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Contact Officer:

Sophie Butcher, Democratic Services Officer

22 November 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 30 NOVEMBER 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: 228 497 066#.

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

### **Authorised Substitute Members:**

The Mayor, Councillor Dennis Booth	Councillor George Potter
Councillor Guida Esteves	Councillor Jo Randall
Councillor Graham Eyre	Councillor Tony Rooth
Councillor Andrew Gomm	Councillor Will Salmon
Councillor Steven Lee	Councillor Deborah Seabrook
Councillor Nigel Manning	Councillor Cait Taylor
Councillor Ted Mayne	Councillor James Walsh
Councillor Bob McShee	Councillor Keith Witham
Councillor Susan Parker	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 ANNOUNCEMENTS**

To receive any announcements from the Chairman of the Committee.

### **4 PLANNING AND RELATED APPLICATIONS (Pages 13 - 14)**

All current applications 22/P/01037 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.

#### **4.1 22/P/01037 - Land at High View, Gomshall, GU5 9LT (Pages 15 - 32)**

### **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*.

**GUILDFORD BOROUGH COUNCIL**

**PLANNING COMMITTEE INDEX**

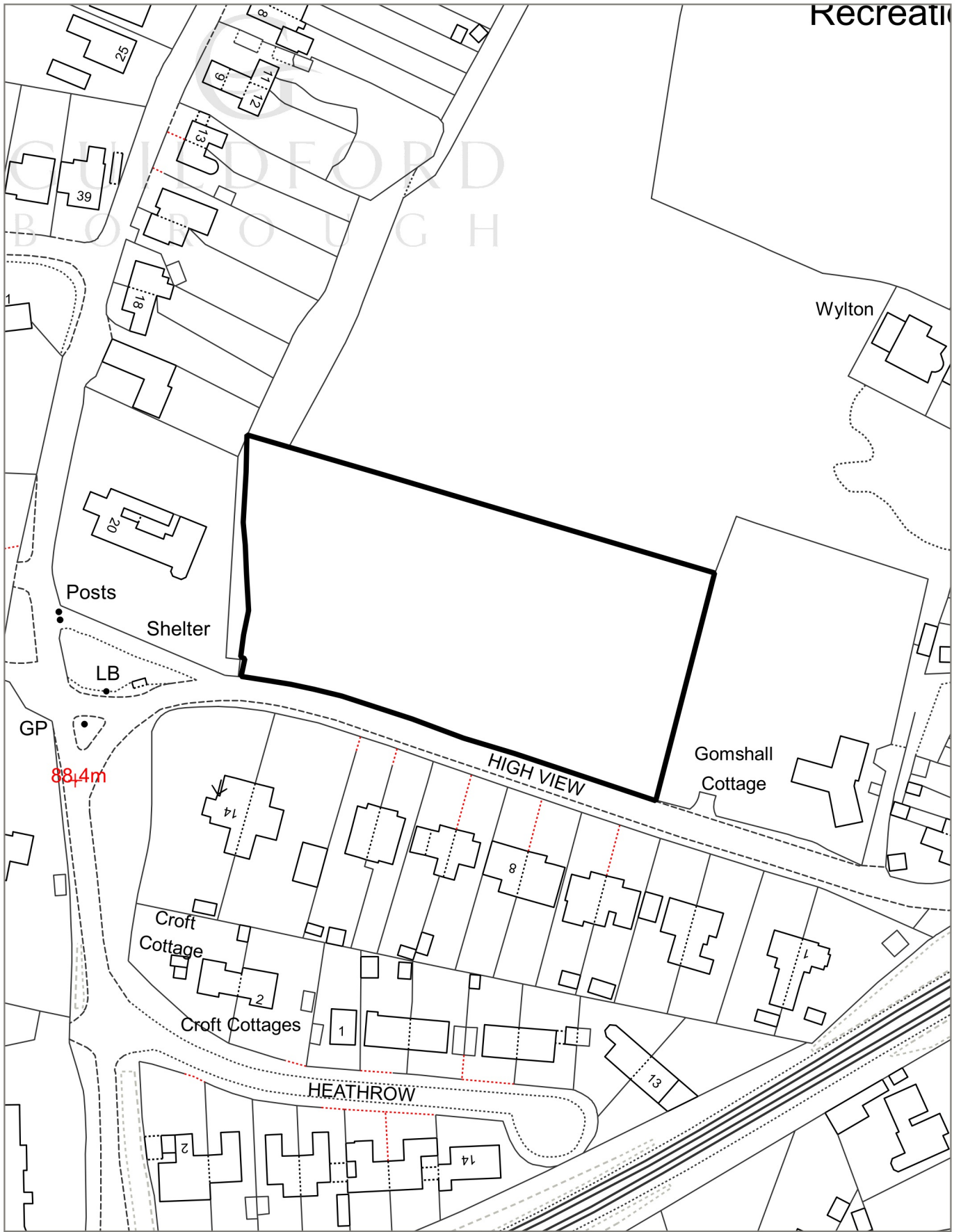
**30/11/2022**

<b>Item No.</b>	<b>Parish</b>	<b>Applicant</b>	<b>Location</b>	<b>App.No.</b>	<b>Rec.</b>	<b>Page</b>
4.1	Tillingbourne	Gold Property Development Ltd	Land at High View, Gomshall, GU5 9LT	22/P/01037	APPC	15.

**Total Applications for Committee                    1**

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# 22/P/01037 - Land At, High View, Gomshall



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not be relied upon for accuracy.

Print Date: 18/11/2022



22/P/01037 – Land at High View, Gomshall



Not to scale





**App No:** 22/P/01037 **8 Wk Deadline:** 17/11/2022  
**Appn Type:** Full Application  
**Case Officer:** Daniel Cooklin-smith  
**Parish:** Shere **Ward:** Tillingbourne  
**Agent :** Miss L. O'Brien **Applicant:** Gold Property Development  
Future Planning and Ltd  
Development Gold Property Development  
2 Wardrobe Place Ltd  
London 4 Churchill Court  
EC4V 5AH Hortons Way  
Westerham  
TN16 1BT

**Location:** Land at, High View, Gomshall, GU5 9LT  
**Proposal:** Erection of two pairs of four-bedroom dwellings with associated access and landscaping.

### **Executive Summary**

#### **Reason for referral**

This application has been referred to the Planning Committee because Local Ward Member Councillor Diana Jones has requested that this application brought to committee. Councillor Jones does not agree that the development constitutes 'limited infilling' and believes the site should not be built on at all due to its environmental value and being located within the Green Belt and Surrey Hills Area of Outstanding Natural Beauty.

