the following contributions:

Contributions towards education infrastructure:

- **Early years £25,576**
- **Primary years £124,925**
- **Secondary years £137,348**

Total contribution towards education infrastructure: £287,849

SANG to be secured at Ash Green Meadows (privately owned SANG).

SAMM contribution of £26,187.80

40% affordable housing 15 units in perpetuity

Open space:

- **A contribution based on 0.14ha provision towards formal playing space;**
- **Children's play space 0.1ha to be secured on site**
- **Amenity open space 1.65ha to be secured on site**

A contribution of £1824 towards Highway safety improvements for a road safety scheme in the vicinity of the site

A contribution of £78,104.82 towards Heath Care

A contribution of £409,084 towards Ash Road Bridge

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.

(iii) In the event that a satisfactory s.106 is not completed, the application be refused by the Head of Place/Director of Service Delivery.

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:

51 rev B, 54-1, 55-1, 55-2, 100 rev A, 101 rev A, 101-1 rev A, 101-2 rev A, 101-3 rev A, 102, 110 rev A, Up-(x2)-01, Up-(x2)-02, Lv(x2)-01, Lv-(x2)-02, Ri-02, Ri-03, Ri-05, Ri-06, Ok-01, Ok-02, Ok-03, Ok-04, Br-01, Br-02, Br-03, Br-04, Mn-01, Mn-02, Ma-01, Ma-02, La-01, La-02, 1B(x2)-Wu(x2)-01, 1B(x2)-Wu(x2)-02, 1B(x2)-3B-01, 1B(x2)-3B-02, 2B-(x2)-01, 2B-(x2)-02, 3B-(x2)-01, 3B-(x2)-02, Ra-01, Ra-02.

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

3. No residential development shall take place until written confirmation has been obtained from the Local Planning Authority that Suitable Alternative Natural Green Space (SANG) to mitigate the impact of the development has been secured and no dwelling shall be occupied before written confirmation has been obtained from the Local Planning Authority that the works required to bring the land up to acceptable SANG standard have been completed.

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

4. 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 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 only be carried out in accordance with the approved details and samples.

- Reason: To ensure that the appearance of the development is satisfactory.
5. The development hereby approved shall be based upon the principles of Secured by Design (physical security) or the Building Regulations equivalent and the scheme shall be implemented in accordance with those principles.

- Reason: To ensure that the development is acceptable in terms of crime and safety.

6. No development shall take place (excluding ground works and construction up to damp proof course (dpc) and the construction of the access) until a schedule of landscape maintenance (including long term design objectives, management responsibilities and maintenance schedules for all landscape areas) for a minimum period of 10 years, has been submitted to and approved in writing by the Local Planning Authority. The approved landscape scheme (drawings 1450_101-1 Rev A; 1450_101-2 Rev A and 1450_101-3 Rev A) (with the exception of planting, seeding and turfing) shall be implemented prior to the occupation of the development hereby approved and retained. The approved schedule of landscape maintenance shall be fully adhered to for the lifetime of the development.

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

7. 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.

8. Before the first occupation of the development hereby approved, details of the Local Area of Play (LAP) and its future management shall be submitted to and approved in writing by the Local Planning Authority. The approved LAP scheme shall be installed and implemented before the first occupation of the development. Thereafter the LAP shall be retained in working order for the lifetime of the development and shall be maintained in accordance with the approved Management Plan.

Reason: To ensure that playspace is provided for the benefit of the residents.

9. 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 details of all boundary treatments both within and around the site have been submitted to and approved in writing by the Local Planning Authority. The scheme shall also include a timetable for the implementation of the approved works. The approved scheme shall be implemented in accordance the agreed timetable. The approved scheme shall be maintained in perpetuity.

Reason: To safeguard the visual amenities of neighbouring residents and the locality.

10. The development hereby approved shall only be carried out in full accordance with the Arboricultural Implications Report (including a Tree Protection Plan) June 2021. No development or site setting up works shall commence until tree protection measures, and any other pre-commencement measures as set out in the AIR and TPP, have been installed/implemented. The protection measures shall be maintained in accordance with the approved details, until all equipment, machinery and surplus materials have been moved from the site.

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

11. The development shall only proceed in accordance with the Written Scheme of Investigation for an Archaeological Excavation produced by Archaeology South East on behalf of RPS and dated 25/11/2020.

Reason: To allow adequate archaeological investigation before any archaeological remains are disturbed by the approved development.

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

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

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

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

14. No development shall 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. The final solution should follow the principles set out in the approved drainage strategy. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of **4 l/s**.

c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).

d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.

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.

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

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

16. The development hereby approved shall not be first occupied unless and until the proposed vehicular access to Poyle Road has been constructed and provided with visibility zones in accordance with the approved drawing number 100-1 Rev A, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

Reason: In order that the development should not prejudice highway safety

17. nor cause inconvenience to other highway users.
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 100-1 Rev A, 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

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

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

19. 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 fund 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.

20. The development hereby approved shall not be first occupied unless and until the facilities for bicycles have been provided in accordance with the plans to be submitted to and approved in writing by the Local Planning Authority. Thereafter the parking for bicycles shall be retained and maintained for their designated purposes.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than private motor vehicles.

21. Before the development hereby approved is first occupied, the measures set out on the Refuse Vehicle Swept Path Analysis (drawing 6147:90 P2) shall be implemented in full and made available for use. The scheme shall be retained in perpetuity.

Reason: In the interests of residential and visual amenity, and to encourage waste minimisation and recycling of domestic refuse, in the interests of sustainable development.

22. The development hereby approved shall only be carried out in accordance with the conclusions and recommendations and ecological enhancements detailed in the Phase 2 Protected Species Surveys (dated September 2020, reference J20792_P2_Rev A, prepared by Greenspace Ecological Solutions Ltd), the Preliminary Ecological Appraisal (dated January 2020, reference J20792, prepared by Greenspace Ecological Solutions Ltd) and the letters from Greenspace Ecological Solutions Ltd dated 24.06.20 and 12.11.20.

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

23. Before the commencement of the development hereby approved, the applicant shall submit a mitigation and translocation strategy for slow worms. The development shall only be carried out in full accordance with the approved details.

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

24. No development above ground level shall commence 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 and to protect the visual amenities of the surrounding area.

25. 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:

- precautionary working methods for reptiles, badgers and dormice;
- 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.

26. The development hereby approved shall not commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:

- a) description and evaluation of features to be managed including plantings and artificial ecological enhancements.
- b) ecological trends and constraints on site that might influence management;
- c) aims and objectives of management;
- d) appropriate management options for achieving aims and objectives;
- e) prescriptions for management actions, together with a plan of management compartments;
- f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period;
- g) details of the body or organisation responsible for implementation of the plan; and
- h) ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved measures shall be implemented in full before the first occupation of the development and shall be retained for the lifetime of the development.

Reason: To ensure that satisfactory measures are put in place for landscape and ecology management. It is considered necessary for this to be a pre-commencement condition because the requirements need to be considered before construction commences.

27. 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 at the same time as other services during the construction process and be available for use on the first occupation of each building where practicable or supported by evidence detailing reasonable endeavours to secure the provision of FTTP and alternative provisions that have been made in the absence of FTTP.

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

28. Before the development hereby approved is commenced, a plan showing the location of the four Building Regulations 'accessible and adaptable dwellings M4(2) and the two Building Regulations M4(3)(2) wheelchair accessible dwellings 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.

29. Immediately prior to commencement of development works, a survey of the site by an appropriately qualified and experienced ecologist should be undertaken within the proposed development boundary and a 30m buffer, to search for any new badger setts and confirm that any setts present remain inactive. If any badger activity is detected a suitable course of action shall be submitted to and approved in writing by the local planning authority.

Reason: To prevent harm to this species

30. Prior to commencement of development the Ecological Enhancement, Management and Mitigation Plan (EEMMP) by Greenspace Ecological Solutions July 2021 shall be amended and submitted to the LPA for approval in writing. The amendments shall include:
who will be responsible for undertaking the management of the receptor site and implementing the recommendations following the monitoring surveys updated to reflect changes to building and landscaping layout, in particular the location of integrated bar and bird boxes.

The development shall be carried out in strict accordance with the details within the EEMP as amended.

Reason: To secure appropriate mitigation measures. This pre-commencement condition goes to the heart of the planning permission. No development shall commence until a Site Waste Management Plan has been submitted to an approved in writing by the Local Planning Authority that demonstrates how waste generated from construction and excavation activities would be dealt with in accordance with the waste hierarchy. The Site Waste Management Plan will subsequently be kept up-to-date throughout the development process in accordance with the established methodology.

- 31.

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

Informatives:

1. If you need any advice regarding Building Regulations please do not hesitate to contact Guildford Borough Council Building Control on 01483 444545 or buildingcontrol@guildford.gov.uk
2. This statement is provided in accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Guildford Borough Council seek to take a positive and proactive approach to development proposals. We work with applicants in a positive and proactive manner by:

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

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

Pre-application advice was not sought prior to submission and minor alterations were required to overcome concerns, these were sought and (either) 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. The developer is advised that if the proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent.
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.

The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are

carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.

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

Officer's Report

Site description.

The application site lies to the north of Poyle Road and east of The Cardinals residential estate. Undeveloped open land is located to the east of the site beyond a tree belt and to the north. To the south lies residential properties on either side of Poyle Road. Access is via an existing gate between 110 and 116 Poyle Road.

The site is allocated for housing in the Local Plan (Policy A31) and now falls within the urban area of Ash and Tongham.

The site itself is generally flat and contains a large number of trees with the majority of them around its perimeter. Trees on the site are protected by a woodland Tree Preservation Order, which was made in 1994.

The site lies within the 400 metres - 5 kilometre buffer zone for the Thames Basin Heaths Special Protection Area (TBHSPA). To the north and east the site adjoins a Site of Nature Conservation Importance.

A public footpath runs to the side of the western side boundary

Proposal.

Application for the erection of 38 no. dwellings, vehicular and pedestrian access car parking and cycle storage together with associated landscaping and servicing (description amended 02/11/2021).

The proposal seeks 3 additional units over that approved under application 20/P/01102. A full planning application is required as the site area has increased to include a parcel of land to the south west.

Proposed Mix					
	1-bed	2-bed	3-bed	4+-bed	Total
Total dwellings	6	10	12	10	38
Of which...					
Houses	0	10	12	10	32
Apartments	6	0	0	0	6
Affordable	6	4	5	0	15

40% of dwellings to be affordable

Parking

Total of 87 spaces, of which

22 garages

58 private spaces

7 visitor spaces

Relevant planning history.

Reference:	Description:	Decision Summary:	Appeal:
21/N/00043	Non Material Amendment re 20/P/01102 approved 17/03/2021 Alteration to garages and fences. Plots 30 & 31 Kingsclere's to become Lavington house type with ensuite. Plots 20 21 24 and 25 Eversleys to become Upavon house type with ensuite. See covering letter.	Approve 29/04/2021	N/A
20/P/01102	Proposed erection of 35 dwellings with car parking and cycle storage, vehicular and pedestrian access, and associated landscaping and servicing.	Approve 17/03/2021	N/A

Consultations.

Statutory consultees

County Highway Authority: The proposed development has been considered by the County Highway Authority who having assessed the application on safety, capacity and policy grounds, recommends conditions regarding: vehicular access, parking and turning bicycle storage, electric vehicle charging, a Construction Transport Management Plan and a contribution of £1824 towards road safety improvement schemes in the vicinity of the site.

NHS Surrey: Request mitigation for the development to be secured by S106 Agreement.

Natural England: Confirm they have been consulted on the Appropriate Assessment in accordance with Paragraph 63 (3) of the Conservation of Habitats and Species Regulations 2017. No objection subject to the relevant avoidance and mitigation measures specified in the Appropriate Assessment are secured.

Thames Water: No objection to foul water capacity, aware of some network constraints in the vicinity of the proposed development, confident if required any associated upgrades can be delivered in time to serve the development. Application indicates surface water will not be discharged into the public sewer, no objection raised on these grounds. Should a connection be sought to discharge surface water into the public network this would be a material change. Expect developer to demonstrate measures to be undertaken to minimise groundwater discharges onto the public sewer. Request Ground water informative.

Surrey Police: Request condition to ensure development achieves a Secure By Design Accreditation.

Surrey Wildlife Trust: The surveys and reports submitted as part of 20/P/01102 remain valid and applicable. Dormice survey acceptable. No objection subject to conditions.

Surrey County Council Lead Local Flood Authority: No objection subject to conditions regarding detailed design of a SuDS scheme and verification report.

Surrey County Council Archaeology: No objection subject to condition.

Environment Agency: Refer to Flood Risk Standing Advice.

Surrey County Council Education: To mitigate the development contributions are sought for early years, primary and secondary education.

Internal consultees

Head of Environmental Health and Licensing:

Head of Parks and Countryside: Management and maintenance of the open spaces to be secured; shortfall in formal play space to be secured by S106.