#### **Key information**

Permission is sought for the construction of 4x dwellings on an existing open plot of land with associated landscaping and parking spaces. Each dwelling has 4 double bedrooms and is two-storeys in height.

#### **Summary of considerations and constraints**

The proposal is situated within the Green Belt, contains 2 protected trees on the western side of the existing plot of land and the site is located within the Surrey Hills Area of Outstanding Natural Beauty (AONB).

A similar proposal for 10 dwellings on the same plot (15/P/01497) was refused by the council and subsequently dismissed at appeal. The Planning Inspector stated that the site is situated within the village of Gomshall Village as a matter of fact and degree. However, it was determined that the construction of 10 dwellings is inappropriate development within the Green Belt.

Since the refusal and subsequent dismissal at appeal, Policy P2 (Green Belt) has been adopted in the Local Plan (2019). The policy states that Gomshall is one of several villages where limited infilling outside of an identified settlement boundary may be appropriate within the Green Belt where it can be demonstrated that the site is within a village.

As such, it is considered that this proposal represents limited infilling due to the quantum of dwellings proposed. Furthermore, whilst the site is within the AONB and Green Belt, the proposal provides highly sustainable housing and landscaping which would outweigh any harm to the Green Belt and the AONB. Moreover, it is the officer's opinion that this site is not visible to such an extent that the proposal would have a detrimental impact on the wider area.

Regarding S.106 contributions the site is not located within the Thames Heaths Basin Special Protection Area. As such the provision of new dwellings does not require a SANG or SAMM contribution.

**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:

P2028-IOA-ZZ-ZZ-DR-A-3200 REV C05 – Proposed Site and Ground Floor Plan;

P2028-IOA-ZZ-ZZ-DR-A-3203 REV C04 – Proposed Driveway Plan H1 & H2;

P2028-IOA-ZZ-ZZ-DR-A-3204 REV C04 Proposed Driveway Plan H3 & H4;

P2028-IOA-ZZ-ZZ-DR-A-3230 REV C03 – Proposed Visibility Plan;

Received on 14<sup>th</sup> October 2022 and;

P2028-IOA-ZZ-ZZ-DR-A-3225 REV C03 – Proposed Layout/Floor Plans; and

P2028-IOA-ZZ-ZZ-DR-A-3225 REV C03 – Proposed Room Layouts Plan.

Received on 5<sup>th</sup> October 2022.

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

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

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

4. The approved Arboricultural Method Statement and Tree Protection Plan prepared by PJC Consultancy, dated 24<sup>th</sup> May 2022, must be adhered to in full, and may only be modified by written agreement from the LPA. 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. 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.

5. Prior to occupation, the landscape strategy/mitigation as set out by Harper Landscape Architecture LLP (HLA R01 REV A (20/04/2022)) shall be implemented in full and shall be retained thereafter. Any landscape changes shall require express permission from 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.

6. The approved scheme shall ensure that the sustainable design principles set out in the sustainability statement, questionnaire and the Design & Access Statements to ensure the dwellings achieve 'Passivhaus' performance standards. This includes the minimum performance indicators set out below:

- Maximum U-values of 0.15W/m<sup>2</sup>.k for opaque fabric
- Thermal bridge free construction
- Maximum U-values of 0.85W/m<sup>2</sup>.k for windows (installed)
- Maximum air leakage rate of 0.6 air changes/hour (ACH-1) @ 50Pa.
- Minimum installed efficiency for MVHR of 75%

This will ensure a Dwelling Emission Rate (DER) of 70-75%. All measures shall be implemented prior to the first occupation and remain 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.

7. 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.

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

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

9. No development shall take place until a scheme to enhance the nature conservation interest of the site has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in full prior to the occupation of the development hereby approved.

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

10. No vehicle shall access the site unless and until the proposed vehicular accesses and tactile paving to High View hereby approved have been constructed and provided with visibility zones in accordance with the approved plans, Drawing No. P2028-IOA-ZZ-ZZ-DR-A-3230 Rev C03, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

**Reason**

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of the National Planning Policy Framework 2021.

11. 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 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.

Reasons

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of the National Planning Policy Framework 2021.

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

Reason

In order to promote sustainable forms of transport in accordance with the requirements of the National Planning Policy Framework 2021.

13. The development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of bicycles and the provision of charging points for e-bikes by said facilities have been provided within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason

In order to promote sustainable forms of transport in accordance with the requirements of the National Planning Policy Framework 2021.

**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](mailto: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 sought and provided which addressed potential issues, the application has been submitted and minor issues have arisen resulting in negotiations with the applicant. These have been overcome and planning permission has been recommended.

## **Officer's Report**

### **Site description.**

The application site is a 0.6ha site located in Gomshall Village on the northern side of High View. The site is enclosed on the east and west and bounded by woodland to the north. South of the site is Highview, a rural road with residential housing. The site was formerly used as gardens and tennis courts for Gomshall Lodge and is now undeveloped land. There are two trees along the frontage which are protected by a Tree Preservation Order (TPO) and there are trees and vegetation along the other site boundaries.

High View is residential in character and there are a number of semi-detached and detached houses in the surrounding area. The site is opposite a row of semi-detached housing (5-14 High View).

The site is reasonably accessible and sustainable and within walking distance from Gomshall Village Centre with good transport links to Dorking and Guildford, with good access to local amenities such as supermarkets, shops, post office and railway stations.

Planning constraints:

The site is set within the Green Belt and is outside of an identified settlement boundary;  
The site contains 2x protected trees on the western aspect of the frontage;  
The site is within the Surrey Hills Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value (AGLV);  
The road and parts of the site are identified as being in a 1 in 1,000 year risk of surface water flooding.

### **Proposal.**

Permission is sought for the construction of 4x dwellings (2 pairs of 2 houses) with associated landscaping and parking. The development proposes materials consistent with the existing character. Each dwelling will have private access with garden space directly accessible from the driveways.

#### Housing mix

4 x 4 bedroom (8 person) dwellings

As set out in the Nationally Described Space Standards, a 2-storey, 4 bedroom dwelling should have a Gross Internal Floor Area (GIA) of 124 m<sup>2</sup>. This, amongst other space standards will be considered throughout the report.

#### Parking provision

Each dwelling will be provided with 2x off-street car parking spaces and obscured from public view.