Housing and Strategy Manager: No objection subject to securing appropriate tenure mix for the affordable housing, to be provided in perpetuity and managed by a suitable Registered Provider.

Tree officer: No objection subject to condition.

Parish Council

Ash Parish Council: no comments received.

Third party comments:

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

- highways safety concerns
- no visitor parking (officer note: 2 visitor parking spaces are provided)
- impact on ecology
- lighting
- landscaping required
- impact of additional housing, noise, pollution
- lack of infrastructure/pressure on existing infrastructure
- over crowding/overdevelopment
- out of character

- introduction of house to front alters appearance of scheme
- loss of vegetation/loss of trees
- drainage concerns
- affordable housing (officer note: policy compliant affordable housing is being provided)
- loss of light
- loss of privacy
- cumulative impact of developments
- disruption during construction
- reduction in green space to housing (officer note: significant amenity space is provided on site)

Planning policies.

National Planning Policy Framework (NPPF):

Chapter 2. Achieving sustainable development

Chapter 4. Decision-making

Chapter 5. Delivering a sufficient supply of homes

Chapter 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

South East Plan 2009:

NRM6 Thames Basin Heath Special Protection Area

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.

S1	Presumption in favour of sustainable development
S2	Planning for the borough - our spatial development strategy
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

ID3	Sustainable transport for new developments
ID4	Green and blue infrastructure
A31	Land to the south and east of Ash and Tongham

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

G1	General Standards of Development
G5	Design Code
H4	Housing in Urban Areas
R2	Recreational Open Space in Large Resid.
NE4	Species Protection

Supplementary planning documents:

Thames Basin Heaths Special Protection Area Avoidance Strategy SPD
Strategic Development Framework SPD
Climate Change, Sustainable Design, Construction and Energy SPD
Planning Contributions SPD
Vehicle Parking Standards SPD
Residential Design SPG

Planning considerations.

The main planning considerations in this case are:

- the principle of development
- housing need
- impact on the character of the area and design of the proposal
- impact on neighbouring amenity
- amenity of proposed development
- highway/parking considerations
- flooding and drainage considerations
- sustainable energy
- open space provision
- impact on ecology
- impact on trees
- Thames Basin Heaths SPA
- planning contributions and legal tests

The principle of development .

The LPSS has allocated this site under policy A31, which is an amalgamation of separate sites around Ash and Tongham. In total the allocation is expected to deliver approximately 1,750 homes.

In addition to the allocation it is noted that planning permission has been granted on this site for 35 dwellings through applications 12/P/01514 (outline) and 16/P/02466 (reserved matters), and more recently through planning permission 20/P/01102. Planning permission 20/P/01102 is extant and is a material planning consideration.

The proposed application includes a parcel of land to the front of the site in addition to the land the subject of planning permission 20/P/01102. This land also falls within the site allocation.

As such, the principle of 38 dwellings on this site is acceptable, subject to general compliance with the above requirements of policy A31 and relevant local and national policies which will be considered further below.

Housing need

Paragraph 60 of the NPPF states that 'to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay'. Paragraph 62 goes on to note that 'the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disability, service families, travellers, people who rent their homes and people wishing to commission or build their own homes)'.

Having a recently adopted plan and in accordance with paragraph 75 of the NPPF, the Council is able to demonstrate a five-year housing land supply with an appropriate buffer.

Affordable housing

Policy H2 of the LPSS seeks at least 40 per cent of the homes on application sites to be affordable, with the mix in tenures being the same as set out above. Policy H2 also states that 'the tenure and number of bedrooms of the affordable homes provided on each qualifying site must contribute, to the Council's satisfaction, towards meeting the mix of affordable housing needs identified in the Strategic Housing Market Assessment 2015, or subsequent affordable housing needs evidence'.

The proposal generates a requirement for 15 affordable properties on the site, which are being provided by the applicant. This is in compliance with policy H2 of the LPSS. In terms of the tenures, the applicant proposes a total of 15 affordable units. The LPA would look to secure a tenure split of ten affordable rent and five shared ownership homes. This represents the Councils required 70/30 tenure split. The affordable housing is as per the planning approval clustered within the northwestern part of the site with three units provided within the north eastern parcel, which as before prevents a complete cluster impact and was on balance previously found to be acceptable. No objection is therefore raised to the spread of affordable housing.

As such, the proposal is considered to be compliant with policy H2 of the LPSS in this regard.

Dwelling mix

Policy H1 of the LPSS states 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 Strategic Housing Market Assessment (SHMA). New development should provide a mix of housing tenures, types and sizes appropriate to the site size, characteristics and location'. The proposed dwelling mix for the development, as well as the SHMA requirement, is provided below.

Table 1			
Overall Housing Mix	No.	SHMA % Req	Provided %
1 bed	6	20	16
2 bed	10	30	26
3 bed	12	35	32
4 bed	10	15	26
Total	38		

Table 2			
Market Mix	No.	SHMA % Req	Provided %
1 bed	0	10	0
2 bed	6	30	26
3 bed	7	40	30.5
4 bed	10	20	43.5
Total	23		

Table 3			
Affordable Mix	No.	SHMA % Req	Provided %
1 bed	6	40	40
2 bed	4	30	27
3 bed	5	25	33
4 bed	0	5	0
Total	15		

When compared to the SHMA mix, there are still inconsistencies, however taking into account the character of the area these are not likely to cause any material harm to the Council's ability to deliver a compliant SHMA mix on a wider basis. It is noted that no one bedroom market units are being provided, however, the provision of one bedroom affordable units on the site is in line with the SHMA requirement. The Council's Housing Strategy and Enabling Manager raises no objection to the proposed mix and the proposal is deemed to be compliant with policy H1 of the LPSS in this regard.

Accessible units

Policy H1 of the LPSS requires 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 'accessible and adaptable dwellings' and 5% of new homes will be required to meet Building Regulations M4(3)(b) category 3 wheelchair user accessible dwellings standard'. The applicant has agreed to provide four M4(2) homes and two M4(3)(b) homes. These will be secured by condition.

Overall, the proposal is considered to meet with the NPPF's objective of boosting the supply of homes, which meet the needs of groups with specific housing needs. The proposal will also result in early delivery in the plan period. In this regard the proposal is consistent with policy H1 of the LPSS, as well as the guidance set out in the NPPF.

Impact on the character of the area and design of the proposal

Paragraph 124 of the NPPF states that 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. The NPPF notes that decisions should ensure that developments:

- 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;
- are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- establish or maintain 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;
- optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy D1 of the LPSS makes clear that new development will be required to achieve a high quality design that responds to the distinctive local character of the area in which it is set. The design criterion set out in policy G5 of the saved Local Plan are also relevant.

Planning permission 20/P/01102 granted 35 dwellings, located within the middle of the plot. This permission has been commenced. The proposal seeks to increase the site area, through the inclusion of a strip of land to the western side of the access road. An additional 3 dwellings are sought. One of these would be a detached two storey house, located in line with 110 Poyle Road (plot 38). The set back nature of plot 38 would reflect the character along Poyle Road. Garaging and parking is shown to be located to the rear of the dwelling and accessed via the internal road, with no direct access from Poyle Road. The additional two dwellings would be accommodated within the rear 'middle part of the site'. With the approved plot 32 being subdivided to provide newly numbered plots 32 and 33, and the subdivision of approved plot 33 to provide newly numbered plots 34 and 35. Through slight amendments to the approved layout within the eastern part of the site. The majority of the built form on the application site would be located in the middle of the plot, with the existing vegetation to the north, east and west being retained. This would retain the existing sylvan, rather rural character and feel of the site and would mean that the development would be screened from most public views. The layout of the proposal consists of two main blocks, which are intersected by the access road and an area of public open space. The proposed dwellings would be positioned around the perimeter of the western block, providing active street frontages. To the eastern 'block' dwellings would be positioned around the perimeter with a cul de sac to the southern part. Active street frontages would be provided throughout the development. The scheme would still be spacious in its appearance and the dwellings would have adequate spacing between them. The proposal would create an attractive residential environment, that would integrate well with its surroundings.

The vehicular access into the site would be gained as previously approved from Poyle Road between numbers 110 and 116. Plot 38 would be located to the side of 110 Poyle Road and would take its pedestrian and vehicular access from the internal road, which would be located between plot 38 and 116 Poyle Road. The access is shown on the plans with a gentle curve along its length. On the eastern side there would be a large area of landscaping which provides a buffer to the neighbour 116 Poyle Road. The landscaping will be secured by condition. As a result of this and the vegetation which would be retained, the main built form on the site would not be readily apparent from Poyle Road. Plot 38 whilst of the same design and character of the development it would be read against the street scene in Poyle Road. The proposed footprint and rear plot depth would respect the character of this section of Poyle Road. Given the mix of building heights the proposed two storey height would not be unduly dominant, nor out of character and is found to be acceptable. The main part of the site would remain separated both by distance and due to landscaping and would give rise to no identified harm to the character or appearance of the streetscene.

In terms of the architecture the proposed dwellings are traditional in their appearance with use of hipped roofs, part barn style hipped roofs, gable detailing, brick detailing. They would integrate into the surroundings in an acceptable manner. A proposed material palette of: roof tiles indicated to be cayenne red or rustic, main wall finish Ibstock Cissbury Red Multi with Ibstock Berkshire Orange, or Ibstock Petworth Multi with Ibstock Berkshire Orange. Materials will be the subject of a condition.

The development across the site is two storey, with building heights varying between 8.3m and 9.4m, detached garaging is single storey in height. This is acceptable.

The scheme proposes an additional 3 dwellings above that approved under 20/P/01102, on a slightly larger site area. The development would maintain spaciousness and would not be dissimilar in the main to the recent approval of planning permission.

Impact on neighbouring amenity

The layout includes a buffer around the built form which would provide a separation distance to the neighbouring properties at Poyle Road and Northside Court of between 35 and 40 metres. Given this and the tree screening between the neighbouring sites, the proposal would not result in any harm to the amenity of surrounding dwellings.

Plot 38 is located adjacent to 110 Poyle Road. The front building line would respect that of the neighbouring property. The rear building line would extend slightly beyond that of 110 Poyle Road. However, this element is set a distance from the boundary and would not give rise to any identified loss of light. A first floor window is shown within the facing side elevation. It would be reasonable to condition this to be obscure glazed to prevent unacceptable loss of privacy.

No change is made to the location of the proposed access. This was approved under 20/P/01102 and is a material consideration.

Given the above, the application is deemed to be acceptable in this regard.

Amenity of the proposed development

Policy H1 of the LPSS states that 'all new residential development must conform to the nationally described space standards as set out by the Ministry of Housing, Communities and Local Government (MHCLG)'.

A NDSS Compliance Table has been provided by the applicant, this confirms that the house types proposed as part of the development all comply with the relevant space standards in terms of their overall size.

All of the proposed houses and flats would have adequate areas of private amenity space.

As such, the amenity of the proposed units is deemed to be acceptable.

Open Space

Saved policy R2 states that new large scale residential developments will require new recreational open space according to the following standards:

1.6ha of formal playing field space per 1,000 people;
0.8ha of children's play space per 1,000 people; and
0.4ha of amenity space per 1,000 people.

The proposed development is not of a sufficient size to deliver formal playing field space. In terms of children's play space, the site provides 0.1ha of Children's Play Space, this is over the requirement and is welcomed, it is noted that a local area of play (LAP) is provided along the western boundary of the development. Details of the LAP will be secured by condition. This is deemed to be acceptable to mitigate the impacts of the development in this regard and it will ensure that an appropriate facility with a range of equipment that can be used by those with disabilities, is available for residents of the site to use.

In terms of amenity space, a total area of 0.04ha of land is required, The total areas of communal open space and wooded areas would be 1.65ha. The proposal is deemed to be acceptable in this regard.

The development in accordance with policy R2 is also required to provide contribution towards formal playing space. There is generally a lack of provision for teenagers. A contribution is sought to mitigate the development through providing or improving playing field provision, kick around area, multi sport or improvements to other playing fields in the area.

Flooding and drainage

The site is located within flood zone one which is land assessed as having a less than 1 in 1,000 annual probability of river flooding. However, it is noted that the site does suffer from surface water flooding. As part of the application a Flood Risk Assessment (FRA) has been submitted which has been assessed by the Lead Local Flood Authority (LLFA).

The FRA notes that the risk of fluvial flooding, even considering climate change is low and that it is not a barrier to granting planning permission. The NPPF states that all development is appropriate in Flood Zone 1 and therefore the application is acceptable in this regard.