### **Relevant planning history.**

15/P/01497 - Details provided in the 'Site Background' section.

## **Consultations.**

### Statutory consultees

Thames Water: No objection subject to informatives relating to waste water network, sewage treatment works and the water treatment network.

Environmental Health Officer: No objection subject to conditions.

Surrey County Council Highways: Requested additional details relating to a visibility splays.

Arboricultural Officer: No objection subject to conditions.

Shere Parish Council: Object to development as it is outside a settlement area and is not limited infill. Concerns also raised regarding existing wildlife.

Surrey AONB Officer: Gomshall is a fine Surrey Hills AONB Village attracting many visitors including walkers, some of whom walk along this lane. I consider this to be a valuable asset of the village making a major contribution to its attractive rural character. It comprises an open area important to the setting of the tall and many trees adjoining to the north.

The proposed development would result in a loss of the natural rural feel of this part of the village along High View.

The proposal is situated with a Site of Nature Conservation Importance. Such sites are protected from development that would damage their conservation value and the protection of nature is an important aim within the Surrey Hills AONB.

The officer questions if contemporary architecture is appropriate within the context of this site and argues the design may be better suited in an urban context.

Surrey Wildlife Trust: Recommendations are for the applicant to provide a Construction Environmental Management Plan and Landscape and Ecological Management Plan prior to commencement. In addition to this, a Sensitive Lighting Plan should also be implemented as a general recommendation. Contrary to the AONB officer's advice, there is not a Site of Nature Conservation Importance (SNCI) to the north of the site. The nearest sites are Netley Heath and Effingham Woods SNCI which are 0.4km away from the site. The officer states that they agree with the Ecological Assessment which states that the 'localised scale of the proposed development...will result in no deleterious impact to these or any other designated sites'.

### **Third party comments:**

12 letters of objection have been received; key issues raised are as follows:

The application does not address the previous reasons for refusal; namely that the proposal does not constitute limited infilling and harm to the openness of the Green belt;

The scale of the development is not appropriate within the village;

Does not enhance Gomshall Village;

Clearance resulting in a loss of biodiversity;

The proposal presents a fire risk during dry summers;

Nearby application refused on the basis that it is on Green Belt land and therefore this should be refused;

Provision of water and electricity and impact on demand;

Traffic safety concerns resulting from increased car usage;

2 letters in support have been received. These raised the following:

This is a good use of infill land that has been unused for decades;  
Good use of space that should be more ambitious in delivering a larger quantum of new homes.

### **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 sustainable transport

Chapter 11. Making effective use of land.

Chapter 12: Achieving well-designed places.

Chapter 13: Protecting Green Belt land.

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

Chapter 15: Conserving and enhancing the natural 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 has a deliverable supply of housing land for in excess of five years. The Council's published Position Statement is that the Council has 7 years supply, however the Council's published position has been subject to challenge in the context of an ongoing planning appeal. The Council has been represented at inquiry by external consultants who have confirmed their view that the Council has in excess of a five year supply of housing land. 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

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

P2: Green Belt

D1: Place shaping

D2: Climate change, sustainable design, construction and energy

ID3: Sustainable transport for new development

ID4: Green and blue infrastructure

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

G1: General Standards of Development

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

G5: Design Code

G5(2): Scale, proportion and form

G5(5): Layout

NE4: Species Protection

NE5: Development Affecting Trees, Hedges & Woodlands



Supplementary planning documents:

SPG - Residential Design Guide 2004

SPD - Vehicle Parking Standards 2006

SPD - Planning Contributions 2017

SPD - Climate Change, Sustainable Design, Construction and Energy 2020

Other guidance:

Guildford Borough Council - Guidance on the storage and collection of household waste for new developments July 2017

Surrey County Council Vehicular and Cycle Parking Guidance 2018

National Design Guide 2021

**Planning considerations.**

The main planning considerations in this case are:

- The principle of development
- Housing mix
- Impact on character and appearance of the surrounding area
- Living environment
- The impact on neighbouring amenity
- Highway/parking considerations
- Sustainability
- Impact on protected species and biodiversity
- Impact on trees and vegetation
- Impact on the Greenbelt
- Impact on the AONB
- Legal agreement requirements
- Other considerations

**Site background**

A scheme for 10 dwellings (15/P/01497) which was refused by the Council for the following reasons:

1) *The proposed development is located in the Green Belt outside any identified settlement area and represents inappropriate development, which is by definition harmful to the Green Belt, its openness and permanence and the purposes of including land within it. No very special circumstances have been identified by the applicant that clearly outweigh the substantial harm to the Green Belt. The development therefore fails to accord with policy RE2 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/2007), the NPPF and NPPG.*

2) *The proposal is required to provide a sustainable urban drainage system, where it has not been satisfactorily demonstrated that surface water can be managed on the site with a system of on-going maintenance for the lifetime of the development or any details to confirm that it would be inappropriate. The development therefore fails to accord with policy G1(7) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/2007), the NPPF (para. 103) and the NPPG (Paragraph: 079 Reference ID: 7-079-20150415).*

The refusal was upheld at appeal with the Inspector concluding that the development constituted inappropriate development in the Green Belt as the addition of 10 dwellings could not be considered limited infilling. The Inspector stated that Policy RE3 from the now superseded Guildford Plan (2003) and the wording of 'small scale housing' is the main requirement for a new building to be 'infilling'. It is established in the Inspector's report that the site is as a matter of fact and degree, within Gomshall Village.

The Inspector provided further rationale and stated that when considering the wider context, the site is 100m in width and is bound by single-detached houses on both sides in substantially sized plots with loose and undeveloped land on three sides. The Inspector state that the site is *therefore expansive in its scale (and considered) that the development of ten dwellings, spanning the full width of the site, would not represent limited infilling.*

This application is a re-submission following pre-application advice that was issued on 31/08/2021. The officer concluded that due to the size, context and characteristics of the site, any number of dwellings on the site would be unlikely to receive officer support as it does not meet the criteria set out in Para 149 (Protecting Green Belt Land) of the NPPF (2021).

### **The principle of development**

The NPPF 2021 sets out the government's aim to significantly boost the supply of housing with housing applications considered in the context of the presumption in favour of sustainable development.

Paragraph 69 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should support development of windfall sites through their policies and decisions giving great weight to the benefits of using suitable sites within existing settlements for homes and encouraging the sub-division of large sites where this could help to speed up the delivery of homes.

Policy RE3 (Identified settlements in the green belt) has now been superseded in the most recent Local Plan by Policy P2 (Green Belt) and states that the Green Belt will be protected against inappropriate development in accordance with the NPPF (2021). However, Policy P2 further stipulates that the construction of new buildings in the Green Belt will be acceptable provided development falls within the list of exceptions including limited infilling.

Limited infilling may be considered appropriate outside the identified settlement boundary where it can be demonstrated that the site should be considered to be within a village (Paragraph c(i)). Gomshall has been identified as one of the villages for this exception. Furthermore, it has been established in the previous application (15/P/01497) that the site is within the village of Gomshall.

As previously highlighted, the refused application (15/P/01497) was upheld at appeal on the basis that it did not constitute limited infilling. When considering the revised proposal it is the Officer's opinion that the site is not expansive given that the quantum of dwellings is reduced from 10 to 4. It is considered that the reduction in dwellings as 2x semi-detached units with surrounding open space is more in keeping with the surrounding area.

The issue of quantum is not directly addressed by the Inspector, but it is clear that 10x dwellings exceeds the acceptable level required for the development to be considered limited infilling. It is also known that the Inspector's view was that the development spanning the entire 100m of the site would make the development too 'expansive'.

The Legal Opinion provided by Cornerstone Barristers highlights that limited infilling is open to interpretation. Whilst there are contextual and differences in planning designations, the examples of precedent set out by Cornerstone Barristers are of relevance. Whilst the dwellings are not necessarily reflective of Gomshall Village, there is a cogent argument put forward that suggests that less than 5 dwellings can be considered limited infilling provided that the scale of development, neighbouring impact and rural character are not adversely impacted. Furthermore, it is considered that the 4 dwellings can be considered a 'small gap in an otherwise continuous built-up frontage' (Guildford Local Plan Para. 4.3.23) and is therefore compliant with Guildford policy.

As such, it is the opinion of the officer that the development constitutes limited infilling and that the proposal is considered acceptable in principle subject to compliance with other local and national policies.