In terms of surface water flooding, the existing issues are noted in the FRA and it is acknowledged that prolonged or intense rainfall could result in standing water and overland water

flows. The applicant also acknowledges that the local drainage systems, including the watercourses that convey rainfall away from this area, do not cope sufficiently during these events. The potential for surface water flooding could be exacerbated by the impermeable clay geology of the area, which inhibits infiltration, causing soils to become saturated and contribute to large volumes and high peak rates of runoff from the predominantly greenfield catchment. However, the FRA states 'the development of the site would fundamentally alter the existing greenfield site runoff regime, through the change of surfacing, ground levels and the implementation of a positive surface water drainage system incorporating the use of SuDS to collect, attenuate and dispose of surface water runoff generated from the site up to the extreme 1:100year+cc rainfall event at very low rates of discharge (QBar). This would provide a level of betterment over current conditions by preventing areas of ponding and prevent the rapid and uncontrolled runoff of surface water across the site during intense rainfall events'. The following mitigation measures are being employed by the applicant to address this:

- all dwellings shall aim to be located outside the current areas shown as having a medium (1:100 – 1:30) to high risk (>1:30) annual probability of surface water flooding;
- all dwellings and any electrical sub-station/pump station kiosk located within an area indicated as having a risk of surface water flooding, will have a raised FFL/slab level a minimum of 300mm above surrounding ground level.
- the new development access roads will form corridors to intercept any surface water runoff entering from Poyle Road to the south of the site and convey flows towards the northern boundary of the site, mimicking the existing natural greenfield runoff regime.
- the flood extents shown on the map indicate that surface water flows could spill into the site from the south east from the watercourse that runs along the eastern boundary. To prevent flooding to the development, an engineered solution to separate this source of flooding and protect the new properties may be required. This could be in the form of an open swale, filter trench or low earth bund along the eastern development boundary to intercept overland flows and convey the runoff towards the northern boundary of the site, mimicking the existing natural greenfield runoff regime.

The applicant notes that the above measures and the development of the site will not result in any significant loss of floodplain storage and will not increase the risk of flooding to existing parties within the vicinity of the site or downstream. As a result of this development and the increase in impermeable areas, the peak rate and volume of surface water that could potentially runoff the proposed site if not effectively managed, will be greater than in its current greenfield state. To mitigate this increase, it is proposed that all surface water runoff from impermeable areas at the proposed development for up to the 1:100year +40%cc rainfall event will be attenuated on-site via the use of sustainable drainage systems (SuDS) with an offsite discharge restricted to a maximum of the existing greenfield runoff rate QBar (4.0 l/s). It is proposed that surface water runoff from the development access road is drained via a combination of roadside swales where feasible, or via gullies into a piped drainage system. These swales and piped drainage convey runoff towards an attenuation basin located to the north of the site.

In terms of groundwater the FRA notes that 'the bedrock of London Clay Formation is classified as an 'unproductive' aquifer with very low groundwater vulnerability. Although shallow groundwater was encountered as seepages during the site investigation works at depths of between 0.5m and 1.2mBGL, this groundwater is likely to be locally perched, confined within the upper layer of head deposits by the underlying impermeable clay soils'. The applicant concludes that 'the proposed development is unlikely to have any significant impact upon natural groundwater flows beneath the site either during or after completion of the proposed works and therefore is unlikely to create an increased risk of flooding on or off the site'.

It is demonstrated that safe and dry access and egress at the site is achievable to a publicly accessible location outside the 1:100 year (plus climate change) fluvial flood event extent. The LLFA have been consulted on the application and no objections have been raised, subject to standard conditions. Given this and the fact that the applicant is sufficiently managing risks associated with surface water and groundwater flooding there is no evidence to suggest that the proposal would result in any increased risk of flooding to the site or the surrounds and therefore, the proposal is deemed to be compliant with saved policy G1 and the relevant provisions of the NPPF.

Highways and Parking

Paragraph 109 of the NPPF states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Access

The proposed access is via a priority junction located in the frontage with Poyle Road. The design of the junction is as previously agreed with Surrey County Council as Highway Authority. The internal road layout will be engineered to adopted standards with a 20mph speed design. A 2.0m footpath leads into the site on the west side of the access road. The road bifurcates to the north into 2 cul de sacs, both provided with turning heads. Footways are provided, and a footpath connection in the north west corner of the site provides pedestrian linkage to Northside Court.

Parking provision

Each dwelling is afforded off street parking, the one bedroom dwellings would have one space each, with further visitor spaces provided in their vicinity. The remainder of the properties would have at least two parking spaces provided within their curtilage. A total of 87 parking spaces are to be provided, 7 of these will be allocated as visitor parking, 22 will be provided as garage spaces, with the remaining 58 as private parking spaces. This is in excess of the parking standards. Secure cycle parking is provided within the curtilages of each dwelling.

Refuse

Four refuse collection points are shown on the plans to facilitate collections within the development.

Highway safety and capacity

Surrey County Council as Highways Authority have advised that the swept path analysis shown on drawing no. 6147:90 from Poyle Road appears to be satisfactory.

The predicted 204 two way vehicular trips for the period of 12 hour daily is not considered to result in a significant increase in vehicular movements on the surrounding highway network.

Existing bus stops on Poyle Road approximately 100m from the development site operates bus service 520 connecting Aldershot and Guildford.

No objections have been raised to the proposed access. However, to improve highway safety in the vicinity of the site the County Highway Authority has requested a contribution which will go towards a road safety improvement scheme to mitigate the impact of the development on the surrounding highway network.

As regards highways impacts it is concluded that the proposal would not result in any material increase in traffic in the area and no capacity concerns are raised. With the mitigation measures proposed, there would be no adverse impact on highway safety. As such, the proposal is deemed to be acceptable in this regard.

Impact on ecology

Surrey Wildlife Trust have advised that the previous surveys and reports undertaken as part of application 20/P/01102 remain valid and applicable. Completed survey results for the Dormice were requested and these have been provided. Surrey Wildlife Trust have commented that the Dormouse surveys have been carried out in accordance with good practice and the assessment is that the Hazel Dormouse is likely absent, No further comment on this species. Conditions 25 and 26 of permission 20/P/01102 required the submission of a CEMP and LEMP. The applicant has provided an Ecological Enhancement, Management and Mitigation Plan (EEMMP). Section 5 of the EEMMP states a Management Company will manage and maintain the on site landscaping, Surrey Wildlife Trust have advised that the EEMMP should include who will be responsible for undertaking management of the off site reptile receptor site and implement the recommendations following the monitoring surveys post translocation 1, 3 and 5 years, as this will inform the efficacy and any revisions required to the habitat management strategy. This can be secured by condition.

In line with precautionary measures with regard to badgers a condition is recommended to require immediately prior to commencement of works a survey of the site by an appropriately qualified ecologist, to prevent harm to this species.

Surrey Wildlife Trust have advised the lighting planning appears appropriate for Condition 14 of 20/P/01102 application.

No objection is raised subject to suitably worded conditions.

Biodiversity Net Gain

The Government announced it would mandate net gains for biodiversity in the Environment Bill in the 2019 Spring Statement. The Environment Bill received Royal Assent on 9 November 2021. Mandatory biodiversity Net Gain as set out in the Environment Act applies in England only by amending the Town and Country Planning Act (TCPA) and is likely to become law in 2023. In the absence of this change to the TCPA and no Development Plan policy regarding biodiversity net gain it would be unreasonable to refuse an application on failing to secure net biodiversity enhancement. However, para 175 of the NPPF sets out the principles that should be applied to habitats and biodiversity, and policy ID4 of the LPSS seeks to contribute to biodiversity. It is therefore appropriate to require biodiversity enhancements by condition

The application is supported by an Ecological Enhancement, Management and Mitigation Plan (EEMMP) by Greenspace Ecological Solutions dated July 2021, setting out both mitigation and biodiversity enhancement. Enhancement measures include: creation of log piles/hibernacula, hedgerow, trees, grassland and shrub planting and management; installation of integrated and tree mounted bird and bat boxes; invertebrate and hedgehog houses. No objection is raised subject to suitably worded conditions.

Sustainable energy

Policy D2 of the LPSS states that new buildings must achieve a reduction in carbon emissions of at least 20 per cent and that this should be through the provision of appropriate renewable and low carbon energy technologies and the use of good quality building fabric. This is supported by the Climate Change, Sustainable Design, Construction and Energy SPD, which sets out the requirements for 'major' development.

The application is accompanied by a revised Energy and Sustainability Statement by AES Sustainability Consultants Ltd dated February 2022, to address comments and concerns raised regarding compliance with the requirements of Policy D2 and the information required by the SPD.

In summary the Energy and Sustainability Strategy (by AES Sustainability Consultants Ltd, February 2022):

Heat Networks

The information provided adequately addresses heat networks.

20% carbon reduction

The ES Statement correctly uses the Part L 2013 building regulations standards as the baseline. The ES demonstrates that each unit type achieves a carbon reduction of at least 20%, complying with policy D2 (9).

Energy Hierarchy

TER and DER information has been submitted supported by SAP assessments to demonstrate a fabric first approach. The ES shows that most of the units achieve the bulk of the carbon reduction through fabric efficiency, with average reductions over 10%. This complies with the energy hierarchy policy D2 (2).

Low and Zero carbon energy

The scheme opts for solar PV systems to provide low and zero carbon energy to meet the carbon reduction policy requirement, following the fabric first approach, then low and zero carbon energy. The information submitted in assessing the potential low and zero carbon technologies is acceptable.

Waste and resources

The ES contains a commitment to implement a Site Waste Management Plan. To ensure compliance with policy D2 a Site Waste Management Plan will be the subject of a condition.

Sustainable Design

The ES lacks sufficient information on the use of landform, layout, building orientation, massing and landscaping in reducing energy consumption. However, given the layout, massing and landscaping is not dissimilar to the approved scheme 20/P/01102 which has been implemented it would be unreasonable to refuse on the absence of this information.

Water efficiency

The ES states that the development aims to achieve 110 litres per person per day. It is a requirement that developments achieve a maximum of 110 litres per person per day. This will be the subject of a condition and is subject to a compliance check through the building Control process.

Climate change adaptation

The statement adequately addresses overheating given the site is in an area of low UHI effect. The drainage strategy has been designed to include a 40% allowance for climate change, the LLFA have raised no objection subject to conditions and on this basis the scheme meets policy D2 (4). A commitment to provide water butts to address drought and water shortages also contributes to water efficiency measures.

A suitably worded condition is recommended to secure the appropriate details.

Thames Basin Heaths SPA

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 of 38 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.

The applicant is the developer of a recently delivered SANG in the immediate area (Ash Green Meadows) and space has already been reserved at that SANG as mitigation for this proposal. Given this, it is considered reasonable to impose a Grampian style planning condition to prevent development commencing until such time that the Council has agreed in writing that the required mitigation has been delivered (i.e. that the amount of SANG required to mitigate this proposal has been transferred to the Land Trust who manage and run Ash Green Meadows). This arrangement has already been agreed with Natural England in the past, and is considered appropriate for this application also. Given the earlier application has been implemented (May 2021) the S106 would secure the additional SANG required to mitigate the development.

If the above mitigation was secured by way of a s.106 agreement, as well as the use of a suitably worded Grampian condition, 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.

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 has been consulted on the AA and they confirm they are happy with its conclusions.

Archaeology

Surrey County Council Archaeology have advised that in response to the previously approved scheme (20/P/01102) for this site (albeit slightly smaller area) a field evaluation was carried out by Archaeology South East that revealed evidence of Roman Activity on the site. This work is largely complete, although a watching brief is to be carried out during the construction of the approved access road as it goes through an area that was outside the original evaluation area due to tree coverage. This work has been secured by a condition placed on planning permission 20/P/01102.

Whilst the scheme does not involve any area that has not already been the subject to archaeological investigation this is a new application for the whole site and therefore it is prudent to attach the previous condition to ensure all archaeological discoveries are properly analysed and made publicly available.

Impact on trees

The application site is covered by a woodland Tree Preservation Order (TPO). This protects all trees on the site. The impact on trees was previously assessed under application 20/P/01102. For ease the following tree works were granted:

The approved scheme required the removal of 51 individual trees and six groups of trees that are protected by TPO. However it was noted that these are all category 'C' trees of low quality with low amenity value. The tree and scrub removal and erection of tree protective fencing has taken place in accordance with the approved planning application 20/P/01102.

The proposal has been assessed by the Council's Tree Officer who notes that the additional 3 units does not impact on the trees as set out in the Arboricultural Implications Report prepared by SJA Trees, dated June 2021. The application proposes some realignment of tree protective fencing but no additional trees will be removed than previously agreed.

Additional landscape proposals include extensive native tree replanting. If approved, the Arboricultural Implications Report (including a Tree Protection Plan) June 2021 will need to be adhered to in full.

The scheme integrates the existing trees on the site into the development in an acceptable manner. With a condition requiring compliance with the above report, the proposal is deemed to be acceptable in this regard.

The development will also include the replanting of native tree species which will be secured as part of the landscape conditions.