### **Housing mix**

Policy H1 of the Local Plan (2019) sets out 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. New development should provide a mix of housing tenures, types and sizes appropriate to the site size, characteristics and location'. The housing mix is to be delivered over the plan period. The SHMA sets out a requirement for market homes of 10% - 1 bed homes, 30% - 2 bed homes, 40% - 3 bed homes and 20% - 4 bed homes.

The proposal seeks to provide 4 x 4-bed dwellings. Given the relatively small scale nature of the development, it is considered that the proposal does have an acceptable housing mix which meets a range of accommodation needs appropriate to the site's size, characteristics and location. The proposal therefore complies with policy H1 of the Local Plan.

### **The Impact on character and appearance of the area**

The National Design Guide sets out that well-designed development is influenced by local character and the characteristics of existing built form, and it is important to consider the composition of street scenes, the height, scale, massing and relationships between buildings, the scale and proportions of building and landscaping, both hard and soft.

Policy D1 of the Local Plan requires (1) all new development to achieve high quality design that responds to distinctive local character of the area in which its set. Section (4) requires all new development to be designed to reflect distinct local character of the area and to respond to and reinforce locally distinct patterns of development, including landscape setting. Policy G5 of the Saved Local Plan sets out criteria to ensure new development is in keeping with the surrounding area.

Within the most recent appeal decision relating to the site (ref: 15/P/01497) the inspector states the following with regards to the character of the area:

*The appeal site is an undeveloped area of land which sits outside of the settlement boundaries for Gomshall. However, the Council accepts, as a matter of fact and degree, that the site is within the village of Gomshall. There is residential development on the south side of High View opposite the site and that, considered in the wider context, the built up area extends around the other sides of the site. (The site) is bounded on both sides by single detached dwellings in substantial, well planted plots. To the rear is a strong belt of mature planting, beyond which is an undeveloped open space.*

*The site is, therefore, expansive in its scale and surrounded on three sides by loosely or undeveloped land.*

The surrounding area is residential in nature with large semi-detached houses with driveways opposite the application site. The site is bounded by more large residential housing although there is natural screening on both sides of the existing area. To the rear is a wooded area which again would be screened by flora fauna. The plans show that the proposed dwellings would all benefit from landscaping along High View and also separating the two pairs of semi-detached dwellings to retain the well-landscaped character of the area. The applicant has submitted a Landscape and Visual Impact Assessment in which it is concluded that the dwellings would be discreet in terms of visibility and public views would be limited to 5-14 High View.

With regard to the built form, the site is visible from High View and is also visible from No 5 - 14 High View (inclusive). These existing houses are built in a traditional 19th century rural form with stone on the ground floor and red brick on the first floor. The pitched eaves and red bricks are a key component of this row of houses and the character of the north of Highview. The proposed dwellings have a more contemporary design which is evident through the use of zinc rooftops and timber cladding, although the majority of the front elevation will consist of brickwork facing Highview. A condition will be included to ensure the materials are appropriate within the context of the area. This will be assessed by Guildford's Heritage and Design team.

As such, it is considered that the location of the proposed development would not harm the established character of the surrounding area by reason of providing a degree of interest to the area through contemporary materials. This opinion reflects the opinion set out in the original pre-application response from 2021. Furthermore, the site's landscaping and relatively sparsely plotted residential housing would be acceptable in scale, height, plot size and therefore would preserve the character of Gomshall.

### **Living environment**

Policy H1(3) of the LPSS requires all new development to conform to the Nationally Described Space Standards (NDDS, 2015) as set out by the Department for Levelling Up, Housing, Communities and Local Govt (DLUHC). The application proposes the creation of 4x 4 bed Passivhaus dwellings and are split into 2 pairs of semi-detached dwellings.

In line with the NDDS, a 2-storey 4-bed dwelling for 8 people should have a gross internal area (GIA) of 124m<sup>2</sup>. The proposed dwellings GIA is outlined below:

Unit 1: 235m<sup>2</sup>

Unit 2: 238 m<sup>2</sup>

Unit 3: 235m<sup>2</sup>

Unit 4: 238m<sup>2</sup>

Therefore, all dwellings meet the criteria set out in the NDDS. With regard to rooms, the dwellings require double bedrooms to have an area of 11.5m<sup>2</sup> and be 2.75m in width. The dwellings should have a ceiling to floor height of 2.3m on each floor. The proposed dwelling meets the standards set out and therefore complies with NDDS policy.

The proposed garden areas are generous and provide good amenity space around the dwelling, creating a pleasant and open environment that responds well to the current open space whilst also providing the occupiers a good standard of accommodation regarding living space. Therefore, the proposal is acceptable in this regard.

### **The impact on neighbouring amenity**

Policy G1(3) of the Saved Local Plan seeks to protect the amenity of occupants of buildings from unneighbourly development in terms of privacy, access to sunlight and daylight, noise, vibration, pollution, dust and smell. Policy H4 states that permission will be granted provided that development does not have an unacceptable effect on amenity.

The proposals have been designed in a way that ensures that the two pairs of dwellings are well separated by natural screening. Furthermore, each of the semi-detached pairs do not impact one another's amenity due to the configuration of the floorplan, fenestration and access to outdoor amenity space.

Accordingly, there is no unacceptable material impact on neighbouring amenity anticipated.

### **Highway/parking considerations**

Paragraph 104 of the NPPF states that development should promote sustainable modes of transport and consider patterns of movement and parking in order to contribute towards making high quality places. The proposed development will provide x bicycle storage spaces per dwelling, along with EV charging ports and 2x off-road parking spaces per dwelling which is compliant with policy. Bicycle storage and EV charging ports shall be enforced with a suitably worded condition.

Refuse and recycling has been located along the driveways, which are generous in size and owing to the high-quality landscaping are kept discreet. The discreet nature of the driveways also helps to reduce the visibility of parked cars. With regard to highway safety, there are no concerns as a result of this application owing to the large driveways. However, suitably worded conditions will be imposed to ensure that no vehicles use the site for residential purposes until vehicular access has been constructed in accordance with visibility zones set out in the proposed plans. Another condition will also set out that the development should not be occupied until space has been made for cars to turn safely and enter and exit the site in forward gear. This will ensure that there are no highway safety concerns when driving onto Highview.

### **Sustainability**

Policy D2 of the LPSS sets out that new dwellings need to achieve a 20% reduction in carbon emissions through the use of renewable energy.

A sustainability questionnaire has been submitted, along with additional details within the submitted planning statement. A statement has been provided by Future Planning and Development and outlines how the proposal meets local and national policy requirements including Policy D2 (Sustainable design, construction and energy) and Part L of the National Building Regulations.

The term Passivhaus is translated in English to 'Passive House' and refers to the energy efficient standards and small ecological and carbon footprint these dwellings create. The Sustainability statement details how the Passivhaus dwellings result in energy savings due to minimum performance standards to achieve 'Passivhaus':

- Maximum U-values of 0.15W/m<sup>2</sup>.k for opaque fabric;
- Thermal bridge free construction;
- Maximum U-values of 0.85W/m<sup>2</sup>.k for windows (installed);
- Maximum air leakage rate of 0.6 air changes/hour (ACH-1) @ 50Pa;
- Minimum installed efficiency for MVHR of 75%

The dwellings will achieve 'Passivhaus' standard through measures including air-source heat pumps for heating and hot water, heat recovery ventilation, 100% low-energy lighting, low-flow sanitary ware and sola thermal hot water panels.

It is noted that an objection was raised in relation to water and electricity provision. It is proposed that an appropriately worded condition will be used for electricity and water efficiency calculations and will need to be submitted to the local planning authority for approval.

The predicted energy efficiency of these dwellings would be around 75% less energy when compared with other new dwellings. As such, the proposal is highly sustainable and would not cause undue long-term environmental harm.

### **The impact of biodiversity and protected species**

The NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising the impact on and providing net gains for biodiversity (Para. 174). The development makes use of the open space and landscaping to preserve and respond to the openness of the surrounding area.

With regard to ecological concerns, Surrey County Council's officer has confirmed there are no major concerns with respect to this proposal. The developer has submitted the following documents:

- Ecological assessment;
- Biodiversity net gain report; and
- Arboricultural impact assessment.

The reports conclude that the proposal would have a minor impact on local trees. In line with Surrey Wildlife Trust's advice, a condition will be used to ensure that any should any trees be felled, they should be managed in line with the Construction Environmental Management Plan (CEMP). The applicant has also provided an ecological report to show that there would be no deleterious impacts on designated sites, ancient woodlands or habitats of conservation concern within a 2km radius. Given the potential impact for lighting on wildlife, the applicant will be notified via informative that any external artificial lighting should comply with standards set out in BCT & ILP (2018) Guidance Note 08/18.