Planning contributions and legal tests

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 other aspects of the application were deemed to be acceptable, then the following contributions could 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 (SMM payment only of £26,187.80). This would accord with the TBHSPA Avoidance Strategy SPD 2017. 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, as well as their tenure and mix, so that the proposal is compliant with local and national policies. The obligation is necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

Education

The development is likely to place additional pressure on school places in the area at early years, primary and secondary level. The development should mitigate these impacts. Surrey County Council as the Education Authority has provided a list of projects which contributions would be allocated to and these are considered to be reasonable and directly related to the development. For the early years the contribution would go towards improvements at Tongham Day Centre, for the primary school contributions the County Council plan improvements and extensions to Ash Grange Primary School and the secondary school contribution would be used to partly fund the extension of Ash Manor School. The total education contribution agreed with the applicant is £287,849. As such, these contributions are required to mitigate the impact of the proposal on the local education system.

Highways

To help improve safety further and to help mitigate the impacts of the development, a s.106 contribution of £1,824 has been secured towards improvements works in the vicinity of the site.

Guildford Borough Council have requested a contribution to improvements at Ash level crossing. The development would result in additional traffic crossing the railway, as well as pressures on the surrounding roads in relation to rat running, and contributions are required to improve highway safety and capacity around the crossing. On this basis, the contributions are directly related to the development, and could be used for the new road bridge to enable the closure of the level crossing at Ash station. This contribution will be £409,084.

These measures all help to mitigate the impact of the proposal and are necessary, directly related to the development and reasonable and therefore meets the requirements of Regulation 122.

NHS Healthcare

The development is likely to place additional pressure on the NHS Healthcare. The total cost per dwelling to the Trust per dwelling per year is £2,055.39. It is necessary for the developer to contribute towards the cost of providing capacity to the Trust to maintain service delivery during the first year of occupation of each unit of accommodation within the development, The total contribution for the development is £78,104.82.

These contributions are required to mitigate the impact of the proposal and are necessary, directly related to the development and reasonable and there meet the requirements of Regulation 122.

Conclusion.

This is an allocated site which now forms part of the urban area of Ash and Tongham. Whilst there would be an inevitable change in the character and appearance of the land, the principle of development here has already been found to be acceptable in the granting of the 35 unit scheme (20/P/01102). This scheme proposes a net increase of 3 units.

The proposal complies with the Development Plan and it would not result in any material harm to the character of the area. A landscaped buffer is retained around the site and this would help the development integrate into its site. The proposed dwellings are considered to provide a good level of internal and external amenity for future residents. There would be no unacceptable harm to neighbouring residents. Subject to conditions the scheme would also be acceptable in terms of highway safety, trees, ecology, archaeology and sustainable construction.

Subject to the conditions and s.106 agreement securing the contributions set out above, the application is deemed to be acceptable and is recommended for approval.

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Planning Committee

2 March 2022

Planning Appeal Decisions

The following appeal decisions are submitted for the Committee's information and consideration. These decisions are helpful in understanding the manner in which the Planning Inspectorate views the implementation of local policies with regard to the Guildford Borough

Local Plan: strategy and sites 2015 - 2034 and the National Planning Policy Framework (NPPF) March 2012 and other advice. They should be borne in mind in the determination of applications within the Borough. If Councillors wish to have a copy of a decision letter, they should contact

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

1.	<p>Edwin Dixon 46 Stokefields, Guildford, GU1 4LS</p> <p>21/P/00171 –The development proposed is erection of a single storey rear extension following demolition of existing outbuilding.</p> <p>Delegated Decision: to refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The main issues in the appeal are the effect of the development on the character and appearance of the host property and the Stoke Fields Conservation Area (CA); and • The effect of the development on the living conditions of the occupiers of No. 44 Stoke Fields, with particular reference to outlook and light. • The CA is characterised by two storey terraced and semi-detached period properties centred around Stoke Fields, an attractive residential road. The appeal property is located at the end of a terrace of six properties. The terrace is not uniform in appearance, but all the dwellings have a similar scale and design to the front elevations. However, the rear elevations display far less consistency in detailing and uniformity than the front, with all the properties in the terrace with the exception of the appeal property appearing to have been previously extended. Several dwellings within the vicinity have also been subject to alterations, including the erection of side extensions. The appeal property makes a positive contribution to the CA. • The proposals include the demolition of an existing outbuilding and the addition of a single storey rear extension in materials to match the existing dwelling. Whilst the extension would protrude beyond the side elevation of the appeal property, it would not be readily visible from Stoke Fields due to the boundary wall between the appeal property and No. 48 Stoke Fields (No. 48) to the north, existing vegetation and the presence of a 1.8 metre high gate across the side access of the appeal property. If any glimpsed views of the extension are available, the use of matching materials ensure that it would be assimilated with the form of the host dwelling. I therefore do not agree with the Council that it would appear as a harmful feature in the CA. • Whilst the extension would have a greater width than the host dwelling, the height and approximately 4 metre depth of the extension from the rear elevation would not compete with nor overwhelm the 	<p>*ALLOWED</p>
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	<p>appeal dwelling or garden and would be subordinate to the existing building.</p> <ul style="list-style-type: none">• I acknowledge that the design of the extension features a flat roof and roof lantern which will be a modern addition to the appeal property. However, the lantern itself is a comparatively small feature that does not extend significantly above the roof height of the extension, and this minor feature would not harmfully detract from the character and appearance of the dwelling or the CA.• I therefore conclude that the proposed development would not have an unacceptable adverse impact on the character and appearance of the host dwelling and would preserve the character and appearance of the CA and accord with Section 72 of the Act. It would not be contrary to Policy D1 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034 (Adopted 25th April 2019) which seeks, amongst other things to ensure development is of high quality and responds to distinctive local character. It would also accord with Policy G5 and Policy H8 of the Guildford Borough Local Plan (2003) (the 'Local Plan') which seek, amongst other things, to ensure new development protects the character and appearance of buildings and the surrounding environment. It would also accord with Policy HE7 of the Local Plan which seeks to ensure new development preserve or enhance the character or appearance of conservation areas. It would also accord with the Framework in so far as it requires that development should add to the overall quality of an area and should be sympathetic to local character.• The neighbouring property No. 44 Stoke Fields (No. 44) is located to the south of the appeal property, and the Council has expressed concern over the impact the proposed development would have on the amount of light received by occupants of No. 44.• The Council's Residential Extensions and Alterations Supplementary Planning Document (SPD) (2018) advises on the tests to ensure daylight for habitable rooms is safeguarded. Although it is indicated that the proposed development would fail the <i>45 degree</i> test in relation to a window on the ground floor, it appears from the evidence before me that this window serves a kitchen and therefore does not constitute a habitable room as defined by the SPD. I note the extension will be built up to the common boundary with No. 44, but taking into account the height and the flat roof form of the proposed extension and its location to the north of No. 44, the proposed extension would not significantly or unacceptably reduce the amount of light reaching the kitchen window and an adequate outlook would be maintained. I therefore conclude that the proposal would not feel overbearing or cause material harm to the living conditions of the occupiers of No. 44.• For the reasons outlined above, the proposed development would accord with saved Policy G1(3) of the Guildford Borough Local Plan (2003) which seeks to protect the amenities (including access to sunlight and daylight) enjoyed by occupants of buildings from unneighbourly development. The proposal also accords with the Residential Extensions and Alterations SPD (2018) as it does not impact on the daylight received by any habitable rooms of the neighbouring property or result in an overbearing impact on the occupiers of No. 44.	
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	<ul style="list-style-type: none"> For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed. 	
<p>2.</p>	<p>Mr Alan Durrans of Bloor Homes Ltd Land at May and Juniper Cottages, Ash Green Road, Ash Green, Guildford GU12 6JH</p> <p>20/D/00099/2 – The sought approval of details pursuant to condition No 14 (iv) of a planning permission granted on 18 February 2020. That permission relates to a development of 100 dwellings (including 40 affordable homes) with access to be determined, with associated garages, parking, open space, landscaping and play areas (layout, scale, appearance and landscape to form the reserved matters). The details for which approval is sought relate to the provision of a footway from the site access to Foreman Road.</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 submitted footway details are adequate to discharge part (iv) of the condition. Outline planning permission has been granted for a scheme of 100 dwellings and this permission is subject to various conditions. Condition no. 14 requires the implementation of a package of highway measures, prior to first occupation and in accordance with details to be submitted to and approved in writing by the local planning authority. Part (iv) of the condition states that ‘a 1.5 m footway shall be provided from the site access to Foreman Road in accordance with Drawing No. 16072-03, unless alternative pedestrian access can be achieved through the adjacent development (Ash Manor)’. The Ash Manor development does not exist and, whilst that site has been the subject of two planning applications and a quashed planning permission, there is no information before me to suggest that it has the benefit of a live planning permission. Even if permission could be achieved, the timing of construction is unknown. The appellant has no control or interest in the land which further adds to the uncertainty over whether a pedestrian access can ever be achieved through an adjacent development to serve their scheme. Notwithstanding any concerns over its environmental impact, the footway shown on Drawing No. 16072-03 has been approved by the local planning authority and it forms part of the outline planning permission. The Council accepts that the submitted plans accord with that drawing and does not raise any concerns regarding the detail. I have no reason to take a different view. Consequently, I consider that condition no. 14 (iv) should be discharged. This would not preclude an alternative set of plans being considered under a fresh application, should it become clear that a connection through an Ash Manor development is achievable within the timeframe of the permission. Residents state that they were unaware of Drawing No. 16072-03 at the point of permission being granted. The question of whether the condition was lawfully imposed is not relevant to my determination of the appeal. That would be a matter for the courts, although I note that an application for judicial review has already been refused. Many of the comments from third parties address the principle of a footway along the northern side of Ash Green Road. However, the Council has 	<p>*ALLOWED</p>

	<p>already agreed to the footway route and condition no. 14 is simply seeking confirmation of the detail prior to a S278 agreement.</p> <ul style="list-style-type: none"> I note that since the appeal was lodged planning permission has been granted¹ for an alternative footway arrangement which minimises damage to trees and hedging along Ash Green Road. The appellant has indicated their intention to implement the revised scheme and will in due course be making an application to vary the wording of condition no. 14 (iv) to accommodate the new plans. However, those plans exist independently of the outline permission and do not constitute a pedestrian access through the Ash Manor site. Accordingly, their existence would not form a reason to dismiss the appeal. For the reasons given above I conclude that the appeal should be allowed and the submitted details approved. COSTS Bloor Homes Ltd against Guildford Borough Council The Council accepts that the information submitted with the application is sufficient to discharge condition no. 14 (iv). It does not give an explanation as to why the application was not determined within the prescribed period, but points out that it was engaged in negotiations with the appellant and the local community to explore whether an alternative route for the footway could be achieved without the loss of hedgerow on the northern side of Ash Green Road. The search for an alternative route was driven by strong objections from local residents who were concerned regarding the environmental impacts of the scheme shown on Drawing No. 16072-03. However, that plan formed part of the outline planning permission and the submitted information is entirely consistent with it. The parameters have been set by the permission and consequently there is no basis in law for the Council to insist upon a different footway scheme, particularly in the absence of a planning permission for the adjacent Ash Manor site. The Council was clearly in a difficult position following its failure to publicise the approved footway route via its online planning register. It would have been under pressure to address residents' concerns retrospectively. Nevertheless, there were no substantive reasons to justify delay in the determination of the application. In my view, the Council was guilty of deferring its decision in the hope that discussions would bear fruit. This constitutes unreasonable behaviour which has led to the appellant incurring the expense of an unnecessary appeal. I am therefore making a full award of costs. 	<p>*ALLOWED</p>
<p>3.</p>	<p>Mr and Mrs Carter Glengarden, Clandon Road, West Clandon GU4 7TL</p> <p>21/P/01247 – The development proposed is construction of a single storey oak framed building comprising a double garage and office/gym with a pitched roof.</p> <p>Delegated Decision – To Refuse</p> <p>Summary of Inspector's Conclusions:</p> <ul style="list-style-type: none"> The main issues are whether the proposal is inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies. 	<p>*ALLOWED</p>