A condition will also be included relating to Landscape and Ecological Management Plan to ensure the site achieves a biodiversity net gain. As such, the development is acceptable from a landscape and ecological perspective.  
Impact on trees and ecology

The application is supported by an Arboricultural Report prepared by PJC Consultancy. The report recognises that the site is situated within an AONB and is subject to a Tree Protection Order (TPO No.3 (1986)). The proposal will involve the removal of one group of self-seeded willow and sycamore saplings to facilitate the proposal. A T1 lime will also be pruned in order to enable the construction of a footpath.

The proposal will involve permanent garden fencing along with soft landscaping to create a pleasant environment that is in keeping with the local surroundings. Guildford Council's arboricultural officer has confirmed that no objection is raised to the arboricultural proposals although a condition is required to ensure that the Arboricultural Method Statement and Tree Protection Plan are adhered to in full. A pre-commencement condition will be applied to ensure that any tree protection measures as set out in the AMS and TPP have been implemented in full.

### **Impact on the AONB**

Policy P1 (Surrey Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value) of the Local Plan (2019) states that development within an AONB should conserve or enhance special or scenic landscapes. Proposals should give regard to protecting the setting of an AONB and consider management policies set out in the Surrey Hills Management Plan (2019).

The Surrey Hills Management Plan highlights that small developments can have a cumulative impact on AONBs over time and therefore development management should take strict measures to address this. The officer recognises the benefit that the AONB brings to residents' quality of life as well as visitor experience.

In the case of this site; it is a 0.6ha site, approximately 110 metres wide x 55 metres deep. When looking at the site from above, it is shown to be surrounded by trees to the north, east and west. Whilst further east and west is residential housing and to the south is the Shere Millennium Walking Trail (on High View) and residential housing. It is clear that the site is situated on a gradient which gently slopes down to the north, thereby ensuring that the site is not visible northwards of the site given the natural screening of vegetation and open spaces such as Gomshall Play Park sitting lower than the application site. It is also notable that from the street level at Towerhill and Heathrow, the site is not visible, despite being south of the application site as it is elevated.

As such, the officer concludes that the site does not represent a significant parcel of land or highly valuable asset in the context of the Surrey Hills AONB given that the site only has direct viewpoints from the dwellings at 5-14 Highview and even these are obscured by landscaping and hedgerows. Furthermore, the open land is isolated in terms of other open fields and this negates any potential for cumulative development. As such, it is concluded that development in this area of the AONB is acceptable.

With regard to design, the proposal is contemporary in nature which is considered acceptable due to the absence of any architecturally significant buildings in the surrounding areas. The dwellings located at 5-14 Highview have a traditional rural form and contribute towards the character of Gomshall. As mentioned in an earlier paragraph, the design would provide a level of interest to the surrounding area – although a condition will be included to ensure that the materials are appropriate.

The development also incorporates a high quality landscaping strategy and is set out in the statement prepared by Harper Landscape Architecture. Trees will be planted and protected trees will be preserved along the site to keep the development discreet. A suitably worded condition will be used to ensure the development is implemented in accordance with the strategy.

To conclude, the proposal is acceptable within the Surrey Hills AONB and would comply with policies set out in Policy P1 of the Local Plan (2019).  
Legal agreement requirements

The proposed development would not be subject to any legal agreements.

**Other considerations**

There are no other relevant considerations as part of this application.

**Conclusion.**

The proposed development for 4x new dwellings is located within the Gomshall Village and the officer considers this to be an appropriate infill and as such, the principle of the proposed development is acceptable. The applicants have undertaken the pre-application process, following a refusal for a larger scheme which incorporated 10x dwellings on the application site. It is considered that the applicant has responded to previous council feedback in order to overcome previous reasons for refusal. The proposed development would lead to the creation of four family sized homes in a sustainable location that reflect the character of the area.

It has been shown that the proposed development respects the amenity of the adjacent neighbours and would not result in detrimental impacts on trees, highways or ecology.

Overall, it is considered that the scheme represents a sustainable form of development, makes effective use of a suitable and accessible site which accords with both local plan and national policy requirements as set out. Furthermore, the officer is of the opinion that this application site can be considered infilling. As such, planning permission should be granted subject to conditions.