	<ul style="list-style-type: none"> • If the proposal is inappropriate development, the effect on the openness of the Green Belt and whether the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal. • In this location, London Road is characterised by large, detached dwellings set in their own grounds on both sides of the road. Their domestic front gardens and boundary treatment indicate a continuously developed frontage from London Road. The road has a suburban feel and appears to function as part of West Clandon village. Therefore, for the purposes of paragraph 149 of the Framework and Policy P2 of the Local Plan the appeal site is within the village of West Clandon. Nevertheless, the site also remains within the Green Belt. Therefore, Green Belt policies and the purposes of the Green Belt remain relevant to this appeal. • The supporting text to Policy P2 of the Local Plan provides further guidance of what is considered to be limited infilling, which includes infilling of small gaps within built development. • There is a small gap between buildings at Glengarden and the adjoining house, Wayside. The proposed garage would be sited in this location. Furthermore, the garage would be modest in scale relative to the host dwelling and other houses in the road, including in terms of both its height and footprint. Therefore, the proposed development would represent limited infilling in villages. • The proposed development is notably different to a much larger previously approved scheme for a new dwelling in what was the garden to Glengarden as well as a new garage for Glengarden1. Nevertheless, I find that the appeal scheme before me now would be limited infilling in a village when considered on its own merits. • Consequently, for the reasons described above the development that is the subject of this appeal is not inappropriate development in the Green Belt in the terms of the Framework. As such, in this respect, it complies with Policy P2 of the Local Plan, the aims of which are set out above. • As the development is not inappropriate in this regard it is not necessary for me to consider the appeal against the other exceptions at paragraph 149 of the Framework that have been drawn to my attention. • For the reasons given above, I conclude that the appeal should be allowed. 	
<p>4.</p>	<p>MS Jeanne Kruger 92, London Road, Guildford GU1 1TH</p> <p>21/P/00490 – The development proposed is erection of a single storey rear extension and formation of roof terrace and privacy screen to rear along with changes to fenestration and demolition of existing chimney.</p> <p>Delegated Decision: To Refuse</p> <p>Summary of Inspector’s Conclusions:</p> <ul style="list-style-type: none"> • The main issue is the effect on the living conditions of neighbouring occupiers with particular regard to overlooking to 1 Ennismore Avenue and 94 London Road. 	<p>*ALLOWED</p>

	<ul style="list-style-type: none"> • The proposed development would create two first floor balconies. They would both have 1.7m high obscure glazed screening to the sides closest to the neighbouring houses. • The existing first floor windows at no 92 have their main view towards the garden at the host property, with peripheral views possible towards the neighbouring gardens at 1 Ennismore Avenue and 94 London Road. • Due to the opaque panels to the side, any views from the proposed balcony would be similar to those which currently exist from the windows. The screening would also prevent any views back towards neighbouring windows. As such the proposed development would not create any new views. • The balconies are large enough to allow occupiers to sit out. I am not persuaded that looking out from this space, which is likely to be used only in fine weather, would necessarily increase compared to a window to a bedroom. Nevertheless, the proposed outlook would result in acceptable privacy for neighbouring occupiers, and this would remain the case even if there was increased frequency or duration. • The proposed balcony screening would be opaque glazing which would allow light to pass through, and therefore there would not be a harmful loss of light to neighbouring properties. I have had regard to the neighbours' personal circumstances. However, whilst there may be an increase in noise and disturbance during building works this would be required to comply with the relevant legal requirements and would be temporary. As such this would not be unacceptably harmful. • The proposed development would have an acceptable effect on the living conditions of neighbouring occupiers with particular regard to overlooking to 1 Ennismore Avenue and 94 London Road. As such the proposed development would be in accordance with Saved Policy G1(3) of the Guildford Borough Local Plan 2003 which seeks to protect occupants from unneighbourly development in terms of privacy, amongst other things. • For the reasons given above I conclude that the appeal should be allowed. 	
<p>5.</p>	<p>Mr Jan de Walden Binton Farm, Binton Farm House, Binton Lane, The Sands, GU10 1LQ</p> <p>21/P/00253 –The development proposed is detached garage and alterations of existing driveway. Proposed extension of existing dwelling and associated link and conversion of existing cart barn accommodation.</p> <p>Delegated Decision: To Refuse</p> <p>Summary of Inspector's Conclusions:</p> <ul style="list-style-type: none"> • I consider that the main issues are whether the proposal impacts on important habitats; • whether the proposal constitutes inappropriate development in the Green Belt and its effect on openness; and • where the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development. • The appeal is dismissed insofar as it relates to the detached garage. • The appeal is allowed insofar as it relates to the proposed extensions to the existing dwelling and associated link and conversion of existing cart 	<p>PART DISMISSED/ ALLOWED</p>

	<p>barn to accommodation in accordance with the terms of the application, Ref 21/P/00253, dated 9 February 2021 so far as relevant to that part of the development hereby permitted and subject to the following conditions.</p> <ul style="list-style-type: none"> • Local Plan (2003)¹ Policy NE4 indicates that planning permission will not be granted for any development that would be liable to cause any demonstrable harm to a species of animal or plant, or its habitat, protected by British law unless conditions are attached requiring the developer to take steps to ensure their protection. • Whilst the Council indicate a shortfall in the information submitted with the planning application, it would seem that any outstanding matters relating to habitats or species protection could be addressed through appropriate conditions. This is considered further below. • The National Planning Policy Framework² explains that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. This is reflected in Local Plan (2019)³ Policy P2. The Framework makes it clear that the construction of new buildings is considered inappropriate unless it satisfies one of the exceptions cited. Amongst other things these include extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building and the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. Other forms of development also may not be inappropriate including the re-use of buildings provided that the building is of permanent and substantial construction. • I viewed the cart barn as part of my site visit and observed that it is a permanent structure that appears substantial. I have no evidence regarding its structural integrity but it would appear that Green Belt policy would allow its re-use as living accommodation. The Council has not raised any concerns about the details of the conversion and I also find the proposal acceptable in this respect. • Extensions to the house are proposed which amongst other things, include linking the converted cart barn to the house. The Framework does not provide a quantitative guide to define what is proportionate and what is not and so it is necessary to draw an assessment based on the character and style of a building bearing in mind that the Framework establishes that an important character of Green Belts is their openness. • The Council’s assessment factors in the floorspace created by the converted cart barn as new floorspace to the dwelling. However, this is an existing building and its use is not a determinant in assessing disproportionate additions to buildings. Removing the cart barn from any calculation that assesses proportionate extensions therefore would mean that the proposed new floor space, including the new link between the house and the cart barn, would be relatively modest. In my view, whilst the converted barn would add floorspace to the house, the amount of newly created floorspace as opposed to converted space, would not represent disproportionate extensions and alterations to buildings in the Green Belt. • Turning to the openness of the Green Belt, the cart barn is already there and the proposed alterations and extensions to enable it to be converted and linked to the house together with the works to the house itself would not impact on the openness of the Green Belt. 	
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<ul style="list-style-type: none"> • On this basis I do not consider that the proposed extensions would amount to inappropriate development in the Green Belt and no conflict with the Framework or Policy P2 would arise in this respect. • The proposal includes a new detached garage which would not replace an existing building but would be a new building. The garage would be substantial in size providing space for two cars and a plant room together with accommodation in the roof space, indicated on the submitted plans as being an office. I consider that the garage would be inappropriate development in the Green Belt. The harm caused by inappropriateness carries substantial weight. The garage would be a substantial building located to the west of the house and whilst there are trees that would lessen its impact, it would nevertheless have an impact on the openness of the Green Belt. This adds weight against the proposed garage. • In terms of the garage, the appellant explains that a garage could be built as permitted development. Although applications for Lawful Development Certificates⁴ seem to have been submitted and approved or part approved, part refused for extensions, alterations and conversion of the cart barn, from the information submitted, no application seems to have been made for the garage. The appellant quotes Class E of the General Permitted Development Order⁵ and has submitted a plan indicating where outbuildings could be erected⁶. However, the appellant accepts that the proposed garage would not be permitted development and would therefore require planning permission. • I acknowledge that planning legislation allows outbuildings without the need for planning permission but the appellant has not demonstrated that the suggested outbuildings would actually be permitted development, for example, from the information submitted, an application for a Lawful Development Certificate does not seem to have been sought. Furthermore, I am mindful that the appeal site is within an Area of Outstanding Natural Beauty (AONB) which places specific restrictions for Class E outbuildings. I am not convinced therefore that what could be built as permitted development or indeed what would likely be built in reality, provides adequate justification to overcome Green Belt policy. Therefore, this matter carries only modest weight. • I have also considered the access arrangement to Binton Farm House. There are currently two points of access to the appeal site but the appellant explains that one of these, to the east and north of the appeal site, will cease to be available for the occupiers of Binton Farmhouse. The location of the proposed garage would be better suited to the access shown in the red lined application site to the west of the house. I also note that the appellant states that siting the proposed garage has taken into account existing trees and seeks to ensure minimal impact. Whilst I appreciate the appellant's argument in this regard, I consider that these matters carry only modest weight. • For the reasons given above and having regard to all matters raised, I conclude that the appeal in relation to the detached garage and alterations to the existing driveway is dismissed but the proposed extensions to the existing dwelling and associated link and conversion of the existing cart barn to accommodation is allowed. • COSTS • Mr Jan de Walden for a full award of Costs against Guildford Borough Council. 	<p>REFUSED</p>
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	<ul style="list-style-type: none"> • The appellants claim for costs relate to the determination of the planning application including the length of time taken to determine it and changing the description of development to include elements that were permitted development. Whilst these matters may be frustrating for the appellant, I consider that these are procedural matters in the determination of the application and have minimal bearing on the appeal process. • The appellant also states that the Council has failed to take into account extensions and outbuildings that can be constructed utilising the appellants permitted development rights. I have disagreed with the Council's interpretation of the additional floorspace in so far as adding the proposed accommodation that would be created by the converted cart barn into the assessment of inappropriate development in the Green Belt. The Council has not responded to the costs claim so I have no explanation as to the reasoning behind this calculation. However, whilst this may amount to an error in judgement, it is a matter that could be open to interpretation and therefore this in itself does not amount to unreasonable behaviour. The appeal also includes development that the appellant does not dispute requires planning permission, in particular the garage, and in appealing the proposal the appellant has exercised his right to appeal. I do not consider that this is based on unreasonable behaviour on the part of the Council. • I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has not been demonstrated. 	
<p>6.</p>	<p>Mr R Trendle Rose Tree Barn, The Avenue, Compton, Guildford GU3 1JW</p> <p>20/P/01998 – The development proposed is described as, “The erection of a first-floor rear extension with balcony and the two-storey glazed porch extension to the front elevation”.</p> <p>Delegated Decision: To Refuse</p> <ul style="list-style-type: none"> • The main issues are whether the proposal would be inappropriate development in the Green Belt. • The effect of the proposal on the Green Belt. • if the proposal would be inappropriate development, whether the harm by reason of inappropriateness and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it. • The National Planning Policy Framework (the Framework) establishes that the construction of new buildings within the Green Belt is inappropriate. There is a closed list of exceptions to this in paragraph 149 of the Framework. One of which relates to the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building (paragraph 149 c)). This principle is reflected in Policy P2 of the Guildford borough Local Plan: strategy and sites 2015 – 2034 (adopted 2019) (Local Plan) which references the list of exceptions identified by the Framework. These policies assist in safeguarding the 5 purposes of the Green Belt. Of particular relevance is the Green Belt's 	<p>DISMISSED</p>

	<p>purpose in relation to its assistance in safeguarding the countryside from encroachment.</p> <ul style="list-style-type: none">• Rose Tree Barn is a 2-storey dwelling. The property comprises a barn conversion, the original barn having been significantly extended on 3 sides. The parties disagree on the exact floor space figures with respect to the size of the original, the existing, and the proposed building. Nevertheless, based on the figures before me it is apparent that the proposal would, in combination with the existing extensions, result in a floor space uplift of at least approximately 98% from the original building. This percentage increase in size over the original building is considerable.• Furthermore, the proposed 2-storey porch would materially increase the bulk of the building. The proposed first-floor rear extension would span the full width of the original building and it would be a particularly deep structure. Accordingly, when considered in conjunction with the existing extensions the proposal would involve a considerable increase in size over and above the size of the original building.• I therefore find that the proposal would result in disproportionate additions over and above the size of the original building, in conflict with paragraph 149 c) of the Framework. The proposal therefore constitutes inappropriate development in the Green Belt for the purposes of the Framework and Policy P2 of the Local Plan. For completeness, I note that this finding is also common ground between the main parties. Inappropriate development is, by definition, harmful to the Green Belt.• The Framework denotes openness as an essential characteristic of the Green Belt. The openness of the Green Belt has a spatial aspect as well as a visual aspect. 'Open' can mean the absence of development in spatial terms, and it follows that openness can be harmed even when development is not readily visible from the public realm.• The site is in a fairly secluded location. Only the proposed front porch would expand the footprint of the existing building. Consequently, the impact of the proposal on the openness of the Green Belt would be limited in purely visual terms. The proposal would not involve new independent structures being created around the site. Nevertheless, the proposal would result in a physically larger building than that which exists, particularly at first-floor level. Thus, the openness of the Green Belt would be reduced in spatial terms, albeit by a limited degree. This would cause harm to the openness of the Green Belt.• The Framework makes it clear at paragraph 148 that substantial weight is given to any harm to the Green Belt. It establishes that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.• The design and materials of the proposal would reflect the original heritage of Rose Tree Barn. The resulting building would appear in-keeping with its surroundings, thereby complying with Policy G5 of the Guildford Borough Local Plan 2003 (adopted 2003) (2003 Local Plan) and Policy D1 of the Local Plan which collectively provide that, amongst other things, all new developments will be required to achieve high quality design that responds to distinctive local character (including landscape character) of the area in which it is set.• Due to its scale, and the distance between Rose Tree Barn and Rose Tree Cottage (a Grade II listed building), the proposal would preserve the setting of the listed building. It would thereby comply with section	
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	<p>66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. For the same reasons, the proposal would comply with both Policy HE4 of the 2003 Local Plan and Policy D3 of the Local Plan, which collectively provide that, amongst other things, the historic environment will be conserved and enhanced in a manner appropriate to its significance. The limited scale of the proposal in its wider context also means that it would not harm the distinctive character of the Area of Great Landscape Value, and in this respect it would comply with Policy P1 of the Local Plan.</p> <ul style="list-style-type: none"> • Nevertheless, as all these considerations would merely serve to maintain the character and appearance of the area and the landscape, and the setting of the listed building, they are neutral factors, which do not weigh in favour of the proposal, as is the lack of harm in relation to the proposal's effect on the living conditions of neighbouring occupiers, in compliance with Policy G1 (3) of the 2003 Local Plan which provides that, amongst other things, the amenities enjoyed by occupants of buildings should be protected from unneighbourly development. • This appeal involves a fall-back position, relating to 2 extant grants of Certificates of Lawfulness (for the erection of front and side porches (20/P/00975), and a rear dormer extension to the roof (20/P/01345)), and a written notice that prior approval is not required with respect to a single storey rear extension (20/W/00101) (the extant extensions). • I note the case law quoted by the appellant¹ and on the evidence before me, which includes a copy of an e-mail demonstrating the appellant's intentions, I consider that there is a real prospect that either some or all parts of the fall-back position would be implemented, should this appeal be dismissed. The figures provided by the parties demonstrate that when assessed against the original building the extant extensions would result in an approximately 21% greater floor area, when compared to the proposed extensions. Additionally, the massing, scale and bulk of the extant extensions would be greater than the proposed extensions, albeit not significantly. • From this it follows that the extant extensions, if implemented, would have a greater impact on the openness of the Green Belt than the proposal. Consequently, the proposal would be less harmful in Green Belt terms than the extant extensions. As such, the fall-back position is clearly a matter that I attach weight to in my consideration of this appeal. • The appellant has put forward a condition which is designed to control permitted development rights and prevent both the extant extensions and the proposal being built out together. In this regard, I note that it would not be practical for the rear dormer extension², or any other dormer on the rear elevation, to be built in conjunction with the proposed first-floor rear extension, as they relate to the same space. • The proposal would be inappropriate development in the Green Belt and would result in a reduction in its openness. These matters carry substantial weight. Taken together, I find that the other considerations in this case do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the proposal do not exist. Therefore, the proposal would not comply with the Green Belt aims of Policy P2 of the Local Plan, or the Framework, and consequently would be unacceptable. • Overall, the proposal would not constitute sustainable development. Thus, the proposal would not comply with Policy S1 of the Local Plan 	
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<ul style="list-style-type: none"> • Appeal A would introduce a terrace of four dwellings onto the site. Although built form is prevalent around the appeal site, individually, the dwellings would have a narrow plot width, and collectively, they would introduce a wide building onto the site. Due to the form of the proposal, the dwellings would conflict with the prevailing urban grain. Surrounding buildings are typically detached with space about them. Terraced dwellings would therefore be demonstrably at odds with the existing pattern of development. The proposal would lack space about the dwellings and introduce an incongruously intense form of development in an environment characterised by detached properties. I note the density analysis presented by the appellant, however, the proposal would be at odds with the prevailing grain and pattern of development which would be to the detriment of the character and appearance of the area. • In contrast, Appeal B would be more sympathetic to the existing pattern of development. The proposal would introduce two detached dwellings of comparable form and siting to neighbouring houses, particularly those to the north east of the site. As a consequence, the layout of the proposed dwellings would assimilate well with surrounding development. They would not represent an overly intensive use of the land but rather carry on the established pattern of development found to the north east of the site. In this respect, the proposal would be sympathetic and complementary to the surrounding built environment. • For the reasons identified above therefore, I conclude that Appeal A would harm the character and appearance of the surrounding area. It would therefore fail to comply with Policies H1 and D1 of the Guildford Borough Local Plan: Strategy and Sites (2019) (LP), and Saved Policy G5 of the Guildford Borough Local Plan (2003) (SLP), as well as guidance contained within the Residential Design Guide (2004) and the National Design Guide (2019). Taken together, these seek amongst other things, high quality design which responds to local character. • However, I also conclude that Appeal B would not harm the character and appearance of the area. On this basis, it would comply with the Policies identified above. • Appeal A was refused on the basis of the proposal failing to make any provision for bin storage or turning space for a refuse lorry. However, through the appeal, a revised site layout has been provided which demonstrates a bin storage area close to the main highway, as well as bin storage areas within the private amenity spaces with rear access. As a consequence, there would be no need for a refuse lorry to enter the site, with the requirement being that future occupants presented their bins on the necessary days. • The proposed refuse collection point would be in close proximity to the main road. However, the evidence before me requires such provision to be located within 5 metres of the point where the collection vehicle would stop. The drawings before me are not dimensioned but based on my observations on site, the proposed location, which is also the same for Appeal B, would be in excess of 5 metres. Accordingly, the proposed arrangement would not comply with the Council's Guidance on the storage and collection of household waste for new developments. • On this basis, I conclude that both proposals would fail to make adequate provision for refuse storage and collection. They would 	
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	<p>therefore fail to comply with Policy D1 of the LP which requires high quality design which meets the needs of all users.</p> <ul style="list-style-type: none"> • In the absence of the necessary legal agreements, suitable mitigation could not be provided. Consequently, taking a precautionary approach, I conclude that both appeals would lead to a likely significant adverse effect on the integrity of the SPA. They would therefore fail to comply with Policy P5 of the LP and Saved Policy NRM6 of the South East Plan, which together establish the requirements for development effecting the SPA. • Planning permission was originally refused for Appeal A due to the lack of ecological information to accompany the proposal. However, the appeal has been supplemented by evidence provided by AAe Environmental Consultants. The Council have reviewed this evidence and appear to agree with its findings. On the basis of the evidence before me, I have no reason to disagree. • I am satisfied that Appeal A would not harm local ecology or the living conditions for neighbouring properties. However, this does not alter or outweigh my findings in relation to the other main issues, all of which weigh heavily against the appeal. • Although I have found that Appeal B would not harm the character and appearance of the surrounding area, the shortcomings regarding refuse collection and the effect on the SPA significantly and demonstrably outweigh this matter. • Consequently, for the reasons identified above, both appeals are dismissed, and planning permission is refused for Appeal B. 	
<p>8.</p>	<p>Mandozai Properties Ltd 4 Worplesdon Road, Guildford GU2 9RL</p> <p>20/P/01276 - The development proposed is was described as: 'Extension, remodelling and change of use from financial services use (A2) to residential and erection of new Building at rear to provide 10 residential units with associated 12 off street parking spaces at 4 Worplesdon Rd Guildford GU2 9RL.'</p> <p>Delegated Decision – To refuse</p> <ul style="list-style-type: none"> • The main issues are the effect of the proposal on: i) the living conditions for the occupants of neighbouring properties; ii) the living conditions for future occupants; and iii) the character and appearance of the area. • The appeal site is currently occupied by a part two storey, part single storey structure. The taller element fronts the highway, with the tall single storey aspect forming a deep wing which projects into the site. The proposal would introduce an additional storey with a pitched roof to the front of the building. This increased height and mass would also project to the rear, above the currently single storey structure, and following a small gap in building mass, an additional storey would also be created towards the rear of the existing single storey wing. • To the south-west of the appeal site is Wood Court, a development which flanks the appeal site, and which has a number of windows in its side elevation adjacent to the shared site boundary. As identified above, the proposal would significantly increase the bulk and mass of the existing structure. The existing single storey wing would partly 	<p>DISMISSED</p>

	<p>increase to two storeys with a generous pitched roof, and partly 1.5 storeys in height. Such development would significantly and demonstrably increase the bulk and mass of the deep rear wing in a manner that would be in close proximity to the side boundaries of the site. As a consequence, neighbouring windows, particularly at ground and first floor which currently look towards a single storey wing, would look towards a substantially larger and more imposing structure. Consequently, despite the reduced eaves height, and the break between the upper storey structures, the increased bulk and mass would result in an enclosing form of development. Due to its height, depth and proximity, it would have an overbearing and oppressive impact on neighbouring occupants. Accordingly, in my judgement, it would be severely detrimental to the existing outlook from this neighbouring property and, as a consequence, it would result in an imposing and dominant form of development.</p> <ul style="list-style-type: none"> • The proposal would have a materially different relationship with No 6 Worplesdon Road. This property has a deep footprint and does not include windows which look towards the appeal site. Although the existing building would become larger, its enlarged projection would be comparable with the depth of No 6. Consequently, this element of the proposal would not cause a harmful effect to the occupants of the neighbouring property. The additional storey to the end of the existing wing would increase the height of this part of the building on the shared boundary. However, the increased bulk would primarily take the form of a pitched roof which would limit the mass of this element of the proposal on the boundary. Accordingly, due to the limited bulk of this aspect, I am satisfied that its effect on the adjacent open space would not be significant. The proposal would therefore not have a detrimental impact on No 6. • The proposal would also introduce development to the rear of the site in the form of a terrace of three, two storey properties. Due to the sloping topography of the site, these properties would be situated at a demonstrably lower level than the buildings which front the highway, a matter helped by the low eaves height proposed. In addition, the length of the appeal site is such that these properties would be removed from neighbouring development. On this basis, I am satisfied that these properties would not harm the living conditions of the occupants of neighbouring properties. • However, for the reasons identified above, I conclude that the proposals to the existing building would have a harmful effect on the living conditions for the occupants of neighbouring properties. It would therefore fail to comply with Saved Policy G1(3) of the Guildford Borough Local Plan (2003) (SLP) which seeks to protect the amenities enjoyed by the occupants of buildings. • The proposal would include private amenity space for the proposed apartments to the rear of the existing wing. The space would not be substantial, however, based on the evidence before me, the Council do not have minimum standards for such amenity space. Accordingly, with regard to this matter, I am satisfied that the proposal would not be harmful. However, for the reasons identified above, the proposal would provide a demonstrably harmful outlook for apartments F5 and F7. On this basis, I therefore conclude that the proposal would fail to provide suitable living conditions for future occupants. As a consequence, it would fail to comply with Policy D1 of the Guildford Borough Local Plan: 	
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	<p>Strategy and Sites (2019) (LP), and saved Policies G1(3) and H4 of the SLP. Taken together, these seek amongst other things, high quality design which protects amenities for occupants.</p> <ul style="list-style-type: none"> • The existing building presents a wide flat roof structure located between two large buildings with generous pitched roofs. The broader environment is also generally host to buildings with pitched roofs. Accordingly, although building scales and types vary in the immediate locality, due to its prominent flat roof, the existing building does represent a large anomaly to the prevailing street scape. • To the front of the site, the proposal would introduce a pitched roof onto the building as well as some fenestration alterations. The overall effect of this would be to create a building which harmonises more closely with its immediate neighbours. Accordingly, in my judgement, this element of the proposal would introduce a degree of betterment to the street scene. • The elements to the rear would be inconspicuous from the public realm and the grain of development is such that buildings do run deep into their plots. Moreover, buildings are also present beyond the building line. As a consequence, I find that the elements beyond the immediate frontage block would result in discreet additions to the surrounding environment. • I therefore conclude that the proposal would not harm the character and appearance of the surrounding area. Consequently, it would comply with Policy D1 of the LP, and saved Policies H4 and G5 of the SLP, as well as guidance within the Residential Design Guide Supplementary Planning Guidance (2004). Taken together, these seek amongst other things, high quality design that responds to local character. • The proposal would result in some visual enhancement to the street scene, and this is a matter to which I attach moderate weight. However, the proposal would cause significant and demonstrable harm to the living conditions of neighbouring properties and due to the level of harm, this is a fundamental shortcoming of the proposal to which I attach significant weight. The proposal would also fail to provide suitable living conditions for future occupants. Consequently, for the reasons identified above, the appeal should be dismissed. 	
<p>9.</p>	<p>Mr Ben Taylor of Belfields Homes Ltd and Towerview Guildford 2 Ltd 87 Bushy Hill Drive, Guildford, Surrey, GU1 2UG</p> <p>20/P/00482 - The development proposed is demolition of 2 dwellings (92 and 94 Potters Lane) and the erection of 29 dwellings (12 affordable) including access, associated garages, parking, open space, play area and landscaping.</p> <p>Delegated Decision – To Refuse</p> <ul style="list-style-type: none"> • The main issues are the effect of the proposed development on the character and appearance of the area, including its effect on the setting of the corridor of the River Wey; • whether the proposed development would preserve or enhance the character or appearance of the setting of the Wey and Godalming Navigations Conservation Area; • the effect of the proposed development on the living conditions of neighbouring occupiers with particular regard to outlook and 	<p>DISMISSED</p>

	<p>overbearing effect on Numbers 96 and 108 Potters Lane, and noise and disturbance on Number 90 Potters Lane;</p> <ul style="list-style-type: none"> • whether the proposed development would provide satisfactory living conditions for future occupants of Plots 21-29, with regard to the overbearing impact from adjacent development, noise and disturbance; • the effect of the proposed development on highway safety; • the effect of the proposed development on the integrity of the Thames Basin Heaths Special Protection Area (TBHSPA); and • whether the proposal would secure required contributions to affordable housing and infrastructure provision. <p>• The appeal site is a roughly L-shaped plot of approximately 1.2 hectares located within the settlement boundary of Send. It includes Numbers 92 and 94 Potters Lane (Nos 92 and 94), No 92 being located at the front of the site within the linear development along Potters Lane. No 94 is a detached house with an extensive garden, positioned behind the Potters Lane housing. This is enclosed by a high timber fence, partially set behind a vegetated bund which provides some screening of it in views towards the site from a public footpath to the south and the River Wey Navigation to the west. This footpath connects Potters Lane to the towpath along the River.</p> <p>• The site is enclosed by domestic gardens to the north and east and a large agricultural barn is located directly adjacent to part of the site's western boundary. To the south and west, the site is surrounded by open countryside. The land slopes down towards the River Wey Navigation, becoming significantly more rural and increasingly tranquil as one moves towards the river. This contributes to the rural setting of both the village and the river.</p> <p>• Potters Lane is characterised by varied properties in terms of designs, ages and sizes. Many of those on the western side of the road have long rear gardens backing onto open land and the garden of No 94. With limited street lighting and a pavement along one side only, Potters Lane has an informal appearance. This gives it a semi-rural character, reinforced by glimpses between development to the undeveloped land beyond.</p> <p>• The proposed development would extend the built form beyond the established line of development along Potters Lane. The development would be set out as a cul-de-sac in a combination of terraces, semi-detached and detached properties. This layout and form of development, with relatively small gardens and arranged around an access road would have a suburban character and appearance, would be at odds with the linear pattern of development along Potters Lane. Although it would not be visually prominent from Potters Lane, it would nevertheless appear as a discordant element and completely out of character with the village itself and the open and rural character beyond the built form.</p> <p>• The density of development, whilst not dissimilar to some of the development further north towards the centre of the village, would significantly intensify the amount of development on the rural edge of the village. This would have an urbanising effect which would form a hard edge to the village where one does not currently exist. As such it would not support the transition from the built-up area to the open countryside. This would be harmful to the rural setting of the village.</p> <p>• There are examples of other cul-de-sac forms of development off Potters Lane which lie between the river and the road, including</p>	
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	<p>Worsfold Close and the development at Number 54 Potters Lane (No 54). Unlike the appeal site, these developments lie closer to the village centre where surrounding development is more close-knit. They are not directly comparable to the appeal scheme which lies in a much more rural and location.</p> <ul style="list-style-type: none"> • The development would be orientated and focussed around a central access road with just one of the proposed houses, Plot 1, having a relationship with the linear development along Potters Lane. The scheme would not integrate within the village being tucked away on its edge. Whilst it would arguably create its own character, it would not relate well to existing development, and as such would make a limited contribution to a sense of place. • The scheme proposes a number of traffic calming measures along Potters Lane which would include a series of build outs, reflective posts, high friction surfacing, additional signage and a section of double yellow lines. These would significantly increase the amount of highway features along the road which would have an urbanising effect to the detriment of the semi-rural character of Potters Lane. • The appeal site lies within the Corridor of the River Wey, which is an area identified as having a special character, due amongst other things to its visual and historical interest. The rural landscape between the built up area along Potters Lane and the river form an important part of its setting and the appeal site, due to its largely undeveloped character, makes a positive contribution to this. • The proposal would extend the built form westwards towards the River and into its open and undeveloped setting. In existing views from both the footpath to the south and the riverbank to the west, the agricultural barn is clearly visible. The proposed development would be both taller and in a slightly elevated position relative to this barn and would therefore be much more visually prominent. • It is proposed that the houses would be set in from the site boundaries behind generous gardens to reduce their visual impact on the rural setting. However, due to the amount of development proposed and its layout, the two-storey buildings would be visible above the site boundary, particularly in views from the west where the separation from the boundary would be more limited. This would appear to intrude into the rural setting of the river corridor, harming its tranquillity and rural character. I appreciate that landscaping to the site could provide some screening, however this would not be tall enough to effectively screen the height of buildings proposed and would be more open during winter months. Landscaping would not therefore mitigate the harmful effects of the scheme. • The appellants' submitted Landscape & Visual Statement 2020 concluded that the proposed development would, overall, have a minor effect on some landscape features and the character of the area which would be localised and reduced over time as proposed trees and vegetation mature on the site. Whilst these conclusions are noted, I do not agree that the proposal would result in a minor effect for the reasons I have set out above. • I conclude that the proposed development would significantly harm the character and appearance of the area, including the setting of the corridor of the River Wey. It would therefore conflict with Policy D1 of the LPSS and Saved Policies G5 and G11 of the Guildford Borough Local Plan 2003 (LP) which together require new development to be a 	
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	<p>high quality of design that responds to distinctive local character, reinforces patterns of development and protects public views; and allows for development within the Corridor of the River Wey where it protects or improves its special character including views both within and from it.</p> <ul style="list-style-type: none"> • It would also not accord with the National Planning Policy Framework (the Framework) which seeks development that is sympathetic to local character and establishes or maintains a sense of place. It would also not accord with the National Design Guide which amongst other things supports well-designed places which enhance their surroundings. • Although not referred to in the Council's decision notice, in its statement of case the Council identified conflict with Policies Send 1 and 4 of the SNP. These policies together seek a high quality design that conserves and enhances the environmental assets and local distinctiveness of Send; reflects the character and settlement pattern of the surrounding area; protects its countryside setting; and, in relation to Potters Lane, should reflect its rural and unspoilt character. I find that there would be conflict with these policies. • I conclude that the proposed development would not preserve or enhance the character or appearance of the setting of the WGNCA. It would therefore conflict with Policy D3 of the LPSS which requires development to enhance the special interest, character and significance of the heritage asset and its setting and make a positive contribution to local character. It would also not comply with Saved Policy G11 of the LP which seek to protect or improve the historic interest of the WGNCA. It would also conflict with Policy Send 1 of the SNP which requires a high quality and sustainable design that conserves and enhances its heritage and environmental assets including the WGNCA and its setting. • Whilst I find that the layout of the scheme would not harm the living conditions of occupants of Nos 96 or 108 through any overbearing impact or effect on outlook. I do find that the proposed development would adversely affect the living conditions of occupants of No 90 through noise and disturbance. It would therefore conflict with Policy G1(3) of the LP and Policy D1 of the LPSS which together seek a high quality design and to protect the amenities of occupants from unneighbourly development in terms of noise. It would also conflict with the Framework which requires development to provide a high standard of amenity for existing users. • I conclude that the proposed development would not provide satisfactory living conditions for future occupants of Plots 21 to 29, with regard to the overbearing impact from adjacent development, noise and disturbance. It would therefore conflict with Policy G1(3) of the LP and Policy D1 of the LPSS which together seek a high quality design and to protect the amenities of occupants from unneighbourly development in terms of noise. It would also conflict with the Framework which requires development to provide a high standard of amenity for future users. • I conclude that the proposed development would increase the risk of conflict between users of the highway. It would therefore adversely affect highway safety. It would therefore conflict with Policy ID3 of the LPSS which requires new development to provide suitable access to make it acceptable, including mitigation to maintain the safe operation of the local road networks. It would also conflict with the Framework which requires safe and suitable access to the site and for development 	
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	<p>to be refused if it would have an unacceptable impact on highway safety. The Surrey Local Transport Plan does not form part of the development plan. I have not been made aware of any specific conflict with it.</p> <ul style="list-style-type: none"> • The appeal site lies within the designated inset boundary of Send and there is no in principle objection to housing it this location. However, I have found that the proposed development would be contrary to the development plan and there are no material considerations that outweigh this conflict. Consequently, with reference to Section 38(6) of the Planning and Compulsory Purchase Act 2004, the appeal should be dismissed. 	
<p>10.</p>	<p>Send Surrey Ltd Land to the North of Heath Drive, Send, GU23 7EP</p> <p>20/P/01011 - The development proposed is 29 residential dwelling including means of access, layout, and scale (appearance and landscaping to be reserved).</p> <p>Planning Committee: 19 August 2020 Decision: To Refuse Officer Recommendation: To Approve</p> <ul style="list-style-type: none"> • The main issues are the effect of the proposal on designated open space including protected trees, biodiversity, and protected species; and • whether planning obligations are necessary and have been suitably provided in all other respects. • The site is located in Send and designated as open space within Guildford Borough Local Plan: Strategy and Sites 2019 (LPSS). It comprises unmanaged woodland that is also protected by tree preservation order. Policy ID4 of the LPSS is clear that open space will be protected from development in accordance with the National Planning Policy Framework (the Framework). Paragraph 99 b) of the Framework is clear that any loss resulting from a proposal should be replaced by equivalent or better provision. • The land is privately owned and any public access to the open space that currently exists is at the discretion of the land owner. Consequently, any value from such access would only carry limited weight because it may not endure. For example, the land owner would be within their rights to cease public access at any time. Consequently, the de facto value of the open space relates to its visual contribution to the area. In this context, the protected area of unmanaged woodland provides a verdant buffer between the River Wey and open fields in the north and mixed use commercial and residential development along Send Road in the south. • The Council states that its Assessment of Sites for Amenity Value 2017 establishes the site is of biodiversity value as a deciduous woodland. This corresponds with its identification as priority habitat by Natural England and its location on the periphery of the River Wey Biodiversity Opportunity Area (BOA). • The Council's tree officer has advised that the site takes in an area of low quality trees and that without active management these trees are unlikely to improve in condition. This is due to low structural and species diversity, understorey, and ground flora. Consequently, despite the broader designation, the quality presented on the ground would appear limited. 	<p>DISMISSED</p>

	<ul style="list-style-type: none"> • The proposal would develop a proportion of the site and fell around 40% of the woodland. This would have an appreciable effect on the site's visual contribution to the area by reducing the buffer between the developed south and undeveloped north. However, the proposal would enhance the retained woodland so that it remained an effective visual buffer despite being reduced in extent. • Furthermore, the proposal would deliver formalised public access to the remaining woodland and this would be secured by legal agreement so that it endured. This would fundamentally improve how the open space functions, where public access is not currently secured. • It is clear that the area of woodland to be lost is of low quality and limited in its contribution to biodiversity despite the identification of the wider woodland as priority habitat. There are opportunities to enhance the quality and biodiversity value of the retained woodland, through the introduction of native species, removal of invasive species, and ongoing management. • Consequently, having established that the use of a condition to secure the necessary badger evidence would not be appropriate, I cannot determine the proposal would avoid demonstrable harm to badgers or their habitat or that conflict with the development plan can be avoided. • The proposal would be acceptable in relation to designated open space, protected trees, and woodland biodiversity generally, which would be neutral in the planning balance. The majority of planning obligations would provide mitigation to offset additional pressure on existing infrastructure, which would also be neutral in the planning balance. • Additional market housing and the component of affordable housing secured by planning obligations would provide a benefit in favour of the proposal. However, given the modest scale of the proposal, these benefits would carry moderate weight in the planning balance. • Potential harm to badger habitat would carry the highest level of significance and weight due to the national protections afforded to these species, where the development plan is clear that planning permission should not be granted for any development that would be liable to cause any demonstrable harm to a species of animal or plant or its habitat. Consequently, and on balance, the proposal would conflict with the development plan as a whole and the appeal is dismissed. 	
<p>11.</p>	<p>Round Tree Developments Limited Round Tree Farm, The Street, West Horsley, KT24 6HW</p> <p>20/P/02230 - The development proposed is erection of a pair of two-bedroom and a pair of three-bedroom semi detached dwellings.</p> <p>Delegated Decision – Non-Determination</p> <ul style="list-style-type: none"> • The main issues are whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies, b) The effect of the proposal on the character and appearance of the area, c) The effect of the proposal on the setting of the nearby listed building, known as Roundtree Farm House, and d) Whether the proposal would comply with local sustainable design and construction policy. • Paragraph 149 of the Framework establishes that new buildings within a Green Belt are inappropriate unless, amongst other things, they 	<p>DISMISSED</p>

	<p>constitute limited infilling in villages. There is no definition of 'limited infilling' or 'village' within the Framework. Where the Framework is silent it is appropriate for a local plan to provide guidance on how this policy should be applied in a local area.</p> <ul style="list-style-type: none"> • Policy P2 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034 (LPSS) provides further detail on how the Council views limited infilling within particular villages, with reference to settlement boundaries. The Council is satisfied that the site is at the edge of the village, however the parties disagree on whether the proposal should be considered to constitute limited infilling. • Supporting paragraphs 4.3.21 – 4.3.23 to Policy P2 provide further guidance on this matter. Development to either side of the site is limited to Nos. 1 and 2 Roundtree Cottages to the north and No. 245 The Street to the south. Neither have a strong street presence and Roundtree Cottages address the road end on and are significantly set back. There is no development beyond these buildings. The proposal does not therefore constitute a small gap in an otherwise continuous built-up frontage. • On this basis, taking into account the limited nature of the proposal for four dwellings and the relatively modest size of the site, I am satisfied that the proposal would not be inappropriate development in the Green Belt. It would therefore accord with the Framework and Policy P2 of the LPSS. • The proposal would see the regularity of the pairs of cottages on the opposite side of the road introduced into the environs of the existing farmstead. Whilst I accept that the buildings would adopt a high quality material palette that picks up on materials used locally, the formal siting of the two buildings and their regular appearance would be wholly at odds with the loose and informal arrangement of the existing buildings, and would introduce a degree of formality that would erode its simple agricultural character. Furthermore, the buildings would in part be placed in front of the existing farmhouse cottages, to the extent that where the buildings would be viewed together they would take on an uncomfortable tandem relationship. • Thus, in combination with the lack of a built up road frontage in the context of the site, and the manner by which the side elevation of Unit 1 would face towards the front of Roundtree Cottages, the proposal would result in a development that would not relate well to its agrarian context and would have a harmful urbanising impact. • In summary, the proposal would have a harmful effect on the character and appearance of the area. It would be contrary to Policy D1 of the LPSS, Saved Policy G5 of the Guildford Borough Local Plan 2003 (SLP) and Policy WH3 of the West Horsley Neighbourhood Plan 2016-2033 (NP), which together seek to ensure that development proposals are designed to a high quality that responds to distinctive local character and reinforces locally distinct patterns of development. • The Council also refers to Policy H1 of the LPSS in its draft refusal reason relating to character and appearance. This Policy seeks to deliver a variety of homes that provide all tenures, types and sizes. It does not appear to be relevant to matters of character and appearance. • In summary, I find that the proposal would fail to meet the requirements of the LBCA as it would fail to preserve the special interest of the listed building. It would be contrary to Policy D3 of the LPSS, Policy HE4 of the SLP and Policy WH8 of the NP, which together seek to ensure that 	
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	<p>development proposals conserve and enhance the historic environment and would not be granted where they would adversely affect the setting of a listed building.</p> <ul style="list-style-type: none"> • In conclusion, the proposal would conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict. Therefore, the appeal should be dismissed, and planning permission should be refused. 	
<p>12.</p>	<p>Round Tree Developments Limited Round Tree Farm, The Street, West Horsley, KT24 6HW</p> <p>20/P/02233 - The development proposed is erection of two detached dwellings to replace Round Tree Farm Cottages, Nos. 251 and 253 The Street, West Horsley.</p> <p>Delegated Decision – To Refuse</p> <ul style="list-style-type: none"> • The main issues are whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies, the effect of the proposal on the character and appearance of the area, the effect of the proposal on the setting of the nearby listed building, known as Roundtree Farm House, whether the proposal would comply with local sustainable design and construction policy, and whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations. If so, whether this would amount to the very special circumstances required to justify the proposal. • A fundamental aim of Green Belt policy is to keep land permanently open as defined in the Framework. The essential characteristics of Green Belts are their openness and their permanence. The openness of the Green Belt has a spatial aspect as well as a visual aspect. • In terms of the spatial aspect of Green Belt openness, the new dwellings would be constructed on land that is currently free from development. I accept that they would replace an existing building and would thus leave an area of the site free from built form. They would be larger than the existing building, although the percentage increase would appear to be similar to that which the Council has accepted elsewhere. • It is suggested that this would be no more than the localised rearrangement of built form within an enclosed site. However, the existing cottages are more closely grouped with existing buildings and relate to a modest band of development that runs from Roundtree Cottages to the north to Roundtree Farmhouse to the south, and is set back from the road behind the undeveloped area of the application site. The proposal would thus see built form at the site extended forward, into an area that is currently undeveloped, which would have a harmful impact on the spatial aspect of Green Belt openness. • In terms of the visual aspect of Green Belt openness, the proposed dwellings would be taller, would be sited in a more prominent position, and would be on higher ground than the existing building. Furthermore, the visual impact of two separate buildings that would stand apart would be more significant than that of the existing building, which is limited owing to its simple linear form and modest adjuncts. This impact would be exacerbated by the large domestic curtilage and garden areas, which would include the existing domestic curtilage and a large area that is not 	<p>DISMISSED</p>

<p>currently used as garden, bringing with it the presence of domestic paraphernalia across the site and the parking of cars.</p> <ul style="list-style-type: none"> • Although the hedge at the front of the site would screen wider views of the proposed buildings to a certain extent, they would still be glimpsed over the height of the hedge and through gaps or sparse areas, resulting in an increased presence of built form from the road junction. Furthermore, Unit 1 would be more prominent than the existing building when viewed across the more open area of the site alongside Roundtree Cottages. For these reasons I also find that the proposal would have a harmful impact on the visual aspect of Green Belt openness. • In summary, the proposal would be inappropriate development in the Green Belt. It would not accord with Policy P2 of the LPSS which seeks to protect the Green Belt against inappropriate development. • The proposal would see the cottages demolished and two detached dwellings erected on the undeveloped area of land to the front of the existing buildings. The two dwellings would have an almost identical appearance. This would be at odds with the existing farm buildings, which are all different and appear to have developed more organically. The two dwellings would take on the same alignment, which would not relate well to the loose arrangement of nearby buildings or the alignment of the roads fronting the site. The proposal would result in a development that would not relate well to its agrarian context and would have a harmful urbanising impact. • In summary, the proposal would have a harmful effect on the character and appearance of the area. It would be contrary to Policy D1 of the LPSS, Saved Policy G5 of the Guildford Borough Local Plan 2003 (SLP) and Policy WH3 of the West Horsley Neighbourhood Plan 2016-2033 (NP), which together seek to ensure that development proposals are designed to a high quality that responds to distinctive local character and reinforces locally distinct patterns of development. • The Council also refers to Policy H1 of the LPSS in its draft refusal reason relating to character and appearance. This Policy seeks to deliver a variety of homes that provide all tenures, types and sizes. It does not appear to be relevant to matters of character and appearance. • In summary, I find that the proposal would fail to meet the requirements of the LBCA as it would fail to preserve the special interest of the listed building. It would be contrary to Policy D3 of the LPSS, Policy HE4 of the SLP and Policy WH8 of the NP, which together seek to ensure that development proposals conserve and enhance the historic environment and would not be granted where they would adversely affect the setting of a listed building. • Therefore, although the submitted details demonstrate a reduction in the building's carbon emissions of over 20%, no assessment is made of the environmental impact of demolishing the existing dwellings and I cannot be satisfied that the criteria set out in Policy D2 and expanded upon in the Climate Change, Sustainable Design, Construction and Energy Supplementary Planning Document 2020 has been satisfied. • The proposal would be inappropriate development in the Green Belt. The Framework establishes that substantial weight should be given to any harm to the Green Belt and development should not be approved except in very special circumstances. In addition, I have found that the proposal would harm the character and appearance of the area, the special interest of the listed building and would not comply with local sustainable design and construction policy. Very special circumstances will not exist 	
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	<p>unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations.</p> <ul style="list-style-type: none"> • Therefore, for the reasons above, I conclude that the appeal should be dismissed and planning permission should be refused. 	
<p>13.</p>	<p>Mr & Mrs Taylor Little Romanys, Lawbrook Lane, Peaslake, Guildford GU5 9QW</p> <p>Appeal A 21/P/00181 - The development proposed is erection of extensions and alterations.</p> <p>Delegated Decision – To Refuse</p> <p>Appeal B 21/P/00927 - The development proposed is erection of extensions and alterations.</p> <p>Delegated Decision – To Refuse</p> <ul style="list-style-type: none"> • The main issues are whether the proposal would be inappropriate development in the Green Belt, the effect of the proposal on the openness of the Green Belt; and if the proposal would be inappropriate development, whether the harm by reason of inappropriateness and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it. • The National Planning Policy Framework (the Framework) establishes that the construction of new buildings within the Green Belt is inappropriate, subject to exceptions set out in paragraph 149 of the Framework. One of which relates to the extension or alteration of a building provided that it does not result in disproportionate additions over-and-above the size of the original building (paragraph 149 c)). This principle is reflected in Policy P2 of the Guildford borough Local Plan: strategy and sites 2015 – 2034 (adopted 2019) (Local Plan) which provides that, amongst other things, the construction of new buildings in the Green Belt will constitute inappropriate development, unless the buildings fall within the list of exceptions identified by the Framework. • These policies assist in safeguarding the 5 purposes of the Green Belt. Of particular relevance to these appeals is the Green Belt’s purpose in relation to its assistance in safeguarding the countryside from encroachment. • Reference has been made to the floor area of the garage on site. However, both Policy P2 and the Framework refer to the original building, and in this regard as the proposed developments only relate to the appeal property, my assessments with respect to paragraph 149 c) of the Framework excludes the garage. • The appellants have referred to the visual impact / perception and appearance of the proposals, their relationship within the plot, the context of the site (including the plot and the surrounding area), and the nature of surrounding properties and the sizes of their plots. In relation to these factors, I have had regard to the appeal decisions referred to¹. • However, none of those appeal decisions were made under the currently-adopted Local Plan, which reduces their relevance, including with respect to the percentage increases in size highlighted. This is particularly so as those policies which related to the Green Belt in the 	<p>DISMISSED</p> <p>DISMISSED</p>

<p>previous Local Plan have not been provided. Moreover, both the Framework and Policy P2 require an assessment of the proposals in relation to the original building, with paragraph 149 c) of the Framework referring to the size of the original building, in considering whether any disproportionate additions would occur. Accordingly, that is the focus of my assessments under this main issue.</p> <ul style="list-style-type: none"> • In relation to Appeal A, the floorspace figures provided by the appellants differ from those presented by the Council. The Council's figures are based upon the Officer's Reports for 2 previous planning applications and therefore are more persuasive. These figures demonstrate that the proposal for Appeal A, in conjunction with previous extensions to the building, would result in a building that would have an approximately 70% larger external floor area than the original building. This is clearly a considerable increase in size, over-and-above the original building. Furthermore, the proposed single-storey extension would extend the property outwards by some margin, resulting in a proportionately significant increase in massing and bulk to the existing property. • In relation to Appeal B, it is common ground between the main parties that the proposal would result in a building that would have an approximately 63% larger external floor area than the original building. In my view, this still involves a considerable increase in size, over-and-above the original building. Moreover, although from Appeal A the extension has been reduced in depth from approximately 5.8 metres to approximately 3.9 metres, it would still involve a material increase in massing and bulk to the existing property. • In light of the above, although the amount of undeveloped land would not be significantly altered, the proposals would result in disproportionate additions over-and-above the size of the original building, in conflict with paragraph 149 c) of the Framework. The proposals would therefore constitute inappropriate development in the Green Belt for the purposes of the Framework and Policy P2 of the Local Plan. Inappropriate development is, by definition, harmful to the Green Belt. • In relation to both appeals, the proposed extensions and alterations to the appeal property would be situated to the rear of the site, which is largely enclosed by tall mature hedgerow and trees. Accordingly, the proposals' impact on the openness of the Green Belt would be limited in visual terms. • Nevertheless, both proposals would materially augment the property, increasing both its size and the spread of built form above ground level within the site. Thus, the openness of the Green Belt would be reduced in spatial terms, albeit to a limited degree. Consequently, both proposals would cause harm to the openness of the Green Belt. • For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeals are dismissed. <p>• COSTS</p> <ul style="list-style-type: none"> • Mr and Mrs Taylor for a full award of costs against Guildford Borough Council. • The applicants have referred to several examples of planning permissions (including appeal decisions), which were put before the Council at application stage. A range of examples were also put before me in the associated appeal. 	<p>REFUSED</p>
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	<ul style="list-style-type: none">• Nevertheless, as explained in my appeal decision, those examples, whilst of some relevance, do not change my finding the proposal would result in disproportionate additions over-and-above the size of the original building, in conflict with paragraph 149 c) of the National Planning Policy Framework. As the Council came to the same overall conclusion with respect to paragraph 149 c), providing clear reasons in their Officer's Report in doing so, the Council did not behave unreasonably.• I accept that it would have been best practice for the Council to have referred to the specific examples highlighted by the applicants, in their Officer's Report. However, even if I were to find that this constituted unreasonable behaviour, the Council were correct to refuse the planning application, meaning that no unnecessary or wasted expense has occurred and an appeal would have been the next route to seek resolution.• I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated.	
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